

**2014**

# Findings on the Worst Forms of Child Labor

Required by the Trade and Development Act of 2000



BUREAU OF INTERNATIONAL LABOR AFFAIRS  
UNITED STATES DEPARTMENT OF LABOR



# THIS WHOLE BOOK AND MORE IN THE PALM OF YOUR HAND!

Check countries' **efforts** to eliminate child labor

Review **laws** and **ratifications**

Find child labor **data**

Browse **goods** produced with child labor or forced labor

See what governments can do to **end child labor**

**TAKE OUR DATA FURTHER WITH OUR API!**

<http://developer.dol.gov/child-labor>



DOWNLOAD ILAB'S **SWEAT & TOIL** APP TODAY!







A young boy gathers cocoa pods in a field in Niabile, Côte d'Ivoire.





© Reza/Getty Images

A boy working in a cultivated opium poppy field in Afghanistan. The poppies are used to make heroin which is then sold in international drug markets.



**SECRETARY OF LABOR**  
**WASHINGTON, D.C. 20210**

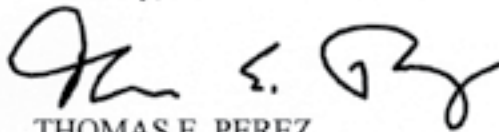
**SEP 30 2015**

The Honorable Joseph R. Biden  
The Vice President of the United States  
Washington, DC 20500

Dear Mr. Vice President:

The enclosed report, titled *The Department of Labor's 2014 Findings on the Worst Forms of Child Labor*, is submitted in accordance with section 504 of the Trade Act of 1974, as amended (19 U.S.C. 2464). The report describes the efforts of 140 countries, non-independent countries, and territories to meet commitments to eliminate the worst forms of child labor. We hope this report is useful to the Congress.

Sincerely,



THOMAS E. PEREZ

Enclosure

cc: The Honorable Mitch McConnell, Senate Majority Leader  
The Honorable Harry Reid, Senate Minority Leader



A young servant washing clothes in Kita, Mali.



**SECRETARY OF LABOR**  
**WASHINGTON, D.C. 20210**

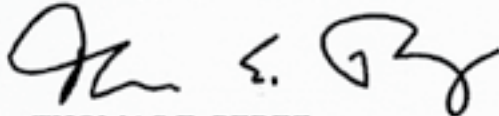
**SEP 30 2015**

The Honorable John Boehner  
Speaker of the House of Representatives  
Washington, DC 20515

Dear Mr. Speaker:

The enclosed report, titled *The Department of Labor's 2014 Findings on the Worst Forms of Child Labor*, is submitted in accordance with section 504 of the Trade Act of 1974, as amended (19 U.S.C. 2464). The report describes the efforts of 140 countries, non-independent countries, and territories to meet commitments to eliminate the worst forms of child labor. We hope this report is useful to the Congress.

Sincerely,



THOMAS E. PEREZ

Enclosure

cc: The Honorable Nancy Pelosi, House Minority Leader



Children scavenging in the Anlong Pi garbage dump.  
© David Rengel/AnHua





# Foreword



Thomas E. Perez  
U.S. Secretary of Labor

In the 5 years he spent chained to a loom in his native Pakistan, no one ever asked Iqbal Masih to do anything but work. No one asked him to attend school. No one asked him to go play. No one asked him the most powerful of questions: “What do you want to be when you grow up?”

At the age of 10, he escaped slavery and became an impassioned advocate for children’s rights. Iqbal found his voice and was finally able to tell the world what he wanted to be when he grew up: “A lawyer,” he said, “to do what Abraham Lincoln did,” so that one day he could help free other children from bonded labor. (1)

Tragically, Iqbal never got that chance. At age 13, he was shot and killed by a gunman while riding a bicycle. This year marks the 20<sup>th</sup> anniversary of Iqbal’s death and 20 years of grants awarded by the U.S. Department of Labor (USDOL) to help eliminate the worst forms of child labor worldwide.

These grants provide children with the opportunity to access a quality education, which helps lift their vulnerable families out of poverty. They give children and their families a fighting chance to share in the benefits of the global economy. Melisa, a member of the Yánesha people, one of Peru’s indigenous communities in the remote district of Pichanaki, is a prime example.

Melisa was ready to drop out of school when she reached the ninth grade. Among other things, the arduous 6-hour commute to the nearest high school was making it nearly impossible for her to get an education. That changed thanks to the USDOL-funded *Semilla* (Seed) project, a partnership with the Peruvian Government, which allowed Melisa to finish high school by accessing a tutoring program. Last year, she won a prestigious scholarship from the national government and will receive a full scholarship to college to study sustainable tourism. Her goal is to bring greater economic development to her village.

We proudly provide technical assistance, through our Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) project, to countries that have expressed an interest in receiving support to reduce child labor, including its worst forms. We help these nations act on the information and the suggested measures spelled out in the *Findings on the Worst Forms of Child Labor* report. For example, the CLEAR project is supporting efforts to develop child labor training materials for labor inspectors in Paraguay; establish an Education Roadmap to Eliminate Child Labor in the Philippines; and conduct a National Child Labor Survey and pilot a monitoring system in Suriname.

In recent years, countries have made substantial progress in protecting children from exploitive work, in many cases assisted by projects similar to Seed and CLEAR. They have opened up primary education to more children and started to close the gap in girls’ education. Since 2000, the number of child laborers has dropped by one-third, while the number of children and adolescents out of school has been cut nearly in half.

Nevertheless, there is more work to be done. The International Labor Organization estimates that 168 million children worldwide still work, half of them in hazardous situations and 6 million of them in forced labor. Globally, there are also millions of children who are not working but are at risk of becoming child laborers because they are not in school.



This 14<sup>th</sup> edition of USDOL's *Findings on the Worst Forms of Child Labor*, prepared by our Bureau of International Labor Affairs in accordance with the Trade and Development Act of 2000 (TDA), documents both the progress made and the challenges remaining. The report describes the efforts of 140 countries, non-independent countries, and territories to address exploitive labor through legislation, enforcement, policies, and programs. And it recommends steps these governments can take to bolster their efforts.

In particular, our 2014 report highlights programs and policies governments can implement, drawing from innovative practices across the globe, to help children go to school, stay in school, and avoid exploitive work. USDOL funds a global project to support governments that are committed to these kinds of programs.

This year, we also want to expand the reach and accessibility of our report by launching a smart phone app. We hope the app will educate more people about the challenges of eliminating the worst forms of child

labor, offering a new tool in the struggle for the rights of children and the livelihoods of their families.

Kailash Satyarthi, a native of India whose three decades of work defending children's rights earned him the 2014 Nobel Peace Prize, used his acceptance speech last December to issue a call to action: to "globalize compassion and set our children free." It is time, he said, for "all the governments, intergovernmental agencies, businesses, faith leaders, the civil society, and each one of us, to put an end to all forms of violence against children. Slavery, trafficking, child marriages, child labor, sexual abuse, and illiteracy have no place in any civilized society."

At USDOL, we are doing everything possible to heed Kailash's call. Ours is a multi-pronged approach – including technical assistance, research and reporting, and policy engagement – combining to create a holistic strategy for combatting this global scourge. The inspiring examples of Iqbal and Kailash further motivate us, with resolve and a sense of urgency, to continue fighting this fight.



Melisa displaying her scholarship award letter.

A handwritten signature in black ink, appearing to read "Tom E. Perez".

THOMAS E. PEREZ  
Secretary of Labor  
September 30, 2015

© Seed Project

# Acknowledgments

This report was prepared by the Bureau of International Labor Affairs (ILAB) under the direction of Carol Pier, Deputy Undersecretary for International Affairs; Eric Biel, Associate Deputy Undersecretary for International Affairs; Mark Mittelhauser, Associate Deputy Undersecretary for International Affairs; Thomas Richards, Chief of Staff; Marcia Eugenio, Director of the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT); and Kevin Willcutts, Deputy Director, OCFT. Preparation of the report was coordinated by Charita Castro, Chanda Uluca, Rachel Raba, Christine Camillo, and Rachel Phillips Rigby of OCFT. The research and writing of the report were carried out by the following OCFT staff: Ahoura Afshar, Christine Carlson-Ajlani, Lauren Damme, Amy Firestone, Monika Hartsel, Randall Hicks, Margaret Hower, Ashley Lippolis Aviles, Adrienne Long, Michelle Mills, Jennifer Oetken, Kristen Pancio, Austin Pedersen, Lauren Piera, Luis Pablo Solorio, Shelley Stinelli, Pamela Wharton, Jasmine Whelan, and Fan Yang. Editing of the report within OCFT was done by Marisa Ferri, Celeste Lemrow, Eileen Muirragui, Tanya Rasa, and Brandie Sasser.

Other personnel who made major contributions, including from ILAB, the Office of the Assistant Secretary for Policy, the Office of the Solicitor, and the Office of the Executive Secretariat within USDOL, include Daniel Arp, Ana Aslan, Joan Barrett, Noah Grace Bauman, Jay Berman, Deborah Birnbaum, Chelsea Brint, Rakiyah Canty, Ryan Carrington, Kathryn Chinnock, Jin Chong, Emma Clark, Kendall Collins, Katie Cook, Kwamena Cudjoe, Lorena Davalos, Terri de Leon, Rana Dotson, Brenna Dougan, Merima Dulic-Lokvancic, Tina Faulkner, Mary Francis, Jane Garrido, Chantenia Gay, Keith Goddard, Alexa Gunter, Jonathan Hammer, Tamara Hoflejer, Cynthia Huynh, Maureen Jaffe, Paul Jurado, Josh Kagan, Emma Laury, Marie Ledan, Juan Lopez, Steve Marler, Deborah Martierrez, Katy Mastman, Claudia Montelongo, EJ Murtagh, Michael O'Donovan, Lukas Olynyk, Karrie Peterson, Carlos Quintana, Ingris Ramos, Egan Reich, Crispin Rigby, Claire Rodriguez, Sherry Smith, Kristin Sparding, William Stone, Leyla Strotkamp, Emily Toller, Carmen Torres, Jon Underdahl-Pierce, Ana Valdas, Pilar Velasquez, Chris Watson, Jeff Wheeler, and Halima Woodhead.

Assistance in gathering research and reviewing country profiles was provided by personnel at U.S. Department of State embassies around the world and in the Office of International Labor Affairs in the Bureau of Democracy, Human Rights and Labor.

Assistance with copy editing, fact checking, and technical editing of the report was led by Yodit Fitigu, Suteera Navagajara, and Wei-Cheng Chen of ICF International. Assistance with graphic design was provided by Francis Knab, Kate Krizan, and Karen Cleek.

The development of the Sweat & Toil mobile app and open data was done by Presidential Innovation Fellows E.J. Kalafarski and Tyrone Grandison, with support from Xavier Hughes, Mike Pulsifer, and Walter Cerna.

All quotes in this report from Nobel Peace Prize co-recipients Kailash Satyarthi and Malala Yousafzai are from the Nobel Prize Lectures and are credited to The © Nobel Foundation, Stockholm, 2014.

Photographs in this report are used with permission from Paola Aguilera, Rick Albertson, Juan F. Barreiro, E-FACE Project, Yodit Fitigu, Cleber Gellio, Luc Gnago/Reuters, the International Labor Organization (ILO), Christopher Leones/ABK3 LEAP, Cezar Magalhães/DOL-Diário Online, Steve McCurry/Magnum Photos, Henry Moncrieff, the Nobel Foundation, the Office of the Special Representative of the Secretary-General for



Children and Armed Conflict, Larry C. Price, Reach-T Project, David Rengel/AnHua, Reza/Getty Images, Save the Children, and Seed Project. ILO photos were taken by M. Crozet, P. Deloche, and Osseiran Nadine. All other photos were taken by USDOL staff. UN, UNICEF and ILO logos are used with permission.

This report was published by ILAB. Copies of this and other reports in ILAB's child labor series may be obtained by contacting the Office of Child Labor, Forced Labor, and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW, Room S-5317, Washington, DC 20210. Telephone: (202) 693-4843; Fax: (202) 693-4830; e-mail: [GlobalKids@dol.gov](mailto:GlobalKids@dol.gov). The reports are also available on the Internet at: <http://www.dol.gov/ilab/>. Comments on the reports are also welcomed and may be submitted to [GlobalKids@dol.gov](mailto:GlobalKids@dol.gov).



**In Memoriam**

James S. Rude, known to his colleagues at the U.S. Department of Labor's Bureau of International Labor Affairs as "Jim," passed away on June 11, 2015. Jim traveled the world imparting wisdom and kindness, and made a lasting impact on worker rights. He was a beloved colleague and mentor, and worked with the international labor community until his final days.

# Table of Contents

<b>FOREWORD</b>	<b>viii</b>	3.3.7 Section 6: Social Programs to Address Child Labor	li
<b>ACKNOWLEDGMENTS</b>	<b>x</b>	3.3.8 Suggested Government Actions to Eliminate the Worst Forms of Child Labor	lii
<b>ACRONYMS</b>	<b>xvi</b>	<b>3.4 FRAMEWORK FOR COUNTRY ASSESSMENTS</b>	<b>lii</b>
<b>U.S. DEPARTMENT OF LABOR'S MANDATE</b>	<b>xviii</b>	3.4.1 Objective for Country Assessments	lii
<b>REPORT OVERVIEW</b>	<b>xviii</b>	3.4.2 Research Question Guiding Country Assessments	liii
<b>PART I. THE YEAR IN REVIEW: GIVING A VOICE TO MILLIONS OF CHILDREN IN 2014</b>	<b>xxi</b>	3.4.3 Scope of Country Assessment	liii
<b>1.1 GLOBAL ANALYSIS OF GOVERNMENT     EFFORTS AND COUNTRY ASSESSMENTS</b>	<b>xxiii</b>	3.4.4 Method for Determining a Country Assessment	liii
1.1.1 Government Efforts	xxiii	3.4.5 Country Assessment Categories	liv
1.1.2 Country Assessments	xxiv	<b>PART IV. REFERENCE MATERIALS</b>	<b>lvi</b>
<b>1.2 REGIONAL ANALYSIS OF GOVERNMENT     EFFORTS AND COUNTRY ASSESSMENTS</b>	<b>xxvii</b>	<b>4.1 CHILDREN'S WORK AND EDUCATION     STATISTICS: SOURCES AND DEFINITIONS</b>	<b>lvi</b>
1.2.1 Asia and the Pacific	xxvii	<b>GLOSSARY OF TERMS</b>	<b>lviii</b>
1.2.2 Europe and Eurasia	xxx	<b>PART V. COUNTRY PROFILES</b>	
1.2.3 Latin America and the Caribbean	xxxii	Afghanistan	1
1.2.4 Middle East and North Africa	xxxiv	Albania	11
1.2.5 Sub-Saharan Africa	xxxvi	Algeria	19
<b>1.3 CONCLUSION: MOVING FORWARD     IN ENSURING EDUCATIONAL     OPPORTUNITIES FOR ALL CHILDREN</b>	<b>xxxviii</b>	Angola	24
<b>PART II. THE U.S. EXPERIENCE</b>	<b>xli</b>	Argentina	31
<b>PART III. REPORT GUIDE</b>	<b>xliii</b>	Armenia	42
<b>3.1 RESEARCH FOCUS</b>	<b>xliiii</b>	Azerbaijan	50
3.1.1 Country Coverage	xliiii	Bahrain	57
3.1.2 Population Covered	xliiii	Bangladesh	62
3.1.3 Reporting Period	xliiii	Barbados	71
3.1.4 Type of Employment	xliiii	Belize	77
<b>3.2 RESEARCH METHODS</b>	<b>xliv</b>	Benin	84
3.2.1 Data Collection and Sources	xliv	Bhutan	93
3.2.2 Analysis of Information	xliv	Bolivia	99
3.2.3 Limitations	xlvi	Bosnia and Herzegovina	109
<b>3.3 ORGANIZATION AND CONTENT OF     COUNTRY PROFILES</b>	<b>xlvi</b>	Botswana	119
3.3.1 Country Overview	xlvi	Brazil	125
3.3.2 Section 1: Prevalence and Sectoral Distribution of Child Labor	xlvi	Burkina Faso	137
3.3.3 Section 2: Legal Framework for the Worst Forms of Child Labor	xlvii	Burundi	147
3.3.4 Section 3: Enforcement of Laws on the Worst Forms of Child Labor	xliv	Cabo Verde	154
3.3.5 Section 4: Coordination of Government Efforts on the Worst Forms of Child Labor	1	Cambodia	160
3.3.6 Section 5: Government Policies on the Worst Forms of Child Labor	li	Central African Republic	176
		Chad	184
		Chile	192
		Colombia	200
		Comoros	213
		Congo, Democratic Republic of the	219
		Congo, Republic of the	230
		Costa Rica	237



Côte d’Ivoire	244	Nepal	611
Djibouti	255	Nicaragua	619
Dominica	260	Niger	630
Dominican Republic	264	Nigeria	638
Ecuador	278	Oman	648
Egypt	287	Pakistan	653
El Salvador	294	Panama	663
Eritrea	305	Papua New Guinea	672
Ethiopia	311	Paraguay	679
Fiji	320	Peru	689
Gabon	327	Philippines	699
Gambia, The	335	Russia	709
Georgia	342	Rwanda	715
Ghana	349	Saint Lucia	724
Grenada	360	Saint Vincent and the Grenadines	729
Guatemala	364	Samoa	734
Guinea	374	São Tomé and Príncipe	740
Guinea-Bissau	381	Senegal	745
Guyana	387	Serbia	754
Haiti	394	Seychelles	762
Honduras	404	Sierra Leone	768
India	415	Solomon Islands	776
Indonesia	425	Somalia	782
Iraq	435	South Africa	789
Jamaica	442	South Sudan	796
Jordan	449	Sri Lanka	805
Kazakhstan	457	Suriname	812
Kenya	464	Swaziland	818
Kiribati	472	Tanzania	824
Kosovo	477	Thailand	835
Kyrgyz Republic	484	Timor-Leste	844
Lebanon	490	Togo	850
Lesotho	498	Tonga	858
Liberia	504	Trinidad and Tobago	862
Macedonia	511	Tunisia	869
Madagascar	518	Turkey	875
Malawi	527	Tuvalu	883
Maldives, The	535	Uganda	888
Mali	540	Ukraine	897
Mauritania	551	Uruguay	906
Mauritius	559	Uzbekistan	914
Moldova	565	Vanuatu	923
Mongolia	574	Venezuela	927
Montenegro	582	Yemen	934
Morocco	589	Zambia	941
Mozambique	596	Zimbabwe	948
Namibia	604		

## Table of Contents, continued

### **PART VI. NON-INDEPENDENT COUNTRIES AND TERRITORIES**

Anguilla	957
British Virgin Islands	962
Christmas Island	965
Cocos (Keeling) Islands	968
Cook Islands	971
Falkland Islands (Islas Malvinas)	974
Montserrat	977
Niue	980
Norfolk Island	983
Saint Helena, Ascension and Tristán da Cunha <i>(formerly called Saint Helena)</i>	986
Tokelau	989
Wallis and Futuna	992
West Bank and the Gaza Strip	994
Western Sahara	1001

### **PART VII. APPENDICES 1005**

<b>APPENDIX I: COUNTRY ASSESSMENTS</b>	<b>1006</b>
<b>APPENDIX II: TDA CRITERIA AND CORRESPONDING GUIDANCE QUESTIONS</b>	<b>1014</b>
<b>APPENDIX III: LAWS AND RATIFICATIONS BY COUNTRY</b>	<b>1017</b>





© Larry C. Price

Barefoot and shirtless, Karim Sawadogo, 9, works with his uncle at a gold mine in Burkina Faso. He has been to school, but only for a while. "My dream," he says, "is to make enough money so I don't have to do this anymore."

# Acronyms

<b>AGOA</b>	African Growth and Opportunity Act
<b>ATPA</b>	Andean Trade Preference Act
<b>ATPDEA</b>	Andean Trade Promotion and Drug Eradication Act
<b>CBTPA</b>	Caribbean Basin Trade Partnership Act
<b>CRC</b>	Convention on the Rights of the Child
<b>DHS</b>	Demographic Health Survey
<b>EAPCCO</b>	Eastern Africa Police Chiefs Cooperation Organization
<b>ECOWAS</b>	Economic Community of West African States
<b>ECPAT</b>	End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes
<b>EFA</b>	Education for All
<b>EU</b>	European Union
<b>FLSA</b>	Fair Labor Standards Act
<b>GDP</b>	Gross Domestic Product
<b>GSP</b>	Generalized System of Preferences
<b>IDB</b>	Inter-American Development Bank
<b>ILAB</b>	Bureau of International Labor Affairs
<b>ILO</b>	International Labor Organization
<b>ILO C. 138</b>	International Labor Organization, Convention No. 138: Convention concerning Minimum Age for Admission to Employment, commonly referred to as the “Minimum Age Convention”
<b>ILO C. 182</b>	International Labor Organization, Convention No. 182: Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, commonly referred to as the “Worst Forms of Child Labor Convention”
<b>ILO Committee of Experts</b>	International Labor Organization Committee of Experts on the Application of Conventions and Recommendations
<b>ILO R. 190</b>	International Labor Organization, Recommendation No. 190; Recommendation concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, commonly referred to as the “Worst Forms of Child Labor Recommendation”
<b>ILO-IPEC</b>	International Labor Organization, International Program on the Elimination of Child Labor
<b>IMF</b>	International Monetary Fund
<b>INTERPOL</b>	ICPO–INTERPOL/International Criminal Police Organization
<b>IOM</b>	International Organization for Migration



<b>LFS</b>	Labor Force Survey
<b>LSMS</b>	Living Standards Measurement Survey
<b>MERCOSUR</b>	Common Market of the South (America); members include Argentina, Brazil, Paraguay (membership currently suspended), Uruguay, and Venezuela
<b>MOU</b>	Memorandum of Understanding
<b>NGO</b>	Non-Governmental Organization
<b>OAS</b>	Organization of American States
<b>OCFT</b>	Office of Child Labor, Forced Labor and Human Trafficking
<b>OSCE</b>	Organization for Security and Cooperation in Europe
<b>OSHA</b>	Occupational Safety and Health Administration
<b>Palermo Protocol</b>	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime
<b>PRSP</b>	Poverty Reduction Strategy Paper
<b>SIMPOC</b>	Statistical Information and Monitoring Program on Child Labor
<b>TDA</b>	Trade and Development Act
<b>TVPRA</b>	Trafficking Victims Protection Reauthorization Act
<b>UCW</b>	Understanding Children’s Work
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Program
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNICEF</b>	United Nations Children’s Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>USAID</b>	U.S. Agency for International Development
<b>USDOL</b>	U.S. Department of Labor
<b>USDOJ</b>	U.S. Department of Justice
<b>USDOS</b>	U.S. Department of State
<b>WFP</b>	World Food Program
<b>WHD</b>	Wage and Hour Division
<b>WHO</b>	World Health Organization

# U.S. Department of Labor's Mandate

The U.S. Department of Labor (USDOL) has prepared this 14<sup>th</sup> annual report on the *Findings on the Worst Forms of Child Labor* in accordance with the Trade and Development Act of 2000 (TDA).<sup>(2)</sup> The TDA expanded country eligibility criteria for several preferential tariff programs to include the requirement that beneficiary countries implement their commitments to eliminate the worst forms of child labor.<sup>(3)</sup> The expanded country eligibility criteria apply to the following trade preference programs: the Generalized System of Preferences (GSP) program authorized under the Trade Act of 1974; the Africa Growth and Opportunity Act (AGOA); and the U.S.-Caribbean Basin Trade Partnership Act (CBTPA).<sup>(4-5)</sup> The TDA mandated the Secretary of Labor to report on each “beneficiary country’s implementation of its international commitments to eliminate the worst forms of child labor.”<sup>(2)</sup> ILAB carries out this responsibility on behalf of the Secretary.

## Report Overview

This report is divided into five parts. Part I provides highlights and gaps in government actions to address the worst forms of child labor as described in this year’s report, with an emphasis on progress globally and by region. Part II provides an overview of the U.S. experience on child labor. Part III describes the method for compiling the report and a description of the features of each country profile, including country assessments to provide the President with clear indications of the Secretary of Labor’s findings on whether each beneficiary country has advanced efforts to eliminate the worst forms of child labor. Part IV contains reference material for data on child labor and education that appear in the report, and a glossary of terms used. Part V covers the individual profiles of the countries that benefit from trade preferences under the TDA.





Children in Malo primary school in TA Nthiramanja, Malawi participating in the ILO/IPEC SNAP Malawi project, which has provided them with educational materials, counseling and rehabilitation services, and their families with income-generating activities to prevent child labor.



“I represent here the sound of silence. The cry of innocence. And the face of invisibility. I have come here to share the voices and dreams of our children, because they are all our children.”

— Kailash Satyarthi, Nobel Lecture



Malala Yousafzai and Kailash Satyarthi accepting their Nobel Peace Prize medals, Norway.  
© Ken Opprann / The Nobel Foundation

“This award is not just for me. It is for those forgotten children who want education. It is for those frightened children who want peace. It is for those voiceless children who want change.”

Malala Yousafzai, Nobel Lecture

# Part 1 The Year in Review: Giving a Voice to Millions of Children in 2014

“Let’s walk together. In the pursuit of global progress, not a single person should be left out or left behind in any corner of the world, from East to West, from South to North.”

This was the appeal made by Kailash Satyarthi, a longtime child labor activist from India, upon accepting his Nobel Peace Prize on December 10, 2014.<sup>(6)</sup> His vision for a world in which all people, including children, get the opportunity to share in global prosperity, and in which children are protected and nurtured, was also embraced by the Pakistani co-recipient of the Prize, Malala Yousafzai. She spoke out against the exploitation of children and issued a call to action for them to advocate for their own rights: “Let us become the first generation to decide to be the last, let us

become the first generation that decides to be the last that sees empty classrooms, lost childhoods, and wasted potentials.”<sup>(7)</sup>

The children cited by the 2014 Nobel Laureates include an estimated 168 million child laborers around the world.<sup>(8)</sup> According to the ILO, about 85 million of these children are engaged in various types of hazardous work – including some who dig and drill for 24-hour shifts in gold mines, spray toxic pesticides on crops, or pick up trash on the streets. Another six million children are estimated to be in forced labor – where they are used as soldiers, carpets weavers, in commercial sexual exploitation, and other activities, such as drug trafficking.<sup>(8)</sup> Child labor exists in every region of the world. It is most common in the agricultural sector, although many children are also exploited in work in the industrial and service sectors, and other areas.<sup>(8)</sup> Most child laborers do not work for pay, and 70 percent are engaged in unpaid household services, often combining work with schooling, or not attending school at all.<sup>(8)</sup> Combining work with education often puts demands on children that make it difficult to achieve their full potential in school.<sup>(9)</sup>



A girl collecting food for animals in a dump. Lima, Peru.  
© ILO/M. Crozet

Exploitive child labor occurs for many reasons, the most common being poverty.(9,10) Children living in poor households work to help their families cover basic costs of living, such as housing, food, child care, or health care. Children also engage in exploitive labor because they cannot afford the costs of schooling, their school is too far away, it is not a safe or healthy place, or adequately staffed or equipped to meet their learning needs.(9,10) Where schools are available, the quality often is poor, so that parents do not see the benefits of an education. In other cases, children end up in exploitive work due to cultural reasons or because they are the victims of violence or environmental, health, or economic crises, such as natural disasters.(9) Exploitive child labor is also a problem in areas where employers find it cheaper or easier to use children to work and where national laws and policies are lacking or not being enforced effectively.(10)

In 2014 and early 2015, there were children in all regions of the world who were involved in child labor because of these and other factors. It is estimated that tens of millions of children were affected by violence from major conflicts, the most grievous being in the Central African Republic, Iraq, the West Bank and the Gaza Strip, Nigeria, South Sudan, and the Syrian Arab Republic, but also in long-lasting conflicts in Afghanistan, the Democratic Republic of the Congo, Somalia, and Yemen.(11)

In Guinea, Liberia, and Sierra Leone, where a devastating Ebola outbreak resulted in thousands becoming ill or dying



Jeannette, age 17, dropped out of school when she was 14 and went to work on a plantation as a tea picker. She said the job, which started at 7 a.m. and ended at 3 p.m. was “very hard and tiring”. Now Jeanette is studying in the REACH-T Model Farm School program funded by USDOL in Rwanda. “I thank the project for the skills I am gaining now” she said when asked about her experience in REACH-T. © REACH-T

and school closures affected 5 million children, some children turned to work to support themselves or their families.(12-14) In Vanuatu, which experienced massive destruction from Cyclone Pam, approximately 82,000 children were left without housing, food, or water, putting them at higher risk of involvement in the worst forms of child labor; in Nepal, it is estimated that nearly 1 million children were killed, injured, kept out of school, or trafficked as a result of the massive April 25, 2015 earthquake.(15, 16) Finally, at the U.S.-Mexican border, more than 50,000 unaccompanied minors were found having left the Northern Triangle countries (Guatemala, Honduras, and El Salvador) to escape violence and economic insecurity.(17) On their journey north, many of these children were made vulnerable to, and became victims of exploitation and abuse, including trafficking for forced labor.(17)

While child labor continued to be a serious problem in many areas of the world during the reporting period, experience has shown that child labor can be reduced or eliminated by tackling the root causes of poverty and addressing the vulnerability of households to economic shocks through education, social protection, and decent work strategies.(18) Education, in particular, has been



Ebola outbreak, Sierra Leone. © Save the Children





Aragash is 17 years old and has been weaving since a young age. She used to work for a business owner, she said, “Often, I would eat only once a day and would regularly get punished. I also started work early in the morning at 6 a.m. and would work throughout the night.” Through the E-FACE (Ethiopians Fighting Against Child Exploitation) project, Aragash now works in a government workspace with other young weavers and can support herself to attend school in the evening. © E-FACE Project

identified as a successful strategy for helping children to avoid child labor because it reduces the time that children have available to engage in exploitive work. Education also helps them to acquire the skills they need to secure stable jobs with fair pay and participate actively as citizens in their communities.(10, 19) As adults, they are likely to live longer, be less dependent on social support, and pass on the benefits of an education to their children.(10)

The global community recognized the importance of improving access to education for all children and combating poverty when it included “Eradicate extreme poverty and hunger” and “Achieve universal primary education” in the eight Millennium Development Goals (MDGs) in 2000. Since then, extreme poverty rates have fallen in every developing region, and the number of out-of-school children has dropped. In the period from 2000 to 2012, the number of child laborers also fell by almost one third. (8) However, notwithstanding this progress, 1.2 billion people still live in extreme poverty, and 58 million children are still not able to access even a primary education, much less a secondary education.(20, 21)

The ILO’s World Day Against Child Labor, held on June 12, 2015, focused on the importance of free, compulsory, and quality education as a key component in the fight against child labor. Participants called on governments to take action to ensure that their education and employment policies make it possible for all children to participate in school, at least up to the age of legal employment.(19) According to the ILO’s *World Report on Child Labor 2015: Paving the Way to Decent Work for Young People*, having the opportunity to get an education is essential to ensure that children have better prospects for decent work in the future and the chance to break out of poverty.(22)

This 14<sup>th</sup> edition of the *Findings of the Worst Forms of Child Labor* describes the actions taken by 140 countries in 2014 to meet their international commitments to address the worst forms of child labor and how they compare globally and across regions.

## 1.1 GLOBAL ANALYSIS OF GOVERNMENT EFFORTS AND COUNTRY ASSESSMENTS

This section provides global trends in government efforts and country assessments, including changes in assessments among USDOL’s 2012-2014 *Findings on the Worst Forms of Child Labor* reports.

### 1.1.1 Government Efforts

During this reporting period, 115 out of 140 governments covered in this report made at least one meaningful effort in advancing the elimination of the worst forms of child labor. Fifty-nine governments made efforts in the areas of laws and regulations, 54 governments made efforts in the area of enforcement, 39 governments made efforts in the area of coordination, 62 countries made efforts in the area of government policies, and 66 countries made efforts in the area of social programs.

Establishing a clear, strong legal framework that conforms to international standards is critical for governments’ efforts to prevent and eliminate the worst forms of child labor. Therefore, this section gives special

attention to the ratification of international standards and the adoption of corresponding national legislation.

While policies and social programs can prevent children from being forced to work at an early age, legal minimum age requirements for work help protect children from early entry into the workforce. While the majority of governments have established a minimum age for employment, there are several countries that have yet to establish a minimum age for employment, and many more whose minimum age falls below international standards. ILO C. 138 sets a minimum age for employment to be no less than 15 years, but allows a minimal legal working age of 14 for countries where economic and educational facilities are insufficiently developed.

Seven governments have yet to establish a minimum age for work or the status of their new minimum age law is unclear: India; Niue; Norfolk Islands; Pakistan; Saint Helena, Ascension and Tristán da Cunha; Tokelau; and Tonga. Eight governments maintain an age that falls below the international standard for developing countries of 14 years of age: Belize, Bhutan, Bolivia, Dominica, Guatemala, Montserrat, Nigeria, and the Solomon Islands. Similarly, 12 governments have yet to establish a minimum age for children involved in hazardous work: Algeria, Christmas Island, Cocos (Keeling) Island, Djibouti, Grenada, Niue, Norfolk Island, Seychelles, Tokelau, Tonga, Trinidad and Tobago, and Vanuatu, as required by ILO C. 182, while another 24 governments maintain an age below the international standard of 18 years of age or do not have a minimum age.

Although there is no international standard for a compulsory education age, not having one, or setting it too low, may encourage children below the legal age of employment to work since they are not required to attend school. While the majority of governments have established compulsory education ages, 15 countries have yet to establish such an age: Bhutan, Botswana, Burundi, Cambodia, Côte d'Ivoire, Eritrea, Ethiopia, Nepal, Papua New Guinea, the Solomon Islands, Somalia, Swaziland, Vanuatu, Zambia, and Zimbabwe, and 24 countries maintain ages below the international standard for the minimum legal working age of 14.

Ratifications of relevant international conventions signal governments' commitment to having in place a solid legal

framework that can help to eliminate the worst forms of child labor. To date, 113 countries that are covered in this report have ratified ILO C. 138, including one which ratified during the reporting period (the Solomon Islands). In addition, 124 of the governments in this report have ratified ILO C. 182, one of which ratified during the reporting period (Somalia). Twenty-six governments have yet to ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and 31 governments have yet to ratify the UN CRC Optional Protocol on the Involvement of Children in Armed Conflict.

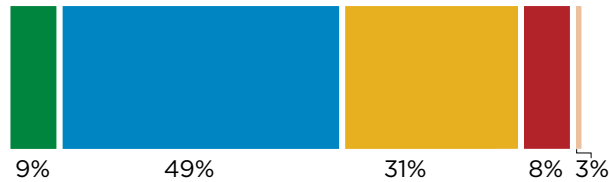
Addressing gaps in countries' legal frameworks on child labor is a necessary but incomplete element for meeting the global goals of eliminating the worst forms of child labor. A commitment among governments to combat child labor must be upheld not only in law but also in practice. As such, the country assessments in this report take into account the full spectrum of instruments that a government must employ to effectively eliminate the worst forms of child labor: laws and regulations, enforcement mechanisms, coordination, government policies, and social programs.

### **1.1.2 Country Assessments**

Figure 1 provides a global breakdown of the country assessments in this report. Overall, more than half of the countries (58 percent) received an assessment of Moderate Advancement or higher, compared with 39 percent of countries that received an assessment of Minimal Advancement or lower. The other 3 percent of countries received a No Assessment. Out of the 140 countries covered in this report, 13 received an assessment of Significant Advancement, 69 received Moderate Advancement, 43 received Minimal Advancement, 11 received No Advancement, and 4 were not given an assessment.

Among the 11 countries that received No Advancement, 8 countries received No Advancement because no meaningful actions were taken to advance efforts to eliminate the worst forms of child labor. Three others received this assessment, notwithstanding efforts made, as a result of government complicity in forced child labor: South Sudan, Eritrea, and Uzbekistan.

**Figure 1. Global Breakdown of Country Assessments in 2014**



**140 countries**

**KEY**

- Significant Advancement
- Moderate Advancement
- Minimal Advancement
- No Advancement
- No Assessment

One territory, Wallis and Futuna, was marked No Assessment because there was no evidence of a worst forms of child labor problem and the territory has a good legal and enforcement framework on child labor. Other territories were not assessed due to their small population size. For example, the British Indian Ocean Territory does not have a permanent civilian population, Heard Island and McDonald Islands are uninhabited, and the Pitcairn Islands has a population of fewer than 50 people.

The assessment results from 2014 indicate both progress and setbacks in addressing the worst forms of child labor compared with the assessments from 2013 and 2012 (see Figure 2). Overall, from 2013 to 2014, the number of countries that received an assessment of Significant Advancement remained steady, the number receiving an assessment of Moderate Advancement and No Advancement dropped, and the number of countries that received an assessment of Minimal Advancement increased. For example, in 2014, 82 countries received assessments of Significant and Moderate Advancement, as opposed to 85 in 2013, while 43 countries received an assessment of Minimal Advancement, as opposed to 37 in 2013. However, 11 countries received an assessment of No Advancement compared to 13 in 2013.

With regard to progress, all 13 countries receiving an assessment of Significant Advancement made meaningful efforts in the areas of legislation and enforcement in 2014, but also made one or more significant efforts in other areas assessed: either coordination mechanisms, policies, or programs to address child labor.

Of the 13 countries at this level, 10 had received the same assessment in 2013: Brazil, Chile, Colombia, Côte d'Ivoire, Ecuador, El Salvador, Peru, the Philippines, South Africa, and Uganda. The remaining three countries in the Significant Advancement group, Madagascar, Paraguay, and Thailand, increased their assessment level from Moderate Advancement in 2013 to Significant Advancement in 2014. In addition, 15 countries increased their assessment level from Minimal to Moderate Advancement in 2014: Cabo Verde, Comoros, Republic of Congo, Haiti, Mozambique, Oman, Papua New Guinea, Rwanda, Serbia, Solomon Islands, Somalia, Timor-Leste, Togo, Uruguay, and Yemen. Three countries that had Significant Advancement levels in 2013, Albania, Costa Rica, and Tunisia, dropped to Moderate Advancement in 2014. In addition, 19 countries dropped from Moderate Advancement to Minimal Advancement in 2014. The countries in this group were: Armenia, Belize, Bolivia, Burundi, The Gambia, Georgia, Kiribati, Kyrgyz Republic, Liberia, Macedonia, Malawi, Maldives, Mauritius, Russia, Samoa, Senegal, Suriname, Tanzania, and the West Bank and the Gaza Strip. The drop in assessment level for these countries occurred largely because of the lack of efforts during the reporting period in the areas of legislation, government coordination, and enforcement to address the worst forms of child labor.

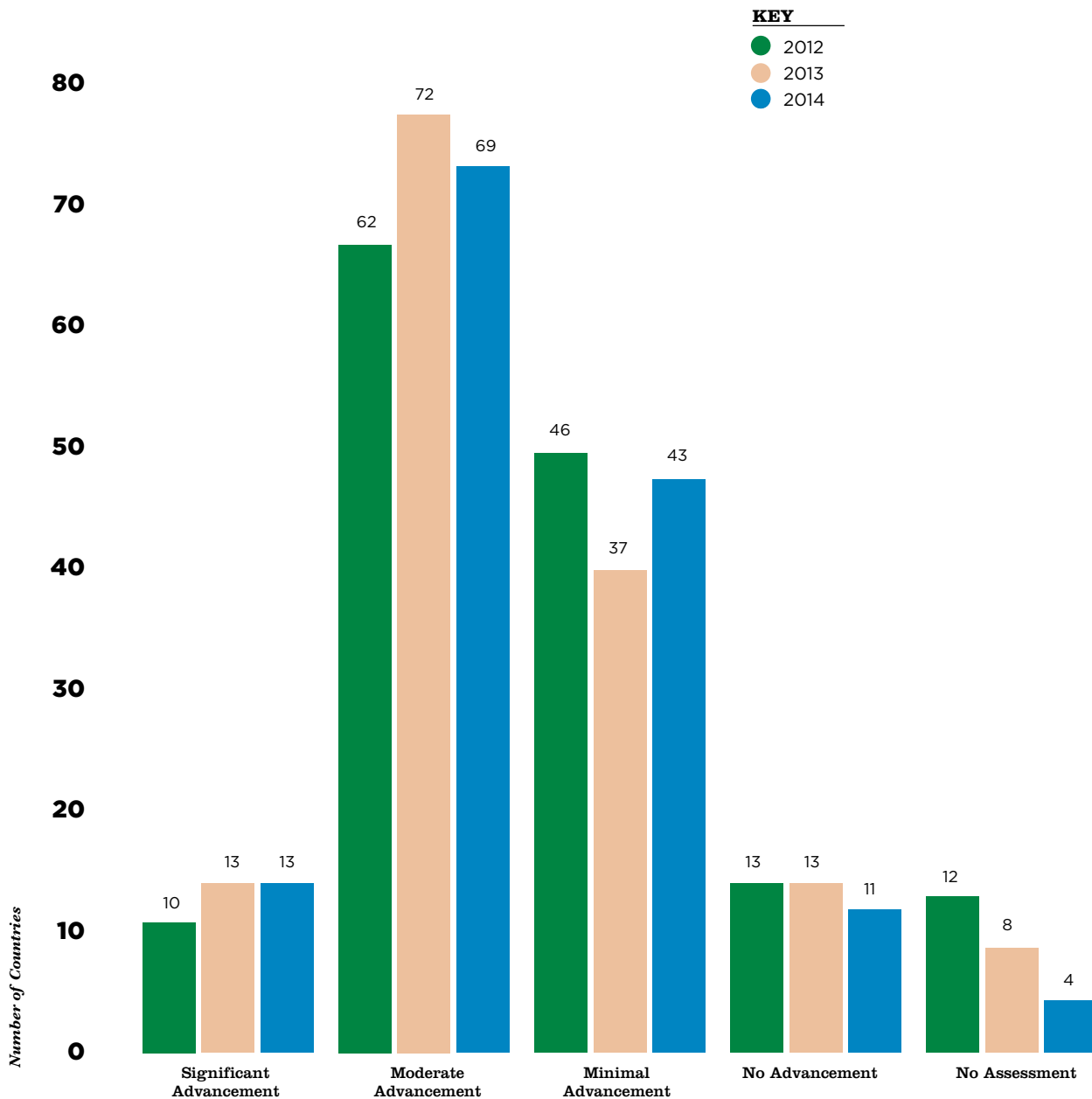
The number of countries receiving No Advancement decreased from 13 in 2013 to 11 in 2014. Of the countries that had received No Advancement in 2013, the Central African Republic, the Democratic Republic of the Congo, Cook Islands, Seychelles, and Venezuela increased their assessment levels in 2014; while the British Virgin Islands; Eritrea; Falkland Islands;



Montserrat; Norfolk Island; Saint Helena, Ascension and Tristan da Cunha; Uzbekistan; and Vanuatu stayed the same. One government, South Sudan, dropped from Minimal to No Advancement in 2014, and four territories that were not assessed in 2013 were newly

assessed in 2014. Of these four newly assessed governments, Christmas Island and Cocos (Keeling) Island received No Advancement assessments, and Niue and Tokelau received Minimal Advancement assessments.

Figure 2. **Global Changes in Country Assessments (2012-2014)**





Carpet weaving, Pakistan. ©ILO/M. Crozet

## 1.2 REGIONAL ANALYSIS OF GOVERNMENT EFFORTS AND COUNTRY ASSESSMENTS

This 2014 report includes a regional analysis of country assessments and regional trends in government actions to eliminate the worst forms of child labor. Figure 3 provides a regional breakdown of the country assessments. Latin America and the Caribbean had the most countries with a Significant Advancement assessment level (7), followed by Sub-Saharan Africa with 4 countries.

The remaining part of this discussion reviews trends and gaps in efforts to eliminate child labor, including the worst forms, by region.

### 1.2.1 Asia and the Pacific

#### 2014 Regional Outlook

##### Asia and the Pacific

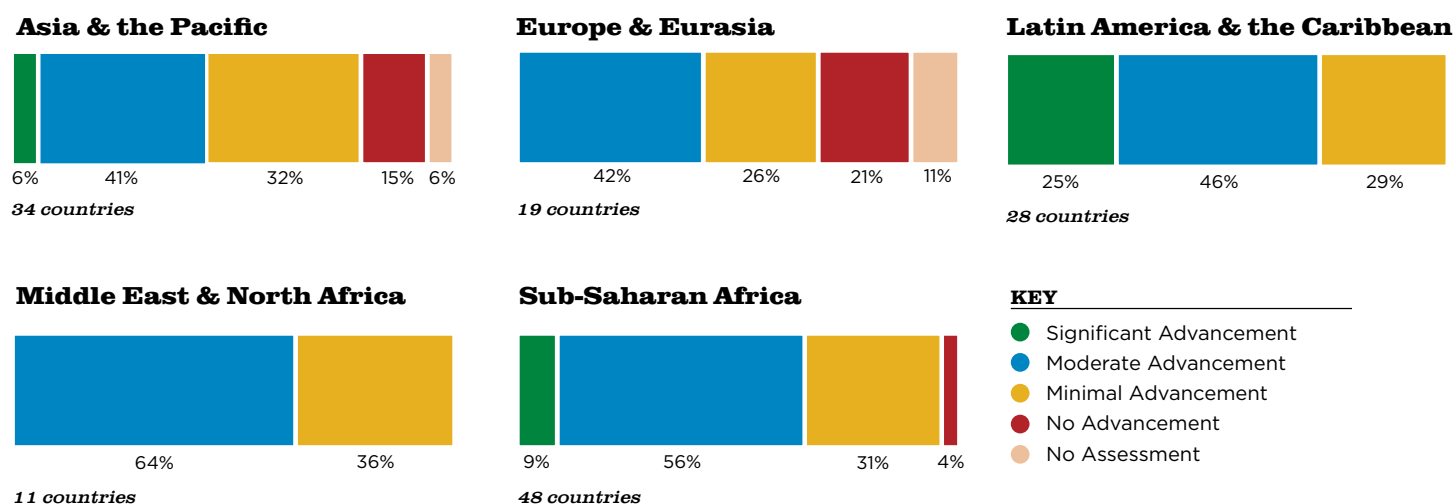
##### Meaningful Efforts

- Strengthened punishments for crimes involving the worst forms of child labor.
- Increased numbers of trained personnel responsible for the enforcement of labor and criminal laws.
- Increased funding for educational programs targeting rescued child laborers.

##### Challenges and Existing Gaps

- Weak legal frameworks for regulating the minimum age of employment and no minimum age for hazardous work in some countries and territories.
- Insufficient funding for labor and criminal law enforcement personnel.
- Significant barriers to education, particularly the lack of physical access and prohibitive costs to attend school.

Figure 3. Regional Breakdown of Country Assessments in 2014



In Asia and the Pacific, 77.8 million children ages 5-17 are engaged in child labor, which equates to 9.3 percent of all children in the region.<sup>(8)</sup> Children in the Asia and Pacific region continue to engage in child labor, predominately in agriculture. In many of the region's coastal and island countries, children work in the fishing and seafood industries; while in Central and South Asia, many children work in cotton cultivation. Children in South Asia work as forced and bonded laborers in textiles and manufacturing. Throughout the Asia and Pacific region, children are employed as domestic workers in third-party households. Commercial sexual exploitation is also a concern, particularly in Kazakhstan, Maldives, Mongolia, Nepal, the Solomon Islands, Thailand, and Vanuatu.

In 2014, countries increased government capacity to combat the worst forms of child labor by hiring new personnel and conducting training for law enforcement officials. Both the Philippines and Thailand, for example, received an assessment of Significant Advancement for making a number of meaningful efforts in these areas to eliminate the worst forms of child labor.

In 2014, several countries strengthened legal frameworks to protect children against child labor exploitation. Laws regulating children's work were strengthened as Afghanistan approved a list of 29 hazardous jobs and working conditions prohibited to children, Thailand raised the minimum age for agricultural work to 15 and for work on sea fishing vessels to 18, and Samoa passed legislation improving regulations of hazards in the workplace. Kazakhstan, Indonesia, and Papua New Guinea enacted legislation that strengthened punishments for crimes committed against children, including the worst forms of child labor. Legal frameworks against trafficking in persons were improved as Afghanistan acceded to the Palermo Protocol and the Solomon Islands enacted legislation that prohibits all forms of human trafficking and established specific penalties for the trafficking of children.

During the year, many countries in the Asia and Pacific region strengthened government capacity to enforce child labor laws. In Bangladesh, Timor-Leste, and Sri Lanka, additional labor inspectors were hired and received training; while in Nepal, the number of labor inspections increased. Law enforcement capacity to address crimes involving the worst forms of child labor was also strengthened in the



A girl crushing bricks, Bangladesh. © Rick Albertson

region. Training programs to combat trafficking in persons were conducted in India, Papua New Guinea, the Philippines, Kiribati, and Mongolia; while Cambodia and India drafted and implemented guidelines for the identification and referral to services of victims of human trafficking and commercial sexual exploitation. Governments in Maldives, Nepal, and the Philippines significantly increased the provision of welfare and protective services for children, including those involved in the worst forms of child labor.

Many countries in the region sought to increase children's access to education, including for child laborers and children at risk of labor exploitation. In 2014, Pakistan's Balochistan provincial government enacted legislation mandating free and compulsory education for children ages 5-16. Nepal began a pilot project for compulsory basic education, while Fiji approved a policy to provide 13 years of free, basic education. Governments in Bangladesh, India, Pakistan, Mongolia, and Nepal funded and implemented formal and non-formal educational programs for children rescued from the worst forms



of child labor. Bhutan, Cambodia, Nepal, and Thailand also implemented social programs that aimed to increase access to education for children from marginalized groups who are most vulnerable to labor exploitation. Low-income families received financial assistance to cover educational expenses in Afghanistan, Cambodia, Fiji, Mongolia, Pakistan, and Timor-Leste, while the Indonesian government increased funding for schools that waive education fees for poor and vulnerable children. In addition, Fiji implemented a transportation assistance program to improve access to schools for children in the most remote areas of the country.

Despite these efforts, children in the Asia and Pacific region continue to engage in child labor, predominately in agriculture. In many of the region's coastal and island countries, children work in the fishing and seafood industries; while in Central and South Asia, many children work in cotton cultivation. Children in South Asia work as forced and bonded laborers in textiles and manufacturing. Throughout the Asia and Pacific region, children are employed as domestic workers in third-party households. Commercial sexual exploitation is also a concern, particularly in Kazakhstan, Maldives, Mongolia, Nepal, the Solomon Islands, Thailand, and Vanuatu.

There continue to be significant gaps in legal frameworks and law enforcement capacity to combat child labor in the Asia and Pacific region. India, Norfolk Island, Pakistan, and Tonga have not established a minimum age for work. India and Pakistan, as well as six Oceanic countries and territories, have not established a minimum age for hazardous labor. Fiji, Kiribati, Maldives, and Papua New Guinea have not prohibited hazardous occupations and activities for children. In 2014, the majority of the countries in the region did not have sufficient funding and personnel to enforce laws regulating child labor or prohibiting the worst forms of child labor. Kazakhstan, Kyrgyz Republic, Maldives, Tuvalu, and Vanuatu did not take any actions to enforce laws prohibiting child labor, including its worst forms; Bhutan and Pakistan provided no data on

whether law enforcement actions were taken. During the reporting period, 10 countries did not have a national mechanism to coordinate government actions to combat child labor.

Many children in the Asia and Pacific region continue to face significant obstacles in accessing education. Eleven countries in the region have compulsory education ages that are below the minimal age for work, which may make children more vulnerable to the worst forms of child labor. Prohibitive costs associated with education—such as books, uniforms, and teacher fees—prevent children from attending school in Bangladesh, Cambodia, Indonesia, Kiribati, Kyrgyz Republic, Nepal, Papua New Guinea, the Philippines, and the Solomon Islands. Physical access to education is a problem for children living in remote, rural areas, particularly in Bhutan, Cambodia, India, Kiribati, Nepal, the Philippines, and Thailand. Children from marginalized minority and migrant communities face barriers in accessing education in Cambodia, India, Kazakhstan, Kyrgyz Republic, and Thailand. Safety concerns due to physical distance, violent conflict, and harassment make it difficult for girls to attend school in Afghanistan, Nepal, Pakistan, Papua New Guinea, and Thailand.

## 1.2.2 Europe and Eurasia

### 2014 Regional Outlook

#### Europe and Eurasia

##### Meaningful Efforts

- Expanded efforts to train labor inspectors and criminal investigators on the enforcement of laws related to child labor.
- Expanded access to education and increased recognition of the link between education and the prevention and elimination of exploitive child labor.

##### Challenges and Existing Gaps

- Weak legal frameworks in countries that do not specify the types of hazardous work prohibited for children.
- Insufficient human and financial resources allocated to the enforcement of child labor laws.
- Unequal access to education for minorities and other disadvantaged children.

Regional statistics on child labor do not exist for Europe and Eurasia. However, some governments made efforts to increase the availability of information on the nature and prevalence of child labor at a national level. In 2014, governments throughout the region worked to improve legal and policy frameworks related to child labor, build the capacity of labor inspectors and law enforcement officials, and expand inclusive education.

During the year, several countries enhanced their legal frameworks to better protect children from involvement in child labor. Moldova adopted an improved list of hazardous occupations prohibited for children; Kosovo issued a decision to obligate personnel in the Ministry of Agriculture, Forestry, and Rural Development to engage actively in the elimination of hazardous child labor in the agricultural sector; and Macedonia amended its Family Law to allow social workers to take steps to remove children from parents who are exploiting them as beggars. In an effort to improve service provision to victims of human trafficking, the Governments of Albania, Montenegro, and Armenia all enacted laws that increase

victims' access to social services, such as health care and education. The Government of Georgia adopted new amendments to the country's existing anti-trafficking laws that aim to increase the number of successful prosecutions of human trafficking cases. In Ukraine, where recent conflict has resulted in more than 460,000 internally displaced persons, more than one third of whom are children, the Government passed a law instituting a system to register and provide benefits to displaced families.

Similarly, governments in the region launched policies to protect children from human trafficking and other worst forms of child labor. Albania, Azerbaijan, and Moldova each adopted new national action plans to combat trafficking in persons, while Bosnia and Herzegovina collaborated with USAID to improve implementation of its existing plan. Other governments launched policies to address the needs of at-risk populations of children who are particularly vulnerable to engagement in child labor. For instance, both Serbia and Montenegro adopted action plans that include the goal of reducing discrimination against Roma minorities and promoting their status in society.

Recognizing the need to strengthen implementation of existing laws, many governments in Europe and Eurasia prioritized capacity building for labor inspectors and law enforcement officials in 2014. In both Albania and Montenegro, labor inspectors received instructions on proactive techniques for identifying child victims of forced labor and human trafficking; while in Turkey, the Government ensured that new labor inspectors received on-the-job training on child labor laws and how to enforce them. The governments of Azerbaijan, Bosnia and Herzegovina, Russia, Serbia, and Turkey provided law enforcement officials, prosecutors, and judges with instructions on a variety of topics, including general training on the prevention and combating of human trafficking, best practices in the investigation and prosecution of trafficking-in-persons cases, and victim protection procedures.

Nearly all governments in the Europe and Eurasia region provide free and compulsory basic education for all children. In 2014, Moldova enacted a new Education Code, which increases the age for compulsory education from 16 to 18

years of age, thereby exceeding international standards. The Government also made a decision to ban children from working in agriculture during the school year. In Armenia, the Government took steps to ensure access to quality, inclusive education, especially for children with disabilities, by passing an amendment to the Law of the Republic of Armenia on Education. The Government of Kosovo issued a decision that directly recognizes the role of educational institutions in preventing and eliminating hazardous child labor by requiring schools to raise awareness about child labor issues and to actively identify and report potential cases of exploitative labor to the relevant authorities.

While countries in the region took important steps to address child labor issues, children in Europe and Eurasia continue to engage in child labor, predominantly in agriculture and street work, and in the worst forms of child labor in commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking.

There are a number of challenges that impede the enforcement of child labor laws in Europe and Eurasia. The number of labor inspectors in Kosovo, Montenegro, Russia, Turkey, and Ukraine is insufficient to provide adequate labor force coverage. Georgia has lacked a mechanism to enforce child labor laws since its labor inspectorate was abolished in 2006. Similarly, following the Government of Armenia's decision to amend its Labor Code and restructure its labor inspectorate in 2014, the country lacks a mechanism to monitor and enforce child labor laws. Bosnia and Herzegovina, Montenegro, and Serbia do not have laws that clearly and comprehensively define the types of hazardous work prohibited for children, which limits the capacity of labor inspectors to identify and remove children from exploitative labor situations. In Azerbaijan, children without written labor contracts are excluded from protection under the labor law, and similarly, in Turkey, children working in small agricultural enterprises, shops, and in domestic work lack legal protection.

Across the region, children at risk of statelessness or those who belong to ethnic minority groups, such as the Roma, continued to experience challenges in accessing education. Roma children lacking birth registration or identity documents in Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, and Serbia were sometimes prevented from enrolling in schools. In Turkey, approximately 75 percent of school-aged Syrian refugees were not enrolled in schools, and in Russia, irregular migrants and asylum seekers were also sometimes denied access to education due to lack of documentation. Other common barriers to education in Europe and Eurasia include discrimination, language barriers, lack of support for children with disabilities, distance to schools, and prohibitive education-related costs. Children who do not attend school are particularly vulnerable to exploitation in the worst forms of child labor.



A Roma girl selling tissues outside a Sarajevo coffee shop, Bosnia and Herzegovina. © ILAB



### 1.2.3 Latin America and the Caribbean

#### 2014 Regional Outlook

##### Latin America and the Caribbean

###### Meaningful Efforts

- Expanded social and educational programs to improve school attendance for at-risk children.
- Strengthened legal protections against trafficking in persons.
- Implemented new institutional approaches for enforcing child labor laws.

###### Challenges and Existing Gaps

- Lack of publicly available statistics on labor and criminal law enforcement efforts.
- Lapses in mechanisms and efforts to coordinate government efforts against child labor.
- Continued vulnerability of indigenous, Afro-descendant, and migrant children to the worst forms of child labor.

In Latin America and the Caribbean, 12.5 million children ages 5-17 are engaged in child labor, representing 8 percent of all children in the region.<sup>(8)</sup> In 2014, many countries in Latin America and the Caribbean continued to make concerted efforts to address child labor. Seventeen out of the 28 countries renewed their commitments to eliminate child labor by 2020 by signing a regional declaration that aims to strengthen monitoring and coordination mechanisms, social programs, and South-South exchanges. There were six countries in the region—Brazil, Chile, Ecuador, El Salvador, Paraguay, and Peru—that received a rating of Significant Advancement for their efforts in 2014. These countries continued to build sound frameworks to address child labor by implementing cross-cutting improvements in legislation, coordination and enforcement efforts, policies, and programs. They responded in comprehensive ways to the need to rescue children from dangerous activities, while simultaneously building the skills of their future workforce. In this vein, many countries in 2014 strengthened programs that tackle child labor through education. Efforts across the region also included improved

legal protections against the worst forms of child labor, as well as new institutional approaches to enforcing child labor laws.

In 2014, many governments expanded educational and social programs that aim to keep children in school and out of child labor. More than half of the Latin American and Caribbean countries covered in this report (16 out of 28) implemented cash transfer programs whose assistance was conditioned on families sending their children to school. Notable efforts include Brazil's *Bolsa Familia* program, whose operating budget increased 44 percent over the last 3 years. Eleven countries also implemented programs that extended the school day or provided alternative schedules for children at risk of child labor, including programs in Argentina and Nicaragua that tailored activities to the needs of families who work in agriculture.

In Central America, countries made the link between formal education and vocational training as a way to protect working youth from dangerous activities, including commercial sexual exploitation and drug trafficking. El Salvador, Guatemala, and Honduras signed the Alliance for Prosperity, a development plan that commits these governments to expand access to secondary education and provide job-training opportunities for youth, in part, to reduce migration, during which children become particularly vulnerable to the worst forms of child labor. Governments also sought to increase educational opportunities for indigenous and Afro-descendant children; Bolivia, Chile, Honduras, and Paraguay all implemented educational or social programs that benefitted these populations.

Many governments expanded legal protections related to the worst forms of child labor. In 2014, Colombia, Ecuador, El Salvador, Grenada, Haiti, Nicaragua, and Peru passed legislation that increased penalties for human trafficking, expanded coverage of trafficking crimes, or regulated assistance to victims, including for children. In addition, the Dominican Republic amended its Penal Code to increase penalties for the commercial sexual exploitation of children. Argentina, Colombia, and Costa Rica ratified ILO C. 189 Concerning Decent Work for Domestic Workers, which commits these

governments to ensure that domestic workers have the same protections as other workers, as well as to prevent worker abuse and child labor. The Dominican Republic, Haiti, and Saint Lucia ratified the UN CRC Optional Protocol on Armed Conflict, and Haiti also ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

In 2014, many governments strengthened their capacity to enforce child labor laws. Ten governments increased their total number of labor inspectors, with Bolivia and Uruguay increasing their inspectors by 22 percent and 15 percent, respectively; a notable exception was El Salvador, where the number of inspectors decreased by 43 percent. Other governments created new institutional approaches to enforce labor laws. Brazil created mobile, child labor-specific inspection units to better coordinate efforts between regional Ministry of Labor officials and local inspectors, and Colombia created the Fundamental Labor Rights unit, a specialized inspection unit for child labor. In addition, Peru opened eight regional offices to better conduct inspections nationwide.

Despite substantive efforts made in the region, long-standing impediments hindered further progress

toward the elimination of child labor, and children in Latin American and the Caribbean continue to engage in child labor, particularly in dangerous forms of agriculture and in domestic service. Many indigenous, Afro-descendant, and migrant children remain particularly vulnerable to the worst forms of child labor.<sup>(8, 23)</sup> Significant gaps remain, including comprehensive information on labor and criminal law enforcement efforts, and many countries have not enacted prohibitions on hazardous occupations and activities for children under age 18.

While some governments increased the amount of funding to agencies that enforce laws against child labor, 13 of the Latin American and Caribbean countries included in this report did not devote sufficient resources to such agencies. A larger problem in the region was a lack of public reporting on enforcement efforts. A significant majority of the countries (22 out of 28) did not make publicly available information on one or more labor or criminal enforcement metrics, including the number of inspectors or inspections conducted, the sectors or geographic localities in which inspections were carried out, or the sanctions or penalties imposed as a result of enforcement efforts.



Children involved in cultural activities as an alternative to work in gold mines, Zaragoza, Colombia. © Juan F. Barreiro

Shortcomings in legal protections also remain. Research showed that 8 of the 28 countries have not prohibited occupations and activities considered hazardous for children: Argentina, Barbados, Belize, Grenada, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago, and Venezuela. Four Caribbean countries also have not established a law that sets the minimum age for hazardous work at 18: Dominica, Grenada, Saint Vincent and the Grenadines, and Trinidad and Tobago.

Although governments expanded educational and social programs that aim to keep children in school and out of child labor, access to education continues to be a challenge. In Haiti, despite legal provisions for free schooling, access to education is sometimes hindered by the application of fees and a lack of schools, although the National Free Education Program is working to address these issues. In other countries, such as Nicaragua, the costs associated with schooling (i.e., transport or school supplies) hinder children’s ability to attend school. In Honduras, access to education in urban areas is hindered by widespread violence and gangs’ attempts to recruit children while at school. The latter is also true in El Salvador, where reports indicate that gangs sometimes threaten children at school, although programs such as the School Prevention and Security Plan seek to address this. In Colombia, children’s access to education is hindered by internal armed conflict and displacement, as well as by the forced non-state recruitment of children into armed groups.

## 1.2.4 Middle East and North Africa

2014 Regional Outlook Middle East and North Africa
<p><b>Meaningful Efforts</b></p> <ul style="list-style-type: none"> <li>• Strengthened legal frameworks to address child labor.</li> <li>• Expanded social programs to improve access to education.</li> </ul>
<p><b>Challenges and Existing Gaps</b></p> <ul style="list-style-type: none"> <li>• Weak enforcement of child labor legal protections.</li> <li>• Lack of research or current data on child labor.</li> <li>• Limited access to education and high drop-out rates for children, including both refugee and citizen children.</li> </ul>

In the Middle East and North Africa, 9.2 million children are engaged in child labor, which is 8 percent of all children in the region.<sup>(8)</sup> The majority of the countries in the region made Moderate Advancement in efforts to eliminate the worst forms of child labor. Of the four countries that made Minimal Advancement, two have a limited child labor problem and two were significantly affected by large-scale conflict.

In 2014, armed conflict broke out or intensified in Iraq, the West Bank and the Gaza Strip, and Yemen. Non-state armed groups, including the Houthis in Yemen and the Islamic State of Iraq and the Levant (ISIL), recruited children to serve as armed guards at checkpoints, suicide bombers, bomb makers, and human shields. Iraqi and Yemeni laws do not include penalties for the recruitment or use of children by armed groups. Some children in the Gaza Strip also received military training from Hamas.

The prolonged conflict in Syria continued to cause refugees to flee to neighboring countries. In Egypt, Iraq, Jordan, and Lebanon, despite government efforts,



Syrian refugee children did not have sufficient access to education. Access to education was also limited for local children in Lebanon, the West Bank and the Gaza Strip, and Yemen, while the drop-out rates in Egypt, Jordan, Morocco, the West Bank and the Gaza Strip, and Yemen remained high. Barriers to education include an insufficient number of schools, the need for families to generate additional income through their children's labor, school-related costs, lack of security, and damage to schools or their use as shelters by internally displaced persons. These problems are further exacerbated in areas of conflict in Iraq, the West Bank and the Gaza Strip, and Yemen. To increase access to education for refugee or local children, the governments of Egypt, Jordan, Lebanon, and Tunisia launched or participated in programs to increase school attendance and reduce drop-out rates.

Despite a few important exceptions, the legal framework in the region mostly meets international child labor standards. Egypt and Tunisia adopted constitutions that codify children's rights. Oman enacted a law that raises the minimum compulsory education age and prohibits the use of children in illicit activities. Jordan enacted a law that increases protection for child laborers, while Algeria amended its Penal Code to fully prohibit child pornography.



A child carrying sacks of clay for a pottery studio, Cairo, Egypt. © ILO/M. Crozet

Countries in the region also made some progress in establishing policies to address child labor. Prior to losing control over ministries due to armed conflict, Yemen announced a national action plan to prevent and end the recruitment of children into the Yemeni armed forces. Bahrain approved a National Action Plan to Combat Human Trafficking. Both Lebanon and Tunisia began implementing their respective anti-human trafficking national action plans, even though their formal adoption remained pending as of the end of 2014. Morocco established a mechanism to coordinate efforts to address child labor.

Despite adequate legal frameworks, governments in the region lack the capacity to enforce child labor laws. Algeria, Egypt, Iraq, and Yemen did not make child labor enforcement information publicly available. Lack of access to certain areas of the territory; inadequate training, funding, and resources for transportation; and an insufficient number of labor inspectors contributed to weak law enforcement efforts in Bahrain, Iraq, Jordan, Lebanon, Morocco, Tunisia, and the West Bank and the Gaza Strip. However, despite limited resources, Jordan was able to carry out an increased number of child labor inspections.

Another major obstacle in addressing child labor issues is the lack of up-to-date child labor data in Algeria, Bahrain, Morocco, Oman, Tunisia, and Western Sahara. In response to the lack of information, the Government of Iraq, in cooperation with UNICEF, conducted a study on child labor.

## 1.2.5 Sub-Saharan Africa

### 2014 Regional Outlook Sub-Saharan Africa

#### Meaningful Efforts

- Improved legal and policy frameworks.
- Increased availability of data on the worst forms of child labor.
- Improved coordination of government efforts.

#### Challenges and Existing Gaps

- Limited adoption of hazardous work lists across the region.
- Significant barriers to accessing education, including costs, lack of universal birth registration, and physical and sexual violence in schools.
- Limited or weak labor inspection systems.
- Limited social protection policies and programs.
- Continued recruitment and use of children in armed conflict.

Sub-Saharan Africa continues to be the region with the highest incidence of child labor.<sup>(8)</sup> An estimated 59 million children ages 5-17 are engaged in child labor, or more than one in five children in the region. Nearly 29 million of these child laborers are engaged in hazardous work.<sup>(8)</sup> During the reporting year, governments in Sub-Saharan Africa made notable efforts to improve legal and policy frameworks related to child labor, increase the availability of data on the worst forms of child labor, and improve coordination of government efforts to combat child labor. Among these, four countries—Côte d'Ivoire, Madagascar, South Africa, and Uganda—received an assessment of Significant Advancement for making several meaningful efforts to eliminate the worst forms of child labor. For the first time, the Democratic Republic of the Congo received an assessment of Moderate Advancement for efforts to end the recruitment and use of child soldiers. However, children in the region continue to engage in dangerous forms of agriculture and domestic service. More needs to be done

to prevent and eliminate child labor in Sub-Saharan Africa, including by reducing barriers to education, improving child labor legislation and enforcement, and implementing social protection policies and programs.

In 2014, Guinea, Liberia, and Sierra Leone suffered from a devastating Ebola virus disease outbreak, resulting in governments redirecting resources to address this health crisis. Furthermore, thousands of children became ill or lost parents during the outbreak and many schools were closed. In addition, terrorist activity and civil conflict caused disruption of education systems in the Central African Republic, the Democratic Republic of the Congo, Mali, Nigeria, Somalia, and South Sudan.

During the year, legal frameworks were strengthened in several countries. Angola, Eritrea, and Sierra Leone ratified the Palermo Protocol on Trafficking in Persons; Ethiopia, Ghana, and Guinea-Bissau ratified the UN CRC Optional Protocol on the Involvement of Children in Armed Conflict; and Somalia ratified ILO C. 182 on the Worst Forms of Child Labor. In addition, Angola, Botswana, Burundi, Comoros, Madagascar, Seychelles, and Zimbabwe passed anti-trafficking-in-persons legislation; Chad criminalized the recruitment and use of children in armed conflict; and Guinea approved a new Labor Code with prohibitions against minors performing hazardous work.

To strengthen enforcement of child labor laws, Ethiopia, Sierra Leone, and Togo increased their number of labor inspectors; the Government of Benin updated its training curriculum for labor inspectors to include child labor. Seven governments—Burkina Faso, Chad, the Republic of the Congo, Gabon, Madagascar, Niger, and Senegal—made notable efforts to identify victims of child labor and referred the children to social service providers for care.

In 2014, the governments of Côte d'Ivoire, Ghana, Kenya, Mozambique, Niger, São Tomé and Príncipe, South Africa, Tanzania, and Uganda took the important step of conducting child labor research and releasing child labor data. Governments in Angola, Cameroon, Cabo Verde, Côte d'Ivoire, Madagascar, Namibia, Niger, and São Tomé and Príncipe established new

national committees to coordinate efforts to eliminate child labor, including its worst forms. In addition, Cameroon, Cabo Verde, Lesotho, and South Africa adopted national action plans to prevent and eliminate child labor.

Many countries in Sub-Saharan Africa are making progress in raising awareness of child labor. During the reporting period, 10 countries conducted public awareness campaigns on the commercial sexual exploitation of children, child trafficking, and child soldiers. Regional child labor committees in Madagascar organized workshops to raise awareness of child labor in the production of vanilla and the Government of Côte d'Ivoire established a Joint Declaration of Commitment with the media to combat child labor.

Children who attend school are less vulnerable to child labor. In 2014, governments made important efforts to increase access to education. The governments of Djibouti, Guinea, and Sierra Leone adopted education sector strategic plans to ensure that children have access to quality education. The Government of the Republic of the Congo worked with the World Bank to launch a Safety Net Program to improve access to education for the poorest Congolese children; the Government of Mali made progress in providing access to education by re-opening 74 percent of schools for the 2013-2014 academic year; and the Government of the Central African Republic established Temporary Spaces for Learning and Child Protection in internally displaced persons sites to provide safe learning environments for children. In addition, eight governments (The Gambia, Kenya, Malawi, Senegal, Togo, Uganda, Zambia, and Zimbabwe) launched or expanded cash transfer programs to ensure that vulnerable children are able to attend school.

Despite the gains made in addressing child labor during the year, there is still an urgent need for governments to improve legal frameworks and enforcement of existing child labor laws. More than 25 percent of the countries in Sub-Saharan Africa still lack hazardous work lists, and in many countries, labor laws do not cover all of the sectors in which children

work. In addition, of the 48 Sub-Saharan countries covered in the report, 11 (the Central African Republic, Comoros, The Gambia, Ghana, Guinea, Liberia, Mauritania, São Tomé and Príncipe, Somalia, South Sudan, and Zambia) have not yet ratified the UN CRC Optional Protocol on the Involvement of Children in Armed Conflict; 8 (Cameroon, Ghana, Kenya, Liberia, São Tomé and Príncipe, Somalia, South Sudan, and Zambia) have not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and 4 (Comoros, Somalia, South Sudan, and Uganda) have not ratified the Palermo Protocol.

In 2014, most countries' law enforcement bodies did not collect statistics on child labor and lacked resources and trained personnel, impeding efforts to identify and sanction child labor violations. Thirty-one countries had an insufficient number of labor inspectors and 14 countries had an insufficient number of criminal investigators responsible for enforcing the worst forms of child labor. In addition, 11 countries still lack coordinating mechanisms to manage government-wide efforts to combat child labor. Of the 36 countries with coordinating mechanisms, one third were inactive during the year.



Girls sorting and pounding sorghum in Maradi, Niger. © Yodit Fitigu



More than 35 percent of the countries do not have national policies established to address child labor, and national social protection policies and programs exist in just over half of the countries in the region. Without social safety nets, vulnerable families may continue to rely on child labor to cope with the effects of poverty and economic shocks. In addition, although many countries in Sub-Saharan Africa have developed social programs to address the worst forms of child labor, none of them is sufficient to address this problem.

There has been some progress in improving school enrollment; however, more needs to be done in the region to remove barriers to basic education. For instance, 8 countries lack a compulsory education age and 11 countries have compulsory education ages below the minimum age for employment, leaving children particularly vulnerable to child labor as they are not required to be in school, but are not legally permitted to work either.

Although laws and policies establish free and compulsory education, the costs of uniforms and school supplies, as well as unofficial school fees, may impede some families from sending their children to school, rendering them more vulnerable to child labor. In addition, in many countries in Sub-Saharan Africa, children are not registered at birth and, therefore, do not have birth certificates. The lack of national policies and programs that provide free birth registration may be a barrier for children to access education and social services in countries where governments require birth certificates for enrollment and participation. Physical and sexual violence in schools, especially in West Africa, also prevents many children from attending school. Civil conflict in West and Central Africa has led to the use of children in armed conflict, with some children forcibly recruited or kidnapped from schools.

Eritrea and South Sudan received an assessment of No Advancement as a result of government complicity in forced child labor. The Government of Eritrea required children to participate in a national program called Maetot, under which some children in grades 9 through 11 engaged in agricultural, environmental, or hygiene-related public works projects for varying amounts of time during their annual summer holidays from school. In South Sudan, the Sudan People's Liberation

Army, the country's national army, recruited, sometimes forcibly, children to fight the opposition group.

Although many countries in Sub-Saharan Africa implemented some of the suggested actions for the elimination of the worst forms of child labor from last year's report, there is still much to be done. There is a pressing need for governments to increase their efforts to effectively protect children from exploitation by establishing national social protection policies and programs, ceasing the use of children in armed conflict, reducing barriers to education, and making improvements in child labor legislation and enforcement.

### **1.3 CONCLUSION: MOVING FORWARD IN ENSURING EDUCATIONAL OPPORTUNITIES FOR ALL CHILDREN**

This report provides several important lessons on how we should work together as a global community to eliminate the worst forms of child labor.

**1. Education and enforcement remain key areas of focus.** A recurring theme throughout the report's analyses of 140 countries and territories is the critical need to provide children with an adequate education and enforce laws against child labor to keep children in the classroom and out of work. The country profiles also show how 13 governments made significant advancements this year in addressing the worst forms of child labor (Brazil, Chile, Colombia, Côte d'Ivoire, Ecuador, El Salvador, Madagascar, Paraguay, Peru, the Philippines, South Africa, Thailand, and Uganda) by taking significant and concrete actions, on a national level, to put the principles of their international child labor and education commitments into practice. More specifically, each of these 13 countries took two common actions: they developed or strengthened laws related to child labor or education, and they undertook meaningful efforts to enforce their laws.

In addition, each of the Significant Advancement countries went beyond strictly legal measures, and made other efforts to improve their child labor and education

coordination mechanisms or to put new or better policies and programs in place to assist vulnerable children and their families, including taking the actions suggested by USDOL in previous reports. In contrast, the 44 countries assessed at Minimal Advancement were often lacking in effective legislation, enforcement, and coordination mechanisms to address the worst forms of child labor, or had reversed previous efforts; while the 11 countries assessed at the No Advancement level took no actions or efforts to advance the elimination of the worst forms of child labor, or if they did so, were complicit in its use.

**2. One size does not fit all.** Although this report provides many examples of effective government efforts to address child labor around the world, research and experience indicate that there is no “one size fits all” approach for dealing with this complex issue. For this reason, each country profile in this year’s report contains its own set of “Suggested Government Actions to Eliminate the Worst Forms of Child Labor,” based on the specific findings provided in the profile. It is our hope that governments can use these suggested actions as a roadmap to understand how to prevent or eliminate specific worst forms of child labor in their country. It is up to individual country governments to take ownership of their own efforts to combat child labor. This means exerting political will, developing robust reform strategies, coordinating with the global community to share best practices, and identifying institutional gaps where technical assistance may help build their capacity to combat exploitive child labor.

**3. Elimination of child labor must be mainstreamed into broader development goals.** Many countries in this report are integrating child labor into broader development policies and social protection programs. With the expiration this year of the Millennium Development Goals, most governments will be setting new development agendas through the Post-2015 Agenda process, which is expected to lead to the establishment of a set of Sustainable Development Goals (SDGs) that will be in effect from 2015 to 2030. To best meet the needs of vulnerable children, including child laborers,

the SDGs should focus on addressing the key factors that can contribute to children’s marginalization, such as poverty; inequalities within countries; a lack of access to quality educational opportunities; gender inequities and other cultural barriers; insufficient employment and decent work for youth and adults; hunger; poor health; inadequate or unsafe water resources; and the shocks caused by political, economic, health, and environmental crises.

Many of the themes emerging from this report are echoed in other recent research on child labor, which, in turn, offer their own insights to consider. Both UNESCO and UNICEF’s 2015 report entitled, *Fixing the Broken Promise of Education for All: Findings from the Global Initiative on Out-of-School Children*, and the ILO’s *World Report on Child Labor 2015: Paving the Way to Decent Work for Young People* offer recommendations for moving forward in ensuring that child laborers have opportunities.<sup>(22)</sup> *Fixing the Broken Promise of Education for All* suggests that in order for most countries to be successful in meeting the educational needs of all children, including the most marginalized, they must institute reforms on both a system-wide level (for example, changes to school infrastructure) and use a targeted approach (such as providing catch-up support for children with special needs), rather than a “one size fits all” approach. In addition, the report recommends that countries make efforts to ensure that their reforms in the education sector occur as part of efforts aimed at improving economic and social institutions to address poverty, unemployment, and other challenges.<sup>(20, 22)</sup>

The ILO, for its part, recommends that countries take action early to get children out of exploitive work and into school, particularly help youth move from school to decent work, end children’s involvement in hazardous labor (particularly for children ages 15-17), take into consideration the special situations of female children and youth with regard to child labor and decent work, address knowledge gaps related

to child labor and youth employment, use a coherent and unified policy approach to child labor and decent work, and create an economic and legal environment that allows change to occur.(22)

To implement the recommendations outlined in this report and in those cited above, the countries covered in this report need to acknowledge, and be willing to confront,

the inequalities of opportunity that cause children to become vulnerable and enter into, or stay in, exploitive labor. They should be willing to implement bolder, more comprehensive changes to level the playing field and ensure shared prosperity for all. They should also show a willingness to collaborate effectively with other governments, organizations, and individuals in carrying out change. As Malala Yousafzai said, “We have already taken many steps. Now it is time to take a leap.”(7)

“We have already taken many steps.  
Now it is time to take a leap.”



Glenn is 16 years old and was trained by the USDOL-funded ABK3 LEAP project in the Philippines as a “little teacher” (i.e. peer educator) who facilitates catch-up classes in math and reading on weekends for struggling learners in his community. He uses games, stories, and activities to help pique learners’ interest in school.  
© Christopher Leones/ ABK3 LEAP.



# Part **2** The U.S. Experience

Preventing the worst forms of child labor in the United States requires the ongoing effort and vigilance of the U.S. Department of Labor. USDOL is the sole Federal agency that monitors child labor and enforces child labor laws. The most sweeping Federal law that restricts the employment of child workers is the Fair Labor Standards Act (FLSA), enforced by USDOL's Wage and Hour Division (WHD). In addition, the Occupational Safety and Health Act and related regulations, enforced by USDOL's Occupational Safety and Health Administration (OSHA), apply to all employees regardless of age. WHD and OSHA have an active referral process in place for cases involving children under age 18, and the enforcement staffs of the respective agencies have worked collaboratively on a number of investigations.

The FLSA sets a minimum age of 14 for most employment in non-hazardous, non-agricultural industries, but it limits the times of day and the number of hours that 14- and 15-year-olds may work and the tasks that they may perform. The FLSA establishes a minimum age of 18 for non-agricultural occupations that the Secretary of Labor declares to be particularly hazardous or detrimental to children's health or well-being. There are currently 17 Hazardous Occupations Orders (HOs), which include a partial or total ban on work for children in the occupations or industries they cover. Despite these restrictions and limitations, in 2013, there were nine fatal occupational injuries among children ages 16-17, and five fatal occupational injuries among children below age 16 in the United States.<sup>(24)</sup>

WHD is committed to ensuring that the FLSA is strictly enforced. Every investigation carried out by WHD investigators includes looking for violations of the FLSA's child labor provisions. Complaints from the public about child labor, although not numerous, are given the highest priority within the agency. From October 1, 2013 to September 30, 2014, WHD concluded 591 cases where child labor violations were

found. In 334 of these cases, violations of HOs were found, with 682 minors employed in violation of HOs.

Children are permitted under the FLSA to work at a younger age in agriculture than in other sectors. For example, the FLSA allows child farm workers ages 16-17 and all children working on farms owned or operated by their parents, regardless of their age, to perform farm work.

Non-governmental organizations (NGOs) and the ILO Committee of Experts have expressed concern about U.S. law on agricultural occupations permissible for children. In particular, a 2014 report from the NGO Human Rights Watch documents the exposure of children working in the U.S. tobacco industry to nicotine, toxic pesticides, and other dangers.<sup>(25)</sup>

Since 2009, WHD has investigated and concluded nearly 500 cases involving tobacco growers. In every one of the investigations, WHD looked for child labor violations; however, no violations were found. To maximize the likelihood of finding child labor violations, WHD investigations are generally conducted during the suckering and harvesting portion of the tobacco season, when children are more likely to be present.

WHD conducts extensive outreach and education to worker and employer organizations in agriculture. At a national level, WHD works with organizations such as Farm Worker Justice and the National Center for Farm Worker Health. At the State level, WHD works with a variety of stakeholders, including employee organizations, unions, and other governmental and NGOs to address child labor issues. In North Carolina, for example, WHD regularly communicates with employee organizations, such as the Farm Labor Organizing Committee, Telemond, and the Western North Carolina Worker Center, to hear concerns

and train staff so that they can provide effective referrals to WHD. In addition, WHD works closely with the Mexican Consulate in Raleigh to reach farm workers.

Based on feedback from the stakeholder community, WHD has developed new materials in English and Spanish to help agricultural employers and workers better understand their responsibilities and rights. A new booklet for employers provides simple and comprehensive information on the laws and requirements governing agricultural employment, including wages, housing, transportation, and field sanitation.<sup>(26)</sup> WHD released a revised pocket card for agricultural workers that informs them of their rights and provides information on how to file a complaint with WHD if they believe that these rights have been violated.<sup>(27)</sup>

WHD has been working with the tobacco industry to improve compliance with labor laws and conditions for workers. This includes working with the Farm Labor Practices Group (FLPG), a tobacco industry stakeholder organization comprised of manufacturers, growers, and worker representatives, which has recognized the importance of maintaining compliance with child labor laws in the industry, and has taken steps to improve compliance levels industry-wide. In 2015, the FLPG plans to train more than 10,000 growers, farm labor contractors, workers, and others in the industry on U.S. labor laws prior to the growing season. Large manufacturers are now monitoring and requiring labor law compliance among their suppliers.

In 2014, WHD, working in collaboration with the FLPG, provided Philip Morris International WHD's agriculture-related compliance assistance and outreach materials. Philip Morris International distributed the outreach materials to all of their contracted tobacco growers in Kentucky, North Carolina, South Carolina, Tennessee, and Virginia. In 2014, Philip Morris International also committed to buying U.S.-grown tobacco exclusively through third-party suppliers. As a result, Alliance One International and Universal Corporation, the world's largest tobacco leaf suppliers, must now enforce Philip Morris International's rigorous child labor policy on all U.S. farms from which they purchase tobacco, including implementing a prohibition on children's participation in many tasks associated with tobacco farming.<sup>(28)</sup>

In addition to WHD's outreach efforts in the agricultural sector, the National Institute for Occupational Safety and Health (NIOSH) produces and disseminates *Are You a Teen Worker?* to educate children and young workers about their rights and other resources on child and young worker safety and health for a variety of audiences.<sup>(29, 30)</sup> For example, NIOSH, in partnership with the National Children's Center for Rural and Agricultural Health and Safety, developed the North American Guidelines for Children's Agricultural Tasks (NAGCAT). NAGCAT provides information on children's physical, mental, and psychosocial abilities in relation to the requirements of specific types of farm work and has been effective in reducing child agricultural injuries.<sup>(31)</sup> In addition, the U.S. Department of Education's Migrant Education Program works to ensure that migrant children who move from one State to another are not penalized by disparities among States in curriculum, graduation requirements, State academic content, or student academic achievement standards. The program provides services to migrant children, such as remedial and compensatory instruction, bilingual and multicultural instruction, vocational instruction, career education services, counseling, testing, health services, and preschool care.<sup>(32)</sup>

Beyond agriculture, WHD's YouthRules! website is a child labor information portal that targets all teenaged workers with enhanced navigation, multimedia content, social media linkages, and a Young Worker Toolkit of teen-friendly resources.<sup>(33)</sup> The site has been reorganized to make useful information easier to find (for example, the hours that teens can work and the jobs they can hold). The site maintains links to compliance assistance materials for employers, parents, and educators. It also has links to important worker resources, including information on filing legal complaints, Federal and State child labor laws, Federal and State labor offices, and links to other USDOL and government-wide sites with information for children and young workers. A WHD toll-free helpline is also available (1-866-4US-WAGE or 1-866-487-9243) to provide information about child labor laws.

# Part **3** Report Guide

## **3.1 RESEARCH FOCUS**

### **3.1.1 Country Coverage**

This report covers 123 independent countries and 17 non-independent countries and territories designated as GSP beneficiaries and/or beneficiaries of trade preferences under the AGOA, CBTPA, and ATPA/ATPDEA. This includes former GSP recipients who have negotiated free-trade agreements with the United States.<sup>(34)</sup> Because the population of children is extremely small (less than 50) or non-existent in the British Indian Ocean Territory, Heard Island and McDonald Islands, and the Pitcairn Islands, the report does not contain a discussion of these non-independent countries and territories. Rather, the report presents information on child labor and the worst forms of child labor and efforts to eliminate this exploitation in the remaining 123 countries and 14 non-independent countries and territories. The regional breakdown of these countries and non-independent countries and territories covered in this report is as follows: Sub-Saharan Africa: 48, Asia and the Pacific: 34, Europe and Eurasia: 19, Latin America and the Caribbean: 28, and the Middle East and North Africa: 11. Because the report focuses on government efforts, non-independent countries and territories are classified by the region of the country with which each non-independent country and territory is associated, as appropriate. Hereinafter, the use of “countries” in the report will also include territories.

### **3.1.2 Population Covered**

In undertaking research on the “worst forms of child labor,” ILAB relied on the definition of a child provided in the TDA, which is the same definition contained in ILO C. 182. The TDA and ILO C. 182 define a “child” to be a person under the age of 18.

### **3.1.3 Reporting Period**

The reporting period for this year’s report is January 2014 through December 2014.

### **3.1.4 Type of Employment**

This report focuses on the worst forms of child labor. The definition of the “worst forms of child labor” is found in the TDA and is the same as that included in ILO C. 182. It includes (a) all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic purposes; (c) the use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs; and (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.<sup>(35)</sup> Similar to ILO C. 182, the TDA states that the work described in subparagraph (d) should be “determined by the laws, regulations, or competent authority of the country involved.”<sup>(35)</sup>

### **Hazardous Work**

The work covered by subparagraph (d) is commonly referred to as “hazardous work.” As noted above, individual governments determine the work activities and processes considered “hazardous” for children. ILO C. 182 requires governments to identify these activities after consultation with workers’ and employers’ organizations, taking into consideration international standards, in particular the Worst Forms of Child Labour Recommendation (ILO R. 190).<sup>(36)</sup>



Finally, the ILO includes children's work on farms owned or operated by their families when considering the application of ILO C. 182 and ILO C. 138.(37-39) Accordingly, this report reflects the ILO's broad vision on this issue and does not distinguish its analysis by the size or nature of farms in discussions of the worst forms of child labor in agriculture.(40)

## 3.2 RESEARCH METHODS

### 3.2.1 Data Collection and Sources

Information was gathered for this report through desk research, U.S. embassy reporting, and limited field work. Information was also received from some foreign governments. Desk research consisted of an extensive review of mostly online materials, which included both primary and secondary sources. The sources included academic and independent researchers, media outlets, NGOs, international organizations, foreign governments, and U.S. Government agencies. Information was also collected from U.S. Government-funded technical assistance and field research projects.

Examples of sources used in this report are the latest editions available of country laws relevant to child labor, national-level child labor surveys, NGO reports on the nature of child labor in various countries, and UN reports, including direct requests and observations by the ILO Committee of Experts.(41)

USDOS and U.S. embassies and consulates abroad provided important information by gathering data from contacts, conducting site visits, and reviewing local media sources. A request for information from the public was published in the *Federal Register*, and a copy of the request was mailed to the Washington, DC-based foreign embassies of the countries covered in this report.(42) Data were also gathered through site visits to certain countries covered in this report, which included the collection of additional documents, as well as key informant interviews.

### 3.2.2 Analysis of Information

The existence of child labor, particularly in its worst forms, often involves violations of laws and regulations, including serious criminal violations in some egregious

cases. Information on child labor may be intentionally suppressed. The victims of the worst forms of child labor may be too vulnerable or politically underrepresented or marginalized to claim their rights or even communicate their situations. These factors make information on the worst forms of child labor often difficult to obtain. Therefore, in order to compile a credible and comprehensive report, ILAB used the following criteria to assess information:

1. ***Nature of the information.*** Whether the information about child labor and government efforts to combat it gathered from research, public submissions, or other sources is relevant and probative, and covers the “worst forms of child labor” and “government efforts” as used in this report. (See the Glossary for definitions.) Specific evidence of government efforts was preferred where it was available.
2. ***Date of the information.*** Whether the source information about child labor is no more than 5 years old. More current information was given priority, and ILAB used sources published during the reporting period to the extent possible. Information older than 5 years was generally not considered.

However, in the case of child labor statistics, certain factors contribute to less frequent generation of new data. Because government and other efforts to address exploitative child labor take time to have an impact on national-level rates of child labor, children's involvement in such activities does not change dramatically from year to year. Child labor surveys are carried out infrequently, in part, because the child labor picture does not change frequently (although there have been recent increases in the number of surveys carried out). In order to present an overall picture of children's work in as many countries as possible, ILAB used statistics in some cases that are more than 10 years old as of the writing of this report (from 2004). For more information on the statistics used in this report, see the “Child Labor and Education Statistics: Sources and Definitions” section.

In addition, in cases in which previous editions of this report have asserted that the worst forms of child labor exist in the production of goods, and in the absence

of evidence that the problem has been effectively eliminated, sources older than 5 years may be used. This practice makes the report's information on such forms of child labor consistent with USDOL's *List of Goods Produced by Child Labor or Forced Labor* as mandated by the Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA). Statements that the worst forms of child labor exist in the production of goods will be removed when there is evidence that the problem has been effectively eliminated.

3. **Source of the information.** Whether the information, either from primary or secondary sources, is from a source whose methodology, prior publications, degree of familiarity and experience with international labor standards, and/or reputation for accuracy and objectivity warrants a determination that it is relevant and probative.

4. **Extent of the corroboration.** Whether the information about the use of child labor is corroborated by other sources.

### 3.2.3 Limitations

While data on the worst forms of child labor and information about government efforts to provide remediation are improving, data are still insufficient to provide a complete understanding of the problem. A lack of information may create the impression that a country has less serious problems with the worst forms of child labor than it has in reality. At the same time, this dearth of information may create the impression that a government is doing less than it should, when, in fact, efforts to combat the worst forms exist, but are simply unreported or unpublicized. Although countries with open and available information may sometimes appear to have larger problems relative to other countries, this may not be the case. In fact, countries that make information collection on child labor a priority are in a better position to eliminate the problem than those countries where such information is suppressed, because they can target their policies and programs at identified problem areas in order to achieve maximum impact.

Although information was requested from the public, including governments covered in the report, only 19 governments out of the 140 countries submitted information in response to the request.<sup>(42)</sup> In addition, lack of in-country data collection in the majority of the countries and lack of access to other in-country sources of information may have also impacted the reporting.

Due to the inability to travel to each country covered in the report, ILAB relies on U.S. embassies and Internet research to gather primary and secondary sources of information. For countries where Internet access and technology is limited, there may be less information available online. Countries with more closed government processes and less civil society participation may also have less information readily available. When ILAB was unable to find information about the major topics of discussion, including the content of important laws or enforcement efforts, this was noted.

Most of ILAB's online research was conducted in English; however, some research was conducted in Spanish, French, and to a limited extent, Portuguese. Materials written in other languages were generally not reviewed.

Despite ILAB's best efforts to cover relevant topics as comprehensively as possible, the report cannot cover every salient issue that may affect children's involvement in the worst forms of child labor. For example, there are many factors that impact whether a household will send its child to school, to work, or to both. A lack of available information, however, limits the discussion of these issues for some countries. In these cases, we note that the profile's discussion is incomplete. Furthermore, ILAB chose to limit its discussion of education to the issue of access because research on the relationship between child labor and the quality of education is lacking.

This report excludes infrastructure projects, health programs, and related policies and programs that support children's school attendance because it is more difficult to assess their direct impact on child labor.<sup>(43, 44)</sup> This report also does not examine the

impact that corruption may have on children’s involvement in the worst forms of child labor, particularly as it relates to enforcement of laws covering the worst forms of child labor.

### **3.3 ORGANIZATION AND CONTENT OF COUNTRY PROFILES**

ILAB organized country profiles to track the types of efforts outlined in the TDA Conference Committee report. In this report, the Conference Committee indicated that the President should consider certain criteria when determining whether a country has met its obligation under the GSP program to implement its international commitments to eliminate the worst forms of child labor.<sup>(45)</sup> Each country profile contains information regarding these criteria: an introductory paragraph that provides an assessment of government actions to advance efforts in eliminating the worst forms of child labor, six sections that describe the problem and different aspects of government efforts to address it, and a set of suggested actions.

In 2013, ILAB introduced a new format for country profiles to make this report a more user-friendly document and a better policy tool for engagement. The format displays key information in a more streamlined manner, using more tables and less text than in previous years. There are two main changes. First, information considered “static” or relatively unchanged from year to year (e.g., sectors in which children work, laws, enforcement agencies) is condensed into tables in each section, along with any updates on developments during the reporting period. Second, findings about gaps in government efforts are elaborated in a narrative following the table.

The content and format of the six sections comprising a country profile is described in detail below.

#### **3.3.1 Country Overview**

Each country profile begins with an overview for 2014 in a single paragraph, beginning with a statement identifying the assessment level assigned to the country for 2014. Countries are assessed as having made Significant, Moderate, Minimal, or No Advancement. In a limited number of cases, assessments are not provided because the population of children is either non-existent or extremely small (under 50) or there is no evidence of the worst forms of child labor and the countries appear to have

an adequate preventive legal and enforcement framework. See section 1.6.5 for a more detailed discussion on the criteria used to determine a country’s assessment.

Following the statement of assessment, the paragraph offers a summary of key findings in the country profile. The narrative includes any meaningful efforts taken by a government, defined as efforts in key areas in which the government advanced in implementing its commitments to eliminate the worst forms of child labor.<sup>(35, 45)</sup> The narrative also notes the most common or egregious forms of child labor found in the country and highlights areas in which key gaps in government efforts remain.

#### **3.3.2 Section 1: Prevalence and Sectoral Distribution of Child Labor**

##### ***3.3.2.1 Content Overview***

The first section of each country profile attempts to provide, to the extent that information is available, a comprehensive picture of the worst forms of child labor in the country. This section begins with a review of available data on working children and school attendance, followed by a presentation of the most common sectors and activities in which children are engaged. It provides information about the nature and conditions of the work when such information is available.

##### ***3.3.2.2 Format***

Table 1, *Statistics on Children’s Work and Education*, contains at least four variables: percentage of working children, school attendance rate, percentage of children combining work and school, and primary completion rate. The majority of the country profiles have data for at least one of these variables. A smaller set of profiles contain data on children’s work by sector. The age and methodologies of the original surveys that provide the underlying data vary, and in some cases, the surveys may not reflect the true magnitude of the child labor problem in a country. For some countries, data are unavailable from the sources used in this report. For more information on Table 1, including background on the institutions involved in data collection and analysis, see the section “Children’s Work and Education Statistics: Sources and Definitions.”





#ChildrenNotSoldiers campaign.

© Office of the Special Representative of the Secretary-General for Children and Armed Conflict

Table 2, *Overview of Children’s Work by Sector and Activity*, groups types of children’s work by sector, using categories established by the ILO and UCW for national child labor surveys (Agriculture, Industry, and Services), as well as a category intended to capture work understood as the worst forms of child labor per se under Article 3 (a) – (c) of ILO C. 182 (referred to by the report as “Categorical Worst Forms of Child Labor”).<sup>1</sup> Sectors and specific activities performed by children are sorted into these categories according to internationally accepted industry and occupational codes.<sup>(46)</sup>

Table 2 is footnoted to (1) identify sectors or activities for which information is limited and/or the extent of the problem is unknown, (2) identify sectors or activities determined to be hazardous by national law or regulation as understood under Article 3(d) of ILO C. 182, and (3) provide the definition of “Categorical Worst Forms of Child Labor” as previously described.

Following Table 2, the section may highlight additional sector-specific information in a brief narrative, such as geographic regions where child labor occurs or details on the nature of the work performed. In addition,

<sup>1</sup> Such work is unacceptable for children under any circumstances and is strictly proscribed by the Convention.

the narrative may discuss any social, economic, or political issues that impact the prevalence of child labor, such as barriers to accessing education, or major socioeconomic shocks to the country that may inhibit the government’s ability to address child labor, such as a natural disaster or armed conflict.

### 3.3.3 Section 2: Legal Framework for the Worst Forms of Child Labor

#### 3.3.3.1 Content Overview

The second section of each profile provides information on two criteria established in the TDA Conference Committee report: “1) whether the country has adequate laws and regulations proscribing the worst forms of child labor,” and “2) whether the country has adequate laws and regulations for the implementation and enforcement of such measures.”<sup>(45)</sup> Accordingly, this section describes a country’s legal framework with regard to the worst forms of child labor and assesses the adequacy of that legal framework by comparing it, in general, to the standards called for in the TDA. Because the TDA uses the definition of the worst forms of child labor contained in ILO C. 182, this section focuses on comparing the country’s legal framework

to the standards embodied in that Convention. In line with the ILO Committee of Experts, ILAB considered any law that could be used to prohibit the worst forms of child labor. ILAB also considered whether the country had ratified key international instruments related to child labor, including its worst forms.

In this section, ILAB observed whether laws were comprehensive in their prohibitions of all variations of a particular worst form. For example, with regard to commercial sexual exploitation, the report assesses whether countries prohibit recruitment, use, sale of, and benefiting from the proceeds of child prostitution.

It is important to note that ILAB focuses on legal protections against the worst forms of child labor regardless of whether a problem exists in a country. This is to ensure that legal frameworks also serve as preventive mechanisms. For example, even if a country does not have a problem with the use of children in illicit activities, if there are no laws that exist to prohibit the use of children in illicit activities, the report points out a gap when comparing laws on this issue against international standards.

With these general parameters in mind, most reports contain some combination of the following assessments. With regard to forced child labor, ILAB assessed whether a country's laws comprehensively prohibit all manifestations of the problem of forced child labor, debt bondage, and/or child slavery. With regard to child trafficking, ILAB judged the adequacy of existing legal protections against international and domestic trafficking. In all cases in which countries maintain a military force, ILAB assessed whether the minimum age for compulsory military recruitment is 18. In countries where there is an ongoing armed conflict, ILAB also examined whether the law prohibits forced or voluntary recruitment of children by the armed forces, as well as other armed groups.

On the issue of commercial sexual exploitation of children, ILAB assessed both whether a country's laws prohibit the recruitment, use, sale of, and benefiting from the proceeds of child prostitution; and whether laws prohibit the production, distribution/sale of, benefiting from, and possession of child pornography. Regarding illicit activities, ILAB assessed whether the law prohibits the use, procuring, or offering of

a child in these activities, such as forced begging and the production and trafficking of drugs.

Using ILO R. 190 as a guide for the interpretation of Article 3(d) of ILO C. 182, ILAB also identified the types of hazardous work that children perform or are at risk of engaging in for each country. ILAB then applied international standards to the country's legal framework to determine whether adequate protections exist.

Because the standards on the minimum age for work in ILO C. 138 provide a foundation for protections against the worst forms of child labor, ILAB used the standards embodied in that convention to assess each country's minimum age for admission to work and the age up to which education is compulsory.<sup>(47)</sup> ILO C. 138 establishes that countries should set a minimum age for work of 15, or 14 for countries with less-developed economies. According to ILO C. 138, the minimum age for work shall not be less than the age for compulsory education. ILAB recognizes that the Convention calls upon member states to avoid the establishment of a minimum age for work lower than the compulsory school age. However, the opposite situation—in which the minimum age for compulsory schooling is lower than the minimum age for work—should also be avoided. It is possible that a low (or no) compulsory school age may encourage children below the legal age of employment to work because they are not required to attend school. Because such work is illegal, it may be more hidden from public view than other forms of work, thus increasing the possibility of exploitation through involvement in hazardous work or other worst forms of child labor. Therefore, the section notes when a country's minimum age for compulsory education falls below the minimum age for employment. It also notes when free education or compulsory education laws are not adequately implemented.

### **3.3.3.2. Format**

The section begins with Table 3, *Ratification of International Conventions on Child Labor*. The conventions listed include ILO C. 138 and 182 and the UN Convention on the Rights of the Child and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution, and child

pornography, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime (the Palermo Protocol). A checkmark indicates the country's ratification, acceptance, accession, or succession to the instrument, given that these actions have the same practical legal effect regarding the substantive obligations of the instruments as ratification.<sup>(48)</sup> If other relevant international instruments (beyond those listed in Table 3) were ratified during the reporting period, this may be recognized in a short narrative following the table.

Table 4, *Laws and Regulations Related to Child Labor*, lists a set of standards that should be established through national legislation in order to fully implement ILO C. 182. These include the minimum ages for work and hazardous work; hazardous occupations and activities prohibited to children; prohibitions of forced labor, child trafficking, commercial sexual exploitation, and using children in illicit activities; the minimum ages for voluntary and compulsory military service; and the compulsory education age. Table 4 also notes whether the government has a law on free basic education.

Table 4 is followed by a narrative describing any relevant laws the government enacted, or advanced to a significant step in the legislative process, during the reporting period. If the government failed to take action on an existing draft bill that would fill a gap in the legal framework related to child labor, this also may be noted. The narrative then assesses whether existing laws meet international standards and are sufficiently comprehensive to cover the child labor issues that are present in the country.

### **3.3.4 Section 3: Enforcement of Laws on the Worst Forms of Child Labor**

#### ***3.3.4.1 Content Overview***

The third section of each profile describes the roles of government agencies in enforcing laws relevant to child labor, including its worst forms, and reports on enforcement efforts made during the reporting

period. It addresses the third indicator for assessing a country's child labor efforts included in the TDA Conference Committee report: "3) whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor."<sup>(35)</sup> ILAB identified two distinct concepts from the criteria to assess country efforts and, this year, evaluated them separately in sections 3 and 4.

In this section, ILAB analyzed whether or to what degree the country had defined enforcement agency roles and had investigated and addressed complaints related to allegations of the worst forms of child labor. Because ILO C. 182 discusses enforcement to a limited extent, other international standards and practices were also considered as general evaluating guidelines, including those from ILO Conventions 81 and 129 on Labour Inspection and Labour Inspection in Agriculture, respectively. To the extent possible, ILAB assessed whether the country had:

- Established labor inspection systems;
- Employed a sufficient number of inspectors to enforce the country's child labor laws and regulations;
- Provided sufficient funding and resources to enforce child labor laws and regulations;
- Provided sufficient training to inspectors, including specialized training on child labor;
- Established processes for coordination and sharing of information on child labor among enforcement authorities;
- Created and implemented an effective mechanism for filing and responding expeditiously to complaints about child labor;
- Developed and implemented an adequate labor inspection strategy that allowed for different types of on-site inspections of worksites (for example, routine, targeted, complaint-driven, and unannounced inspections), and conducted inspections with sufficient frequency and in all relevant sectors;



- Provided sufficient authority to the labor inspectorate to sanction child labor violations and follow through with sanctions where appropriate; and
- Published information on specific inspection results and fines or sanctions imposed for violation of child labor laws and regulations.

In most cases, ILAB did not have enough information to determine whether numbers of inspectors were sufficient in the country. Given the lack of information, ILAB was cautious in its assessment of the adequate number of inspectors. Only in certain situations did ILAB make findings of insufficiency, for example: when the number was small relative to the population; the government acknowledged their own resource constraints; key international organizations concluded that resource gaps exist; or several sources corroborated such a conclusion. In those instances where the number of labor inspectors is small relative to the population, ILAB considered the ILO's benchmarks that the number of labor inspectors in relation to workers should approach 1:10,000 in industrial market economies, 1:15,000 in industrializing economies, 1:20,000 in transition economies, and 1:40,000 in less developed countries in determining whether a finding should be made.<sup>(49)</sup>

Although ILO Conventions focus primarily on labor laws, the worst forms of child labor encompass activities, such as commercial sexual exploitation, that are generally covered by criminal laws. Therefore, the report also assessed the same criteria with regard to criminal law enforcement.

#### **3.3.4.2 Format**

Section 3 begins with a broad statement about whether the government has established institutional mechanisms to enforce laws and regulations related to child labor, including its worst forms. It then presents a table listing the agencies charged with enforcing such laws and identifies each agency's role. A narrative follows, with subsections on the two relevant types of enforcement efforts (labor law enforcement and criminal law enforcement). As available, details may be provided on the number of inspectors or investigators; funding and training levels; capacity; and the number, type,

and quality of inspections or investigations during the reporting period. The narrative includes findings where ILAB has concluded that a shortfall exists between international standards and government efforts.

### **3.3.5 Section 4: Coordination of Government Efforts on the Worst Forms of Child Labor**

#### **3.3.5.1 Content Overview**

Section 4 provides information on institutions charged with coordinating overall efforts to combat child labor, including its worst forms, in the country. ILAB derived this concept from the Conference Committee report's third criteria that references whether the country has "formal institutional mechanisms."

Although the Conference Committee report speaks only to whether such mechanisms are in place with regard to investigation and complaints of the worst forms of child labor, ILO C. 182, Article 5, states that "[e]ach Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention." ILAB applied this concept of monitoring to all provisions of the Convention, not just those directly related to enforcement of child labor laws. However, since the term "monitor" is often associated exclusively with enforcement activities, ILAB uses the term "coordinate" to describe this function.

#### **3.3.5.2 Format**

Section 4 is typically brief, beginning with a short statement as to whether the government has any coordinating mechanism focused on or related to combatting child labor, followed by a table listing the relevant coordinating bodies, their composition (if known), and their respective mandates. A subsequent narrative details the activities of the coordinating bod(ies) during the reporting period, if known, and may include findings on gaps in their efforts.

### 3.3.6. Section 5: Government Policies on the Worst Forms of Child Labor

#### 3.3.6.1 Content Overview

The fifth section of the profiles provides information on the fourth TDA Conference Committee report criterion: “whether the country has a comprehensive policy for the elimination of the worst forms of child labor.”<sup>(45)</sup> This section describes a country’s policies and plans to combat child labor, including its worst forms.

ILAB used the framework provided in ILO R. 190, Article 15(f), which illustrates measures that countries might take to combat the worst forms of child labor, such as “encouraging the development of policies by undertakings to promote the aims of the Convention.”<sup>(36)</sup> In ILO C. 182 and in comments from the ILO Committee of Experts, the terms “programs” and “plans of action” are often used interchangeably. Indeed, it is difficult to distinguish, in some cases, among a policy, a plan, and a program. For purposes of the TDA, a policy on child labor is defined as a framework that lays out general principles that are intended to guide a government’s actions on child labor. Although policies may call for the passage of new laws and the establishment of new programs, for the purposes of the TDA, whether laws are adopted or programs are implemented is discussed in the “Legal Framework for the Worst Forms of Child Labor” section or the “Social Programs to Address Child Labor” section, respectively.

Specifically, ILAB assessed whether governments had done the following:

- Established specific child labor policies, any related development policies that explicitly incorporate the issue of child labor, or any related development policies that do not explicitly target child labor but that could have an impact on the problem. (ILAB determined that because so few governments distinguish between worst forms of child labor and child labor, in general, when establishing policies, any policy on child labor, whether targeted to worst forms of child labor or not, would be discussed.)

- Ensured that these policies included specific action plans, assigned responsibilities, established goals, and set timetables.
- Implemented its established policies and plans.

#### 3.3.6.2 Format

Section 5 begins with a statement indicating whether the government has established any policies related to child labor, including its worst forms. This is followed by a table listing the relevant policies, providing a description of each policy’s objective and any developments in implementation that occurred during the reporting period. The table is footnoted to identify policies that were approved during the reporting period, as well as broader development or education policies that may have an impact on reducing or eliminating child labor but have not been evaluated to determine whether this is indeed the case. The narrative following the table is reserved for any findings as to whether existing policies sufficiently address child labor issues, including its worst forms, present in the country.

### 3.3.7 Section 6: Social Programs to Address Child Labor

#### 3.3.7.1 Content Overview

This section responds to the Conference Committee report criterion that calls for a consideration of “whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor and assist in the removal of children engaged in the worst forms of child labor.”<sup>(45)</sup> This section discusses only those programs launched or implemented during the reporting period.

As in the section on policies, this section describes both programs focused on the worst forms of child labor and those focused on all forms of child labor, because countries often do not distinguish between the two in child labor programs. Also, as in the policies section, this section discusses programs that focus on child labor specifically, as well as programs that address poverty, education, and other related matters that could have a beneficial impact on child labor.



Reception center for children who are working on the streets in Butare, Rwanda.  
© ILO/M. Crozet

ILAB generally considered the implementation of projects through international organizations to be government efforts because the projects can only be carried out with the consent of the government and such efforts are sometimes considered part of national budgets.

ILAB applied standards embodied in Articles 6 and 7 of ILO C. 182 to assess country programs to combat child labor. ILO R. 190 was also used in determining the kinds of efforts that governments might make, such as giving special attention to girls, providing training to employers and workers, and raising awareness. With this in mind, ILAB assessed whether governments had:

- Participated in any social programs to combat child labor, including programs aimed at directly preventing and withdrawing children from child labor;
- Implemented social programs with sufficient resources to combat the scope and magnitude of the child labor problem at issue;
- Targeted at-risk populations; and
- Implemented social programs successfully and sustainably.

### **3.3.7.2 Format**

Section 6 opens with a statement as to whether the government funded and/or participated in social programs that include the goal of eliminating or reducing child labor, including its worst forms. As with the policy section, this section lists relevant programs, including larger development programs such as poverty reduction strategies or education-focused initiatives that may have an impact on child labor (these are footnoted to clarify when the impact on child labor has not been studied). Footnotes also identify projects that are funded by the government and/or were launched during the reporting period. The table provides a description of each social program and its activities and accomplishments, to the extent known, during the reporting period. A narrative may follow with analysis of the extent to which these efforts were sufficient to address the scope of the problem and/or covered the key sectors in which children are known to work in the country.

### **3.3.8 Suggested Government Actions to Eliminate the Worst Forms of Child Labor**

The last section of each country profile is a set of suggested actions. These suggested actions serve as a roadmap of efforts that individual countries can follow to more fully address the worst forms of child labor. The year in which a suggested action was first provided is listed in the table followed by every year the action was included in the report and not addressed.

## **3.4 FRAMEWORK FOR COUNTRY ASSESSMENTS**

### **3.4.1 Objective for Country Assessments**

As discussed in section 1.5.1, ILAB is using an assessment tool to clearly indicate and highlight the status of efforts by each country benefiting from U.S. trade preferences to eliminate the worst forms of child labor.



### 3.4.2 Research Question Guiding Country Assessments

The research question that ILAB is asking in its assessment of an individual beneficiary country is: “To what extent did the beneficiary country advance efforts to eliminate the worst forms of child labor during the reporting period?”

### 3.4.3 Scope of Country Assessment

As discussed, the TDA Conference Committee report outlines the following six criteria that the President is asked to consider in determining whether a country is implementing its international commitments to eliminate the worst forms of child labor:

1. Whether the country has adequate laws and regulations proscribing the worst forms of child labor;
2. Whether the country has adequate laws and regulations for the implementation and enforcement of such measures;
3. Whether the country has established formal institutional mechanisms to investigate and address complaints related to allegations of the worst forms of child labor;
4. Whether the country has a comprehensive policy for the elimination of the worst forms of child labor;
5. Whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor, and assist in the removal of children engaged in the worst forms of child labor; and
6. Whether the country is making continual progress toward eliminating the worst forms of child labor.<sup>(45)</sup>

The country assessment tool is intended to inform the sixth criterion listed above: “whether the country is making continual progress toward eliminating the worst forms of child labor.” In preparing the assessments,

ILAB evaluated the first five criteria listed above, grouping them into the same five areas addressed in the individual country profiles: laws and regulations, enforcement, coordination, policies, and social programs. The assessment is based on an analysis of the status of each country’s efforts in these five areas considered as a whole and compared to similar past efforts. Importantly, the assessment is not intended to reflect a determination of “whether a country has implemented its commitments to eliminate the worst forms of child labor.”<sup>(45)</sup> That determination is reserved for the President.

### 3.4.4 Method for Determining a Country Assessment

Each country profile presented in this report identifies a set of suggested actions for governments to take in order to advance efforts to eliminate the worst forms of child labor. The implementation—or lack of implementation—of these suggested actions establishes a baseline, or point of reference, from which to assess a country’s advancement. These actions, in combination with other efforts undertaken by a country, were considered when assessing the level of a country’s advancement during the current reporting period compared with the previous reporting period.

Once a country’s efforts were identified, ILAB assessed (1) the significance of efforts—actions that could have an impact in eliminating the worst forms of child labor—undertaken during the reporting period, and (2) the extent to which these efforts addressed the first five TDA criteria, outlined above, in a limited or meaningful manner during the reporting period. In addition, ILAB reviewed whether a government at the national, regional, or local level was complicit in the use of forced child labor, including the forcible recruitment of children for armed conflict.

To promote consistency and transparency, and to operationalize those first five TDA criteria, each country’s efforts were analyzed according to a uniform

set of guidance questions related to the five general areas of laws and regulations, enforcement, coordination, policies, and social programs. These guidance questions are presented in Appendix II.

### 3.4.5 Country Assessment Categories

Each country received one of five possible assessments: *Significant Advancement*, *Moderate Advancement*, *Minimal Advancement*, *No Advancement*, or *No Assessment*.

1. **Significant Advancement.** Compared with the suggested actions reported in 2013, a country significantly advanced efforts in eliminating the worst forms of child labor if it took suggested actions or made other meaningful efforts during the reporting period in **all relevant areas** covering laws and regulations, enforcement, coordination, policies, and social programs.
2. **Moderate Advancement.** Compared with the suggested actions reported in 2013, a country moderately advanced efforts in eliminating the worst forms of child labor if it took suggested actions or made other meaningful efforts during the reporting period in **some relevant areas** covering laws and regulations, enforcement, coordination, policies, and social programs.
3. **Minimal Advancement.** There are two types of countries that could receive this assessment. The first type of country is one that, compared with the suggested actions reported in 2013, minimally advanced efforts in eliminating the worst forms of child labor by taking suggested actions or making other meaningful efforts during the reporting period in a **few relevant areas** covering laws and regulations, enforcement, coordination, policies, and social programs.

The second type of country is one that, compared with the suggested actions reported in 2013, made some advancement in eliminating the worst forms of child labor, but also established a new law, regulation, or policy; upheld an existing law, regulation, or policy; or initiated or continued a practice during

the reporting period that **reverses or delays advancement in eliminating the worst forms of child labor**.

4. **No Advancement.** There are two types of countries that could receive this assessment. The first type of country is one that, compared with the suggested actions reported in 2013, took no suggested actions and made **no other meaningful efforts** to advance the elimination of the worst forms of child labor during the reporting period. This would include countries in which there is no evidence of a worst form of child labor problem and where the country has gaps in its legal and enforcement framework on child labor.

The second type of country is one that in more than an isolated incident was **complicit in the use of forced child labor**. Given the egregious nature of this form of exploitation, countries complicit in the use of forced child labor were considered to have made No Advancement regardless of efforts in other areas. It is important to note that complicity can occur when a government is involved in forced child labor at any level of government, including at the local, regional, or national level.

The first subset in this category is countries that may have made efforts, that may have included suggested actions reported in 2013, but because in more than an isolated incident was **complicit in the use of forced child labor, received an assessment of No Advancement**.

The second subset in this category is countries that took no suggested actions, **made no meaningful efforts, and was complicit in the use of forced child labor in more than an isolated incident**.

5. **No Assessment.** This assessment is reserved for countries in which the population of children is either non-existent or extremely small (under 50), or in which there is no evidence of a worst form of child labor problem and where the country has

a good legal and enforcement framework on child labor. Currently, only certain territories and non-independent countries fall into these categories.

This assessment is also given to a country when it is included in the report for the first time. In addition, in cases when a country receives a suggested action for the first time, a country is given this assessment.

These assessments track government actions and compare countries against their own prior efforts. The assessments do not take into account the impact of the government actions on the problem, or whether they have a documented effect in eliminating the worst forms of child labor. This type of analysis would require rigorous impact evaluations and assessments based on data from solid research designs, which is beyond the scope of this report.



Children who were previously employed as soccer ball sewers now attend school in Sialkot, Pakistan. © ILO/M. Crozet



# Part **4** Reference Materials

## **4.1 Children’s Work and Education Statistics: Sources and Definitions**

Approximately 127 country profiles in this report include a statistical table (Table 1. Statistics on Children’s Work and Education) with data on the percent of working children, school attendance rate, percent of children who combine school and work, and/or primary completion rate. For a smaller set of profiles, the percent of children who work by sector is provided in a chart in each profile.

This section provides definitions and describes the sources for these data. This section also discusses some of the strengths and weaknesses of these data. While in a few cases more current sources of data may be available than those used here, the report uses the most reliable, standardized sources available to date to allow for cross-country comparisons. Because reliable child labor surveys are not available for many countries in some cases, USDOL uses statistics from child labor surveys that are more than 10 years old (data from 2004) at the time of writing this report. In the event that data did not exist from the sources described below, no other reliable and publicly available source of data exists for a country, or data exists but had not been analyzed to allow for cross-country comparisons, the report concludes that the statistics are “unavailable.”

### **Working Children (Children in Employment)**

Many of the statistical tables in the country profiles in this report present data on the percentage and number of children in employment (working children) in the country in question. Data presented in the current report may differ from data that were presented in previous reports because more updated data have become available.

### **Definition**

Children in employment or working children are those

engaged in any economic activity for at least 1 hour during the reference period. Economic activity includes market production and certain types of non-market production (principally the production of goods and services for own use). The work children perform may be in the formal or informal economy, inside or outside family settings, for pay or profit. This includes children working in domestic service outside the child’s own household for an employer (paid or unpaid). This definition is in accordance with the *Resolution Concerning Statistics of Child Labour (Resolution II)* adopted by the 18<sup>th</sup> International Conference of Labour Statisticians (ICLS) in 2008 and the report, *Marking Progress Against Child Labour*, published by the ILO in 2013.(8, 50)

### **Children in Employment Versus Child Labor**

This report presents statistics on working children rather than children involved in child labor. The definition of working children does not vary among countries. For this reason, statistics on working children are comparable across countries. In contrast, child labor statistics are based on national legislation, including, for example, the minimum age for work. The minimum age for work and other child labor standards vary from country to country. For that reason, child labor data are not comparable across countries.

### **Data Sources and Limitations**

Data are from UCW project analysis of primarily four survey types: (1) ILO’s SIMPOC surveys; (2) UNICEF’s Multiple Indicator Cluster Surveys (MICS); (3) World Bank-sponsored surveys, including Living Standards Measurement Surveys (LSMS), Priority Surveys, and others; and (4) other types of survey instruments including Labor Force Surveys (LFS) and Demographic and Health Surveys (DHS).(51) The first three survey programs are commonly recognized as being the primary sources for data on children’s work and child labor and, therefore, generally received priority over all other available data sources.(52)

According to UCW researchers, typical surveys on children’s work do not collect enough detailed information on children’s activities to accurately measure economic activity.<sup>(53)</sup> This sentiment was echoed in December 2008 at the 18<sup>th</sup> ILO International Conference of Labor Statisticians. A resolution was adopted at the conference that provides guidelines for governments on collecting child labor data. Specifically, the guidance indicates that countries may choose to use a broad framework to measure children’s work and child labor that encompasses unpaid household services or that countries may use a narrower definition of children’s work that excludes such services, as long as the definition used is clearly specified.<sup>(54)</sup> This resolution is contributing to the collection of more comparable data on children’s involvement in non-market activities.

In analyzing the data from the above-mentioned surveys, UCW attempted to apply a standard definition of children’s work. Although UNICEF MICS and ILO SIMPOC reports, for example, each use a different definition of work (as of the writing of this report, MICS survey reports include household chores in their definition of work, while SIMPOC reports do not), to the extent possible UCW applied a common definition of work to the micro-data described. To date, this has resulted in the individual analysis of more than 137 data sets. While every attempt was made to present a standardized child work statistic, there are differences across surveys that have the potential to affect the comparability of statistics across countries. Some of these differences are explained in greater detail here but in general include differing age groups, questionnaire content and wording, purpose of the survey, sample design, non-sampling errors, and year of data collection.

In general, data are presented for children ages 5-14, but some of the profiles present a work statistic for children ages 6-14, 7-14, or 10-14, depending on the age categories used in the original survey. The wording of work-related questions may also impact results. For example, the question on work in these surveys usually refers to work in the past 7 days; however, some surveys may refer to work activities in the past 12 months and are therefore likely to capture a higher proportion of working children

than surveys with 7-day timeframes. The purpose of the survey—whether the survey is designed specifically to measure children’s work and child labor (SIMPOC surveys) or to measure the impact of poverty reduction programs (World Bank’s LSMS)—may affect estimates of children’s work. In addition, sample design may impact survey results. For example, children’s work is often geographically clustered, and SIMPOC surveys are designed to capture children’s work in such geographic areas. As a result, estimates of working children based on SIMPOC data are typically higher when compared to estimates based on LSMS surveys, which do not use the same sample design.<sup>(55)</sup> The ILO and UCW continue to investigate the effects of these survey differences on estimates of children’s work.

As noted, some country profiles also include the sector in which children reportedly work. For some surveys, sector of work was not reported by the entire sample of working children. Therefore, the distribution of children working by sector (i.e., agriculture, industry, and services) represents children with non-missing data for sector of work. For more information on the sectors of work reported in the chart, see section 1.5.2.2 of the Introduction.

### **Percent of Children Attending School**

The percentage of children attending school is the share of all children within a specified age group that reported attending school. The UCW project data described above in the section “Working Children” are used to develop country-specific school attendance statistics. To be consistent with estimates of child work, the age group for which attendance statistics are calculated for children is generally ages 5-14 years. In some cases, however, different age categories are used, usually ranging from ages 6-14 years or 7-14 years.

### **Percent of Children Combining School and Work**

The percentage of children who combine school and work is the share of all children within a specified age group reporting both working and attending school. The UCW project data described above in the section “Working Children” are used to develop country-specific statistics on children combining school and work. The age group for which these statistics are calculated is usually for children ages 7-14 years.

## Primary Completion Rate

This report uses the “gross intake ratio in the last grade of primary” as a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary. A high ratio indicates a high degree of current primary education completion. Because the calculation includes all new entrants to the last grade (regardless of age), the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades.

Unlike the other statistics presented in the country data tables, which are all based on UCW analysis as described above, the primary completion rate data is from the UNESCO Institute for Statistics. The data were downloaded on January 16, 2015, and are available at <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>.

For more information on this statistic, please see the UNESCO Institute for Statistics Glossary at <http://glossary.uis.unesco.org/glossary/en/home>.

## GLOSSARY OF TERMS

### Basic Education

Basic education comprises both formal schooling (primary and sometimes lower secondary), as well as a wide variety of non-formal and informal public and private educational activities offered to meet the defined basic learning needs of groups of people of all ages.

*Source:* UNESCO, *Education for All: Year 2000 Assessment: Glossary* [CD-ROM]. Paris; 2001.

### Bonded Labor

Bonded labor or debt bondage is “the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined,” as defined in the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

Bonded labor typically occurs when a person who needs a loan and has no security to offer pledges his/her labor, or that of someone under his/her control, as a security for a loan. In some cases, the interest on the loan may be so high that it cannot be paid. In others, it may be deemed that the bonded individual’s work repays the interest on the loan but not the principal. Thus, the loan is inherited and perpetuated, and becomes an inter-generational debt.

Bonded labor is identified as one of the worst forms of child labor in ILO C. 182.

*Source:* United Nations, *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*. (September 7, 1956); <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>. See also U.S. Department of Labor, *By the Sweat and Toil of Children, Vol. I: The Use of Child Labor in U.S. Manufactured and Mined Imports*. Washington, DC; 1994, 18. See also ILO-IPEC. *Child Labour: A Textbook for University Students, Appendix 2: Glossary*. Geneva; 2004, 287. See also ILO Convention No. 182, *Worst Forms of Child Labor*, 1999; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### Categorical Worst Forms of Child Labor

For the purposes of this report, categorical worst forms of child labor refers to child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182. This category does not include the worst forms of child labor as defined under Article 3(d). See “ILO Convention 182: Worst Forms of Child Labor.”

*Source:* ILO Convention No. 182, *Worst Forms of Child Labour*, (1999); <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### Child

A person less than 18 years of age.

*Source:* ILO Convention No. 182, *Worst Forms of Child Labour*, (1999); <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### Child Domestic Worker

Child domestic workers or domestics are children who work in third party private households under an employment relationship. Child domestic workers engage in a variety of tasks, including cleaning, cooking, gardening, collecting water, and caring for children and the elderly. Child domestic workers sometimes have live-in arrangements, whereby they live in their employer’s household and work in exchange for room, board, and



sometimes education. Child domestic workers are vulnerable to the worst forms of child labor, including sexual, physical, and verbal abuse, in large part because they often depend on their employers for basic needs and work in locations hidden from public view.

Source: ILO Convention 189, *Decent Work for Domestic Workers*, (2011); <http://www.ilo.org/ilolex/english/convdisp2.htm>. See also ILO, *Ending Child Labour in Domestic Work and Protecting Young Workers from Abusive Working Conditions*. Geneva; 2013, 1, 3.

### Child Labor

Children in child labor are a subset of children in employment. It includes employment below the minimum age as established in national legislation (excluding permissible light work) and the worst forms of child labor, including hazardous unpaid household services. Child labor is thus a narrower concept than children in employment, as child labor excludes children who work only a few hours a week in permitted light work and those who are above the minimum age who engage in work not classified as a worst form of child labor.

Source: ILO, *Marking Progress against Child Labour: Global Estimates and Trends 2000-2012*. Geneva, 2013; [http://www.ilo.org/ipecc/Informationresources/WCMS\\_221513/lang--en/index.htm](http://www.ilo.org/ipecc/Informationresources/WCMS_221513/lang--en/index.htm). See also ILO, *Resolution II: Resolution Concerning Statistics of Child Labour*. 18<sup>th</sup> International Conference of Labor Statisticians, Geneva, 2008; [http://www.ilo.org/wcmsp5/groups/public/-/dgreports/---stat/documents/normativeinstrument/wcms\\_112458.pdf](http://www.ilo.org/wcmsp5/groups/public/-/dgreports/---stat/documents/normativeinstrument/wcms_112458.pdf).

### Child Labor Elimination Projects

Since 1995, USDOL has funded over 270 projects in 92 countries. ILAB currently oversees more than \$256 million of active programming to combat exploitative child labor. To date, USDOL-funded child labor elimination projects have rescued approximately 1.8 million children from exploitative child labor.

Source: U.S. Department of Labor, Bureau of International Labor Affairs, *International Technical Cooperation*, [online]; <http://www.dol.gov/ilab/issues/child-labor/>.

### Commercial Sexual Exploitation of Children

Based on the 1996 Declaration and Agenda for Action of the First World Congress Against the Commercial Sexual Exploitation of Children, commercial sexual exploitation of children (CSEC) is defined as “sexual

abuse by the adult and remuneration in cash or kind to the child or third person or persons.” The remuneration dynamic distinguishes CSEC from the sexual abuse of a child where commercial gain is absent, although sexual exploitation is also abuse. CSEC includes:

- Prostitution in the streets or indoors, in such places as brothels, discotheques, massage parlors, bars, hotels, and restaurants, among others;
- Child sex tourism;
- The production, promotion, and distribution of pornography involving children; and
- The use of children in sex shows (public or private).

ILO C. 182 prohibits the sale and trafficking of children and the use, procuring, or offering of a child for prostitution for the production of pornography or for pornographic performances.

Source: *Declaration and Agenda for Action of the First World Congress against the Commercial Sexual Exploitation of Children*, Stockholm, August 27-31, 1996; [http://www.csecworldcongress.org/PDF/en/Stockholm/Outome\\_documents/Stockholm%20Declaration%201996\\_EN.pdf](http://www.csecworldcongress.org/PDF/en/Stockholm/Outome_documents/Stockholm%20Declaration%201996_EN.pdf). See also UNICEF, *Child Protection Information Sheet: Commercial Sexual Exploitation* (May 2006); [http://www.unicef.org/protection/files/Sexual\\_Exploitation.pdf](http://www.unicef.org/protection/files/Sexual_Exploitation.pdf). See also ECPAT International, *CSEC Definitions*; [http://resources.ecpat.net/EI/Csec\\_definition.asp](http://resources.ecpat.net/EI/Csec_definition.asp). See also ILO Convention No. 182, *Worst Forms of Child Labor*, (1999); <http://www.ilo.org/public/english/standards/ipecc/ratification/convention/text.htm>. Additional definitional aspects above provided by ILO-IPEC.

### Compulsory Education

Compulsory education refers to the number of years or the age span during which children and youth are legally obliged to attend school.

Source: UNESCO, *Education for All: Year 2000 Assessment: Glossary* [CD-ROM]. Paris; 2001.

### Convention on the Rights of the Child

The Convention on the Rights of the Child spells out basic rights of children, such as the right to survival; to develop to the fullest; to protection from harmful influences, abuse, and exploitation; and to participate fully in family, cultural, and social life. The Convention protects children’s rights by setting standards in



Children studying at Mtoto school in Zanzibar Island, United Republic of Tanzania. © ILO/M. Crozet

health care, education and legal, civil, and social services. According to Article 32 of the Convention, children have the right “to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral, or social development.”

Source: UN Convention on the Rights of the Child; <http://www2.ohchr.org/english>.

### **Education for All**

In 1990, delegates from more than 155 countries convened in Jomtien, Thailand, to create strategies for addressing the issues of education, literacy, and poverty reduction. Using the Universal Declaration of Human Rights as a basis for their work, participants established a set of goals to provide all children, especially girls, with the right to an education and to improve adult literacy around the world. The result was the World Declaration on Education for All (EFA). This declaration called for countries, by the end of the decade, to meet the basic learning needs of all children and adults, provide universal access to education for all, create equity in education for women and other underserved groups, focus on actual learning acquisition, broaden the types of

educational opportunities available to people, and create better learning environments for students.

In April 2000, delegates gathered again for the World Education Forum in Dakar, Senegal. After reviewing the data gathered, it was clear that much more progress would be needed to achieve EFA. These delegates, from 164 countries, adopted the Dakar Framework for Action and renewed and strengthened their commitment to the achievement of quality basic education for all by the year 2015. The World Education Forum adopted six major goals for education to be achieved within 15 years, including the attainment of Universal Primary Education and gender equality, improving literacy and educational quality, and increasing life skills and early childhood education programs.

Source: UNESCO, *The World Conference on Education for All*, Jomtien, Thailand, 1990, [conference proceedings]; [http://www.unesco.org/education/efa/ed\\_for\\_all/background/world\\_conference\\_jomtien.shtml](http://www.unesco.org/education/efa/ed_for_all/background/world_conference_jomtien.shtml). See also UNESCO, *World Education Forum*, Dakar, Senegal, 2000, [conference proceedings]; [http://www.unesco.org/education/efa/wef\\_2000/index.shtml](http://www.unesco.org/education/efa/wef_2000/index.shtml). See also UNESCO, *Education for All: Meeting Our Collective Commitments*, Text adopted by the World Education Forum Dakar, Senegal, April 26-28, 2000; [http://www.unesco.org/education/efa/ed\\_for\\_all/dakfram\\_eng.shtml](http://www.unesco.org/education/efa/ed_for_all/dakfram_eng.shtml).

### Forced Labor

Forced labor is defined in ILO Convention 29 as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” In practice, it is the enslavement of workers through the threat or use of coercion, and it is primarily found among the most economically vulnerable members of society.

Forced or compulsory labor is identified as one of the worst forms of child labor in ILO C. 182.

*Source:* ILO Convention 29, *Forced Labour*, (1930); <http://www.ilo.org/public/english/dialogue/actrav/enviro/backgrnd/iolhrcon.htm>. See also ILO Convention 182, *Worst Forms of Child Labour*, (1999); <http://www.ilo.org/public/english/standards/ipec/ratification/convention/text.htm>.

### Formal Education

The system of formalized transmission of knowledge and values operating within a given society usually provided through state-sponsored schools.

*Source:* ILO-IPEC, *Child Labour: A Textbook for University Students*, Appendix 2: Glossary, 288, Geneva, 2004.

### Hazardous Work

Article 3(d) of ILO C. 182 provides a general definition of what is commonly referred to as “hazardous child labor: ... work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.” Under Article 4(1), the work referred to under Article 3(d) is to be determined by the laws, regulations, or competent authority of the country involved, and after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards.

*Source:* ILO Convention No. 182, *Worst Forms of Child Labour*, 1999; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### ILO Convention 138: Minimum Age for Admission to Employment

ILO Convention 138 (ILO C. 138) was adopted in 1973 and serves as the principal ILO standard on child labor. Under Article 2(3) of ILO C. 138, Minimum Age for Admission to Employment, the

minimum age of admission into employment or work in any occupation “shall not be less than the age of completion of compulsory schooling, and, in any case, shall not be less than fifteen.” Countries whose economy and educational facilities are insufficiently developed may initially specify a minimum legal working age of 14 when ratifying the Convention. Additionally, under Article 7(1), “National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work....” Countries that specify a minimum legal working age of 14 years may permit light work for persons ages 12-14 years.

*Source:* ILO Convention No. 138, Minimum Age for Admission to Employment, 1973; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### ILO Convention 182: Worst Forms of Child Labor

ILO Convention 182 (ILO C. 182) was adopted in 1999. It commits ratifying nations to take immediate action to secure the prohibition and elimination of the worst forms of child labor. Under Article 3 of the Convention, the worst forms of child labor comprise:

- (a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- (b) The use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic purposes;
- (c) The use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and
- (d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.

Among other actions, ILO C. 182 requires ratifying nations to remove children from abusive child labor and provide them with rehabilitation, social reintegration, and access to free basic education and

vocational training; consult with employer and worker organizations to create appropriate mechanisms to monitor implementation of the Convention; take into account the special vulnerability of girls; and provide assistance and/or cooperate with efforts of other members to implement the Convention.

Source: ILO Convention No. 182, *Worst Forms of Child Labour*, 1999; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### **ILO-IPEC: International Program on the Elimination of Child Labor**

In 1992, ILO created IPEC to work toward the progressive elimination of child labor by strengthening national capacities to address child labor problems, and by creating a worldwide movement to combat it. Although ILO-IPEC aims to address all forms of child labor, its focus is on the elimination of the worst forms of child labor.

Countries participating in ILO-IPEC usually sign a MOU outlining the development and implementation of ILO-IPEC activities and the efforts to be undertaken by governments to progressively eradicate child labor. ILO-IPEC National Program Steering Committees are then established with the participation of governments, industry and labor representatives, and experienced NGOs. ILO-IPEC provides technical assistance to governments, but most of the direct action programs for children are carried out by local NGOs and workers' and employers' organizations. ILO-IPEC activities include awareness raising about child labor problems; capacity building for government agencies and statistical organizations; advice and support for direct action projects to withdraw working children from the workplace; and assistance to governments in drawing up national policies and legislation.

Source: ILO-IPEC, *What is IPEC: IPEC at a Glance*; <http://www.ilo.org/public/english/standards/ipec/about/implementation/ipec.htm>. See also ILO, *IPEC Action against Child Labour: Highlights 2006*, Geneva, February 2007, 10 and 29; [http://www.europarl.europa.eu/hearings/20070417/libe/ilo\\_en.pdf](http://www.europarl.europa.eu/hearings/20070417/libe/ilo_en.pdf). See also IPEC's *Strategy to Eliminate Child Labour*; [http://www.ilo.org/public/english/standards/ipec/pub/download/factsheets/fs\\_ipecstrategy\\_0303.pdf](http://www.ilo.org/public/english/standards/ipec/pub/download/factsheets/fs_ipecstrategy_0303.pdf). See also U.S. Department of Labor, Bureau of International Labor Affairs, *International Technical Cooperation*, [online]; <http://www.dol.gov/ilab/projects/>.

### **ILO Recommendation 190: Worst Forms of Child Labor**

ILO Recommendation 190 (ILO R. 190) supplements the provisions of ILO C. 182 and provides guidance to ratifying countries regarding its implementation. The Recommendation describes populations in need of specific attention regarding the worst forms of child labor, such as girls and children involved in hidden forms of work. It further provides guidelines to assist countries in determining the kinds of hazardous work that should be considered worst forms and thus prohibited to children. Finally, Recommendation 190 provides guidance regarding specific steps countries that have ratified ILO C. 182 should take in order to combat the worst forms of child labor, such as the collection and exchange of data on both the problem and best practices to address it; passage and enforcement of laws that penalize violations with criminal penalties; awareness raising about the problem; establishment of policies against the worst forms of child labor; and international cooperation through technical, legal, and other forms of assistance.

Source: ILO Recommendation 190, *Recommendation Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor* (1999); <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### **Informal Sector**

While the concept of the informal sector was introduced into international usage in the 1970s, it was only in 1993 at the 15<sup>th</sup> International Conference of Labor Statisticians that an internationally-recognized definition for data collection was established, delineating the informal sector as unincorporated, small and/or unregistered enterprises, and the employees of those enterprises. An enterprise is unincorporated if no complete set of accounts are available that would permit a financial separation of the activities of the enterprise from that of its owner(s), and it produces marketable goods or services. The registration and size criteria are determined according to national circumstances and legislation, which provides a degree of flexibility in identifying the informal sector from country to country. However, all interpretations of this sector share the notion of enterprises whose activities are not covered or are





Boys selling fruit and ice cream in the streets of Cotagaita, Bolivia. © Paola Aguilera

insufficiently covered by law or whose activities are not covered by law in practice, meaning that the relevant law is not applied or enforced. Workers in such enterprises often lack the benefits of regular, stable, and protected employment. Because employers in the informal sector are generally not held accountable for complying with labor protections, including occupational safety measures, children who work in “hazardous” or “ultra-hazardous” informal settings likely face increased risk of injury. In addition, because businesses in the informal sector are not usually included in official statistics, children working in informal sector enterprises may not be counted in labor force activity rates.

Source: ILO, *Women and Men in the Informal Economy: A Statistical Picture*, [online] 2002; <http://www.ilo.org/dyn/infoecon/docs/441/F596332090/women%20and%20men%20stat%20picture.pdf>.

ILO, *Measuring informality: a Statistical Manual on the informal sector and informal employment*, [online] 2012; [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_222979.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_222979.pdf).

### Light Work

This report uses the definition of light work as established in ILO C. 138, Minimum Age for Admission to Employment. Under Article 7(1) of the Convention, “National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is—(a) not likely to be harmful to their health or development; and (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.” Countries that have specified a minimum legal working age of 14 years may permit the employment or work of persons 12-14 years of age on light work as defined in Article 7(1), but should specify limitations on their hours of work as well as activities.

Source: ILO Convention No. 138, *Minimum Age for Employment*, (1973), Article 3; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### Minimum Age of Work

The minimum age of work is the age at which a child can enter into work. ILO C. 138 states that the minimum age for admission to employment should not be less than the age of completion of compulsory schooling and should not be less than 15 years (14 for developing countries).

Source: ILO-IPEC, *Child Labour: A Textbook for University Students, Appendix 2: Glossary*, 290, Geneva; 2004.

### Non-Formal Education

Any organized educational activity outside the established formal school system – whether operating separately or as an important feature of some broader activity – that is intended to serve identifiable learning objectives. Non-formal or transitional education programs can enable former child workers to “catch up” or be “mainstreamed” with their peers who began their schooling at the appropriate age.

Source: ILO-IPEC, *Child Labour: A Textbook for University Students, Appendix 2: Glossary*, 290, Geneva; 2004.

### **Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict**

This optional protocol, adopted in 2000, addresses and commits ratifying countries to take action against the involvement of children in armed conflict, which is a worst form of child labor per ILO C. 182, Article 3(a).

*Source:* Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>.

### **Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography**

This optional protocol, adopted in 2000, addresses and commits ratifying countries to take action against the commercial sexual exploitation of children, which is a worst form of child labor per ILO C. 182, Article 3(b).

*Source:* Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography; <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>.

### **Poverty Reduction Strategy Paper**

A Poverty Reduction Strategy Paper (PRSP) is a document written by the government of a developing country with the participation of civil society to serve as the basis for concessional lending from the World Bank and IMF, as well as debt relief under the World Bank's Highly Indebted Poor Countries Initiative. A PRSP should measure poverty in the country, identify goals for reducing poverty, and create a spending and policy program for reaching those goals. A PRSP should also ensure that a country's macroeconomic, structural, and social policies are consistent with the objectives of poverty reduction and social development. A new PRSP must be written every 3 years in order to continue receiving assistance from International Financial Institutions such as the World Bank.

*Source:* International Monetary Fund, *Overview of Poverty Reduction Strategies*, [online]; <http://www.imf.org/external/np/prsp/prsp.aspx>.

### **Primary Education**

Primary education, sometimes called elementary education, refers to school usually beginning at 5 or

7 years of age and covering about 6 years of full-time schooling. In countries with compulsory education laws, primary education generally constitutes the first (and sometimes only) cycle of compulsory education.

*Source:* UNESCO, *Education for All: Year 2000 Assessment: Glossary* [CD-ROM]. Paris; 2001.

### **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime (Palermo Protocol)**

The Palermo Protocol, as the protocol supplementing the United Nations Convention against Transnational Organized Crime is commonly known, covers trafficking of children, also delineated as a worst form under ILO C. 182, Article 3(a).

*Source:* UNODC, *United Nations Convention against Transnational Organized Crime and the Protocols Thereto*, 2004, 41; <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>.

### **Ratification**

Ratification is a serious undertaking by a State formally accepting the terms of an international agreement, thereby becoming legally bound to apply it. Other ways of becoming bound to an international agreement include acceptance, approval, accession, signature, or an exchange of notes.

In order to ratify an agreement, a country must, if necessary, adopt new laws and regulations or modify the existing legislation and practice to support the agreement, and formally deposit the instruments of ratification with the appropriate depository. (In the case of ILO Conventions, ratifications must be registered with the Director-General of the ILO International Labor Office.)

For certain international agreements that require ratification, signing an agreement or enacting an agreement into domestic law by Congress, or a similar state organ, does not mean that the international agreement has been ratified. Signing an international agreement serves as a preliminary endorsement, albeit a formality, as signatories are not bound by the terms of

the international agreement or in any way committed to proceed to the final step of ratification. However, a signatory is obliged to refrain from acts which would defeat the object and purpose of the international agreement, unless it makes its intention not to become a party to the international agreement clear. Similarly, appropriate state entities may signal approval of an international agreement, but that is only one of the requisite steps on the path toward official ratification. The final step requires that the instruments of ratification be submitted to the depositary.

In the case of ILO Conventions, ILO procedures provide the option to ratify or not ratify a Convention, but do not include the option to sign a Convention as a preliminary endorsement. Generally, an ILO Convention comes into force in a ratifying country 12 months after the government has deposited the requisite instrument of ratification. This grace period provides ILO members time to enact or modify legislation to comply with the Convention before it comes into force.

Source: ILO, *How International Labour Standards are created*, [online]; <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/international-labour-standards-creation/lang--en/index.htm>. See also UNICEF, *Signature, Ratification and Accession: The Process of Creating Binding Obligations on Governments* [online]; [http://www.unicef.org/crc/index\\_30207.html](http://www.unicef.org/crc/index_30207.html). See also ILO Convention No. 138, *Minimum Age for Admission to Employment*, Article 11; <http://www.ilo.org/ilolex/english/convdisp2.htm>. See also ILO Convention No. 182, *Worst Forms of Child Labor (1999)*, Article 9; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### Timebound Program

ILO C. 182 calls for timebound measures to eliminate the worst forms of child labor. Timebound Programs were spearheaded by ILO-IPEC and are carried out by governments with support from the UN organization. The programs aim to prevent and eliminate all incidences of the worst forms of child labor in a country within a defined period.

Source: ILO-IPEC, *Eliminating the Worst Forms of Child Labor: An Integrated and Time-Bound Approach: A Guide for Governments, Employers, Workers, Donors, and other Stakeholders*, Geneva, April 2001, 3. See also ILO, *IPEC Action against Child Labour 2008: Highlights*, Geneva, February 2009; <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=9471>.

### Trafficking of Children

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children provides a commonly accepted definition of human trafficking. It states: “(a) ‘trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.” It goes on to state: “(c) the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this Article.”

The trafficking of children is identified as a worst form of child labor in ILO C. 182, Article 3(a).

Source: UNODC, *United Nations Convention against Transnational Organized Crime and the Protocols Thereto*, 2004, 41; <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>. See also ILO Convention No. 182, *Worst Forms of Child Labor (1999)*; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### Unpaid Household Services

For the purposes of this report, the term “unpaid household services” by children refers to the domestic and personal services performed by a child within the child’s own household under the following conditions: (a) for long hours; (b) in an unhealthy environment, including equipment or heavy loads; or (c) in dangerous locations.

Source: ILO, *Resolution II: Resolution Concerning Statistics of Child Labour*, 18<sup>th</sup> International Conference of Labor Statisticians, Geneva, 2008; [http://www.ilo.org/wcmsp5/groups/public/-/dgreports/-/stat/documents/normativeinstrument/wcms\\_112458.pdf](http://www.ilo.org/wcmsp5/groups/public/-/dgreports/-/stat/documents/normativeinstrument/wcms_112458.pdf).

## Working Children (Children in Employment)

Children in employment or working children are those engaged in any economic activity for at least 1 hour during the reference period. Economic activity includes market production and certain types of non-market production (principally the production of goods and services for own use). The work children perform may be in the formal or informal economy, inside or outside family settings, for pay or profit. This includes children working in domestic service outside the child's own household for an employer (paid or unpaid). This definition is in accordance with the *Resolution Concerning Statistics of Child Labour (Resolution II)* adopted by the 18<sup>th</sup> International Conference of Labour Statisticians (ICLS) in 2008 and the report, *Marking Progress against Child Labour*, published by the ILO in 2013.

Source: ILO, *Marking Progress against Child Labour: Global Estimates and Trends 2000-2012*, Geneva, 2013; [http://www.ilo.org/ipecl/Informationresources/WCMS\\_221513/lang--en/index.htm](http://www.ilo.org/ipecl/Informationresources/WCMS_221513/lang--en/index.htm). See also ILO, *Resolution II: Resolution Concerning Statistics of Child Labour*, 18th International Conference of Labor Statisticians, Geneva, 2008; [http://www.ilo.org/wcmsp5/groups/public/-/dgreports/-/stat/documents/normativeinstrument/wcms\\_112458.pdf](http://www.ilo.org/wcmsp5/groups/public/-/dgreports/-/stat/documents/normativeinstrument/wcms_112458.pdf).

## Worst Forms of Child Labor

See “ILO Convention 182: Worst Forms of Child Labor.”

- Jennifer Margulis. *The Murder of Iqbal Masih, Child Slave, Child Activist*, [online] [cited July 1, 2015]; <http://jennifermargulis.net/articles/the-murder-of-iqbal-masih-child-slave-child-activist/>.
- P.L. 106-200 (May 16, 2000)*, enacted <http://uscode.house.gov/download/pls/19C12.txt>.
- 19 USC sections 2462(b) and 2464*, enacted
- Africa Growth and Opportunity Act, U.S. Code 19, section 3703*, enacted
- U.S. Caribbean Basin Trade Partnership Act, U.S. Code 19, section 2703*, enacted
- Satyarthi, K. *Nobel Lecture: Let Us Globalize Compassion and Set Our Children Free*, [online] [cited April 24, 2015]; [http://www.nobelprize.org/nobel\\_prizes/peace/laureates/2014/satyarthi-lecture\\_en.html](http://www.nobelprize.org/nobel_prizes/peace/laureates/2014/satyarthi-lecture_en.html) [source on file].
- Yousafzai, M. *Nobel Lecture*, [online] [cited April 27, 2015]; [http://www.nobelprize.org/nobel\\_prizes/peace/laureates/2014/yousafzai-lecture.html](http://www.nobelprize.org/nobel_prizes/peace/laureates/2014/yousafzai-lecture.html).
- ILO. *Marking Progress Against Child Labour: Global Estimates and Trends 2000-2012*. Geneva; 2013. [http://www.ilo.org/wcmsp5/groups/public/-/ed\\_norm/-/ipecl/documents/publication/wcms\\_221513.pdf](http://www.ilo.org/wcmsp5/groups/public/-/ed_norm/-/ipecl/documents/publication/wcms_221513.pdf).
- ILO-IPEC. *Combating Child Labor Through Education: A Resource Kit for Policymakers and Practitioners*. Geneva; 2009.
- U.S. Department of Labor. *By the Sweat and Toil of Children: An Economic Consideration of Child Labor* Bureau of International Labor Affairs, Washington, DC: 2000.
- United Nations Secretary-General. *Report of the Secretary-General on Children and Armed Conflict*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/AC.51/2014/3&referer=/english/&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=S/AC.51/2014/3&referer=/english/&Lang=E).
- UNICEF. *Children in Emergencies in 2014: Facts and Figures*, UNICEF, [online] [cited April 27, 2014]; [http://www.unicef.org/media/files/UNICEF\\_Children\\_and\\_Emergencies\\_2014\\_fact\\_sheet.pdf](http://www.unicef.org/media/files/UNICEF_Children_and_Emergencies_2014_fact_sheet.pdf) [source on file].
- O'Carroll, L. “Sierra Leone’s Ebola Orphans Face a Situation ‘Worst than War’.” *The Guardian*, London, November 7, 2014. <http://www.theguardian.com/global-development/2014/nov/07/sierra-leone-ebola-orphans-parents-worse-than-war>.
- Berehulak, D. “An Ebola Orphan’s Plea in Africa: ‘Do You Want Me?’” *The New York Times*, New York, December 15, 2014. <http://www.nytimes.com/2014/12/14/world/africa/an-ebola-orphans-plea-in-africa-do-you-want-me.html?partner=rss&emc=rss&smid=tw-nytimescience&r=0>.
- UN News Centre. *In Wake of Cyclone Pam UN Launches Humanitarian Appeal for Battered Vanuatu*, UN News Centre, [online] [cited April 27, 2015]; <http://www.un.org/apps/news/story.asp?NewsID=50412> [source on file].
- UNICEF. *Nearly 1 Million Children Require Urgent Humanitarian Assistance After Nepal Earthquake*, [online] April 2015 [cited June 15, 2015]; [http://www.unicef.org/media/media\\_81696.html](http://www.unicef.org/media/media_81696.html).
- AU Center for Latin American and Latino Studies. *Unaccompanied Migrant Children from Central America: Context, Causes, and Responses*. Washington, DC; 2014.
- ILO. *World Report on Child Labor: Economic Vulnerability, Social Protection and the Fight Against Child Labor*. Report. Geneva; 2013.
- ILO. *World Day Against Child Labour 12 June*, ILO, [cited April 27, 2015]; <http://www.ilo.org/ipecl/Campaignandadvocacy/WDACL/lang--en/index.htm> [source on file].
- UNESCO and UNICEF. *Fixing the Broken Promise of Education for All: Findings from the Global Initiative on Out of School Children*. Montreal, UNESCO Institute for Statistics; 2015. <http://www.unicef.org/media/files/UNESCO-OOSC-EXS-Eng-web.pdf>.
- UNICEF. *The State of the World’s Children*. Geneva; 2014.
- ILO-IPEC. *World Report on Child Labour 2015 Paving the Way to Decent Work for Young People*. Geneva; 2015.
- ILO IPEC and Instituto Nacional de Estadística de Uruguay. *Magnitud y Características del Trabajo Infantil en*



- Uruguay: *Informe Nacional 2010*. Geneva; 2011. <http://www.ine.gub.uy/biblioteca/infantil/ENTI/Magnitud%20y%20Caracter%20de%20del%20Trabajo%20Infantil%20en%20Uruguay.pdf>.
24. U.S. Bureau of Labor Statistics. *Revisions to the 2013 Census of Fatal Occupational Injuries (CFOI) counts April 2015*. [http://www.bls.gov/iif/oshwc/foi/foi\\_revised13.pdf](http://www.bls.gov/iif/oshwc/foi/foi_revised13.pdf).
  25. Human Rights Watch. *Tobacco's Hidden Children: Hazardous Child Labor in United States Tobacco Farming* May 14, 2014. <http://www.hrw.org/reports/2014/05/13/tobacco-s-hidden-children>.
  26. U.S. Department of Labor. *Cultivating Compliance: An Agricultural Guide to Federal Labor Law*. Division WaH, 2014. <http://www.dol.gov/whd/FLSAEmployeeCard/AgGuideEnglish.pdf>.
  27. U.S. Department of Labor. *Farm Worker Rights*. Division WaH, July 14, 2014. <http://www.dol.gov/whd/FLSAEmployeeCard/FarmWorkerEnglish.pdf>.
  28. Human Rights Watch. *US Tobacco Giant's Move Could Reduce Child Labor*, [online] November 5, 2014 [cited May 16, 2015]; <http://www.hrw.org/news/2014/11/05/us-tobacco-giant-s-move-could-reduce-child-labor>.
  29. NIOSH. *Are You a Teen Worker?* 2012. <http://www.cdc.gov/niosh/docs/2012-130/pdfs/2012-130.pdf>.
  30. NIOSH. *Young Worker Safety and Health*, [online] June 23, 2014 [cited May 15, 2015]; <http://www.cdc.gov/niosh/topics/youth/>.
  31. NIOSH. *Guidelines for Children's Agricultural Tasks Demonstrate Effectiveness*, [online] March 2011. [cited May 16, 2015]; <http://www.cdc.gov/niosh/docs/2011-129/>.
  32. U.S. Department of Education. *Migrant Education -- Basic State Formula Grants*, [online] July 8, 2014 [cited May 16, 2015]; <http://www2.ed.gov/programs/mep/index.html>.
  33. U.S. Department of Labor. *YouthRules!*, [online] [cited May 15, 2015]; <http://youthrules.dol.gov/>.
  34. *S. Rept. 111-66, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Bill, 2010*, enacted 2009.
  35. ILO. *C182 Worst Forms of Child Labour Convention, 1999*; accessed July 26, 2013; <http://www.ilo.org/ilolex/english/convdisp2.htm>.
  36. ILO. *R190 - Worst Forms of Child Labour Recommendation, 1999 (No. 190): Recommendation concerning the prohibition and immediate action for the elimination of the worst forms of child labour*; accessed [https://www.ilo.org/dyn/normlex/en/f?p=NORML\\_EXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312528:NO](https://www.ilo.org/dyn/normlex/en/f?p=NORML_EXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312528:NO).
  37. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Georgia (ratification: 1996) Published: 2011*; accessed <http://www.ilo.org/ilolex/english/iloquery.htm>.
  38. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 1999) Submitted: 2008*; accessed July 24, 2012; <http://www.ilo.org/ilolex/cgi-lexpdconvpl?host=status01&textbase=iloeng&document=21908&chapter=9&query=%28C182%29+%40ref+%2B+%23YEAR%3E2005%2Bfarm&highlight=on&querytype=bool&context=0>.
  39. ILO-IPEC. *Child labour in agriculture: Farming Document*. Geneva, January 31, 2012. [http://www.ilo.org/ipec/areas/Agriculture/WCMS\\_172416/lang--en/index.htm](http://www.ilo.org/ipec/areas/Agriculture/WCMS_172416/lang--en/index.htm).
  40. ILO Committee on Child Labor. *Report of the Committee on Child Labor*. International Labor Conference, Session 87. 172-173. It is important to note that in negotiating ILO C. 182, ILO employer members stated that the language of Article 3(d) "should not require governments to intervene in situations in which children worked for their parents on bona fide family farms or holdings." The Worker Vice-Chairperson clarified that any such understanding should encompass only those farms "that did not interfere with children's schooling and which were truly within a protected family environment" (statements by Employer and Worker Vice-Chairpersons).
  41. ILO Committee of Experts. *Committee of Experts on the Application of Conventions and Recommendations*; accessed <http://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang--en/index.htm>. The ILO CEACR examines and makes two types of comments upon the application of international labour standards by states parties to the relevant conventions. Direct requests contain technical comments or questions raised by the application of a particular convention by a state. These requests are sent directly to governments. Observations contain comments on fundamental questions raised by the application of a particular convention by a state. These observations are published in the Committee's annual report.
  42. U.S. Department of Labor. "Efforts by Certain Foreign Countries to Eliminate the Worst Forms of Child Labor." *Federal Register*, 79(219):67461 (November 13, 2014); <https://www.federalregister.gov/articles/2014/11/13/2014-26845/efforts-by-certain-foreign-countries-to-eliminate-the-worst-forms-of-child-labor>.
  43. Abdul Latif Jameel Poverty Action Lab. *Primary School Deworming in Kenya* [online] [cited November 7, 2010]; <http://www.povertyactionlab.org/evaluation/primary-school-deworming-kenya>.
  44. Edward Miguel, Michael Kremer. "Worms: Identifying Impacts on Education and Health in the Presence of Treatment Externalities." *Econometrica*, 72(1):159-217 (2004);
  45. *H. Rept. 106-606, (2000) (Conf. Rep.)*, enacted
  46. ILO LABORSTA Internet. *Classifications*, [cited August 8, 2014]; [http://laborsta.ilo.org/classification\\_E.html](http://laborsta.ilo.org/classification_E.html).
  47. ILO. *C138 Minimum Age Convention, 1973*; accessed [http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100\\_ILO\\_CODE:C138](http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C138).
  48. UN. *Chapter IV: Human Rights*. UN Treaty Collection. <http://treaties.un.org/pages/treaties.aspx?id=4&subid=A&lang=en>.
  49. ILO. *Report V - Labour administration and labour inspection*. March 31, 2011 <http://www.ilo.org/ilc/>

- [ILCSessions/100thSession/reports/reports-submitted/WCMS\\_153918/lang--en/index.htm](#). The ILO has discussed the difficulties in establishing benchmarks for what constitute sufficient numbers of inspectors and the need for a comprehensive approach to labor law enforcement. In this report, ILAB made findings that numbers of inspectors were insufficient in cases in which a country with a population of several million had only a handful of inspectors.
50. ILO. *Resolution II: Resolution Concerning Statistics of Child Labour*. Geneva, 18<sup>th</sup> International Conference of Labor Statisticians; 2008. [http://www.ilo.org/wcmsp5/groups/public/--dgreports/---stat/documents/normativeinstrument/wcms\\_112458.pdf](http://www.ilo.org/wcmsp5/groups/public/--dgreports/---stat/documents/normativeinstrument/wcms_112458.pdf).
  51. UCW. *Understanding Children's Work Programme*, [online] [cited July 28, 2014]; [www.ucw-project.org](http://www.ucw-project.org).
  52. A.R. Ritualo, C. Castro, S. Gormly. "Measuring Child Labor: Implications for Policy and Program Design." *Comparative Labor Law and Policy*, 24(401)(2003).
  53. L. Guarcello, S.L. F.C. Rosati, and C. Valdivia. *Towards statistical standards for children's non economic work: A discussion based on household survey data*. Rome, UCW Project; 2005.
  54. ILO. *Report of the Conference: 18<sup>th</sup> International Conference of Labour Statisticians, Geneva, 24 November - 5 December 2008*. Geneva; 2009. [http://www.ilo.org/wcmsp5/groups/public/--dgreports/---stat/documents/meetingdocument/wcms\\_099577.pdf](http://www.ilo.org/wcmsp5/groups/public/--dgreports/---stat/documents/meetingdocument/wcms_099577.pdf).
  55. International Labour Office. *Every Child Counts: New Global Estimates on Child Labour*. Geneva; April 2002.



Part **5** Country Profiles

A child working in the production of tobacco, Malawi. © ILO/M. Crozet





Girls peeling yucca in Brazil. © Cezar Magalhães/DOL-Diário Online.





*In 2014, Afghanistan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Afghanistan announced the adoption of a list of 29 occupations and working conditions prohibited for children. The Government also took steps to combat child trafficking by acceding to the Palermo Protocol on Trafficking in Persons and issuing a directive to improve enforcement of the current law on human trafficking. In addition, the Government passed a law criminalizing the recruitment of children under age 18 into state security institutions and the Inter-Ministerial Steering Committee on Children and Armed Conflict approved a new roadmap to support efforts to end underage recruitment. However, children in Afghanistan are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in the forced production of bricks. Children also continued to be recruited and used for military purposes by non-state groups, and were in limited instances used by some members of state groups to carry out specific tasks. Afghanistan's labor inspectorate does not have legal authority to enforce child labor laws, and the Government lacks programs to eliminate child labor in certain sectors in which it is prevalent.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Afghanistan are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in the forced production of bricks.(1, 2) Children continue to be recruited and used for military purposes by non-state groups, as well as by state groups.(3) Table 1 provides key indicators on children's work and education in Afghanistan. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	7.5 (673,949)
Attending School (%)	5-14 yrs.	41.8
Combining Work and School (%)	7-14 yrs.	4.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010-2011.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including harvesting poppies (1, 6, 7)
	Home-based carpet weaving† (1, 8-10)
Industry	Construction,* activities unknown (11)
	Coal and gem* mining† (1, 12-14)
	Brick making (2, 8, 15-17)

# Afghanistan

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Domestic work (1, 8)
	Gathering firewood and transporting water and goods (18, 19)
	Street work, including vending, shoe shining, carrying goods and begging (1, 8, 20, 21)
	Collecting garbage† (8, 19)
Categorical Worst Forms of Child Labor‡	Used in illicit activities, including in the trafficking of drugs (1, 8, 16, 22, 23)
	Used in armed conflict as combatants, informants, and suicide bombers, and to manufacture, transport, and plant improvised explosive devices sometimes as a result of forced or compulsory recruitment by non-state groups (1, 24-29)
	Commercial sexual exploitation sometimes as a result of human trafficking (16, 19, 30, 31)
	Forced labor in the production of bricks, poppies,* and carpets,* in begging, in construction, and in domestic work each sometimes as a result of human trafficking (1, 2, 10, 16, 19, 32, 33)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C 182.

Non-state groups routinely use children for military purposes in Afghanistan.(1, 24-27) In 2014, the UN verified 20 cases of the recruitment of children for use in armed conflict by non-state armed groups.(34) Non-state-armed groups—such as the Haqqani Network, Hezb-i-Islami, Tora Bora Military Front, Jamat Sunat al-Dawa Salafia, and the Taliban—use children as soldiers. The Taliban and the Haqqani Network also use children to carry out suicide attacks, and to manufacture, transport, and plant improvised explosive devices.(1, 8, 24, 27, 35) Children were used by the Afghan National Security Forces in a limited number of cases. During the reporting period, the UN verified the recruitment and use of one child by the Afghan National Police (ANP) and one child by the Afghan Local Police (ALP).(34)

Children, especially boys, are subject to commercial sexual exploitation throughout the country. The practice of *bacha baazi* (boy play), in which men keep young boys for social and sexual entertainment, is particularly prevalent.(31, 36) In many cases, these boys are dressed in female clothing, used as dancers at parties and ceremonies, and sexually exploited.(1, 31, 37) There have been reports that some government officials, including members of the Afghan National Police (ANP) and the Afghan Border Police (ABD), use boys working as tea servers or cooks in police camps for the purpose of *bacha baazi*.(31, 36)




In Afghanistan, children are most commonly trafficked internally for labor exploitation in carpet weaving, brick making, domestic work, commercial sexual exploitation, begging, and drug smuggling.(32) Children are trafficked transnationally, primarily to Pakistan, Iran, India, and Saudi Arabia, for commercial sexual exploitation and forced labor in begging, domestic work, drug smuggling, and in the construction and agricultural sectors.(16, 32) There are reports that girls from other countries are trafficked to Afghanistan for commercial sexual exploitation.(16, 32)

Afghanistan is plagued by insecurity and violence; this has led to grave abuses against children.(38, 39) According to a UN report, by mid-2014 there were 683,000 civilians internally displaced due to armed conflict.(40) Reports note that children who are living in isolated, conflict-affected areas and others who are internally displaced by conflict are at risk of being recruited into non-state-armed groups. Reports also note that children—particularly girls in conflict areas—have limited access to education.(3, 19, 38, 41) The UN General Assembly Security Council verified 167 incidents of violence targeting education facilities and personnel in 2014, including attacks on schools, teachers, staff, as well as students. Due to insecurity, at least 365 schools throughout the country remained closed in 2014.(34) These conditions make it difficult for children to attend school on a regular basis, which may increase their vulnerability to exploitation in child labor.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Afghanistan has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 13 of the Labor Law (42)
Minimum Age for Hazardous Work	Yes	18	Articles 13 and 120 of the Labor Law (42)
Prohibition of Hazardous Occupations or Activities for Children	Yes		List of Prohibited Jobs for Child Laborers (43, 44)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Law; Article 49 of the Constitution (42, 45)
Prohibition of Child Trafficking	Yes		Decree of the President of the Islamic Republic of Afghanistan Concerning the Enforcement of the Law on Combating Abduction and Human Trafficking/Smuggling; Article 516 of the Penal Code (46, 47)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Law on Elimination of Violence Against Women (48){, 2009 #261}
Prohibition of Using Children in Illicit Activities	Yes		List of Prohibited Jobs for Child Laborers; Article 430 of the Penal Code (8, 43, 44)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Presidential Decree, 2003 (26)
Compulsory Education Age	Yes	15	Article 43 of the Constitution (28, 45)
Free Public Education	Yes		Article 43 of the Constitution (28, 45)

\*No conscription (26)

During the reporting period, the Government of Afghanistan acceded to the Palermo Protocol on Trafficking in Persons.(36) Additionally, in February 2014, the Ministry of Labor, Social Affairs, Martyrs and Disabled (MoLSAMD) released a list of 29 hazardous jobs and/or working conditions prohibited for children. The list includes mining, begging, agricultural production and processing of narcotics, working for more than 4 hours in the carpet sector, and bonded labor.(43, 44, 49) However, as the labor inspectorate lacks the legal authority to enforce laws relating to child labor, this list of hazardous occupations prohibited to children, as well as the minimum age provisions of the law, cannot be enforced. (28, 42) The ILO and MoLSAMD have developed a revised version of the Labor Law, which would strengthen worker protection and provide penalties for child labor violations. However, at the close of the reporting period, the new law was still under review at the Ministry of Justice (MOJ) and had not yet been approved by the Council of Ministers and Parliament.(50)

Afghan law does not comprehensively protect children from commercial sexual exploitation.(47) While the 2009 Elimination of Violence Against Women Act protects females from forced prostitution, it does not make mention of males.(48) In addition, the Penal Code does not explicitly forbid the production, distribution, benefiting from, or possession of child pornography.(28, 47) In 2014, the Government issued a directive that calls for enforcement of the provisions set forth in the Law on Human Trafficking



# Afghanistan

## MODERATE ADVANCEMENT

to ensure that victims of trafficking in persons receive appropriate social services instead of being prosecuted for any violation of Afghan law. (32, 36) However, despite these efforts, the legal definition of human trafficking in Afghanistan remains unclear. The Dari language does not distinguish between human trafficking and human smuggling, leading to complications in enforcement and data collection efforts.(16) The Ministry of Justice (MOJ) reported that it is currently drafting a new law to address this ambiguity.(51)

During the reporting period, the parliament passed a law criminalizing the recruitment of child soldiers into the Government's security forces and establishing a penalty of 1 to 7 years' imprisonment for violations of the law.(28, 34)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Social Affairs, Martyrs, and Disabled (MoLSAMD)	Enforce laws related to child labor, including hazardous child labor.(8) Provide assistance to victims of human trafficking through support center in Kabul.(36)
Child Protection Action Network (CPAN)	Conduct child labor inspections. Refer children identified as engaged in hazardous child labor to NGO and government shelters that provide protection and social services.(8, 28)
Ministry of Interior (MOI)	Enforce laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation.(8)
National Directorate of Security (NDS)	Identify human trafficking victims and refer these cases to the MOI.(52)
Attorney General's Office (AGO)	Investigate and prosecute human trafficking and abduction cases.(52)
Ministry of Women's Affairs (MOWA)	Register abduction and human trafficking cases and provide support to child labor and trafficking victims.(8, 52)
Afghanistan Independent Human Rights Commission (AIHRC)	Raise awareness on human trafficking through monitoring of cases and advocacy on the issue.(52)

Law enforcement agencies in Afghanistan took actions to combat child labor, including its worst forms.

#### ***Labor Law Enforcement***

In 2014, the Ministry of Labor, Social Affairs, Martyrs, and Disabled (MoLSAMD) employed 26 labor inspectors. Research did not confirm whether monitoring for child labor violations is a regular part of labor inspections.(28) The primary mechanism for responding to child labor cases is the MoLSAMD-affiliated Child Protection Action Network (CPAN), a coalition of government, NGO, community, and religious leaders. There are 19 CPAN technical advisors who conduct child labor inspections across Afghanistan's 34 provinces.(28) CPAN technical advisors did not receive training on child labor laws and regulations in 2014.(28) Both government and NGO sources consider the number of inspectors to be insufficient to effectively enforce Afghan laws on child labor.(28)

CPAN technical advisors carried out 350 inspections during the reporting period, which included site visits to various government, non-governmental, and private workplaces. According to MoLSAMD, most inspections are conducted based on a regular work plan, and technical advisors may also follow up on specific complaints.(28) Technical advisors were able to carry out unannounced inspections in 2014; however, neither MoLSAMD nor CPAN have legal authority to enforce child labor laws. During the reporting period, MoLSAMD and CPAN did not officially identify any children engaged in child labor or refer them to appropriate social services.(28) Government officials and civil society representatives agreed that the number and quality of inspections conducted during the reporting period, as well as the number of child labor violations discovered, was not adequate given the size of the child labor problem in Afghanistan.(28)

## *Criminal Law Enforcement*

In 2014, the Ministry of Interior (MOI) was responsible for investigating crimes related to child trafficking, child sexual exploitation, and the use of children in illicit activities. MOI maintained an anti-trafficking in persons unit comprised of 13 officers and three non-commissioned officers, with an additional two officers in each of the 34 provinces.(8, 28, 36) The National Directorate of Security (NDS) also employed 37 human trafficking investigators in provincial offices. Both the MOI and NGO officials consider the total number of officers insufficient to address the problem of child trafficking, especially as officers were sometimes assigned to other security-related tasks.(8, 28, 36, 52) Furthermore, officers are not responsible for investigating or enforcing child labor laws in cases that do not involve human trafficking, leaving children who are engaged in the worst forms of child labor but have not been trafficked, without protection.(28)

During the reporting period, 30 representatives from the Afghan National Police (ANP), the Afghan Border Police (ABP), and the judiciary participated in a two-day workshop facilitated by the IOM that focused on improving understanding of the legal framework for human trafficking and on determining procedures for identifying and protecting victims.(53) The U.S. Bureau of International Narcotics and Law Enforcement Affairs provided 10 additional anti-trafficking training sessions for Afghan law enforcement personnel and representatives from government ministries.(36) However, the MOI and NGOs reported that overall anti-trafficking training efforts were not adequate.(8, 36) Government funding for investigations is also inadequate; as a result, investigators often do not have sufficient facilities, transportation, and other resources necessary to carry out their duties.(8, 28)

According to the NDS, the Government investigated 42 cases of human trafficking in 2014, of which 26 involved children.(36) Government agencies generally refer victims of human trafficking to NGO-run shelters, a practice that the IOM and NGOs consider relatively effective. Shelters use a standardized form developed by the Ministry of Public Health to help identify victims.(36) However, sources reported that male child victims of human trafficking, especially those who were engaged in commercial sexual exploitation or were used as child soldiers, are sometimes referred to juvenile detention and rehabilitation facilities, where they do not receive appropriate victim support services. The UN noted that some children detained in juvenile rehabilitation centers as a result of their association with armed groups reported being subjected to torture and ill-treatment.(34)

The MOI maintains records of prosecutions and convictions related to human trafficking through the computerized Case Management System (CMS), which is currently used in 18 provinces and is continuing to expand across the country.(28) Data from the CMS revealed 27 registered human trafficking cases, eight of which resulted in convictions and prison sentences ranging from one to five years. These records do not specify whether the cases pertain to an alleged trafficker of adults or of children, and there is no disaggregated information available at the national level.(28) Information is also not available on the number of prosecutions and convictions for crimes related to other worst forms of child labor apart from human trafficking.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government of Afghanistan has established coordinating mechanisms to address certain forms of child labor, research found no evidence of an overall mechanism to combat child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
High Commission for Combating Crimes of Abduction and Human Trafficking (High Commission)	Address trafficking in persons in general, including child trafficking. Led by the Minister of Justice (MOJ) and composed of the National Directorate of Security (NDS), the Attorney General's Office (AGO), the Afghan Independent Bar Association, the Afghanistan Independent Human Rights Commission (AIHRC), the Afghan Women Skills Development Center, and nine government ministries, including the Ministry of Labor, Social Affairs, Martyrs, and Disabled (MoLSAMD), the Ministry of Public Health (MoPH), and the Ministry of Women's Affairs (MOWA).(8, 36, 52)
Inter-Ministerial Steering Committee on Children and Armed Conflict	Coordinate efforts to eliminate the recruitment and use of child soldiers.(54) Led by the Ministry of Foreign Affairs and monitored by the UN Task Force on Children and Armed Conflict, which is composed of UN and NGO members.(54)

In 2014, the Afghanistan Independent Human Rights Commission (AIHRC) appointed two employees to provide technical assistance to the High Commission, which met four times during the year.(36)

# Afghanistan

## MODERATE ADVANCEMENT

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Afghanistan has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy for Children at Risk	Creates a framework to support at-risk children and their families with new and existing social services; develops a strategic plan to build the capacity of child-based organizations into broader family- and community-based institutions; and guides donors in contributing toward a comprehensive child protection system. Focuses specifically on working children, trafficked children, and child soldiers and other children affected by conflict.(55)
National Strategy for Street Working Children (2011–2014)	Guides and informs the Ministry of Labor, Social Affairs, Martyrs, and Disabled (MoLSAMD) and other relevant ministries, international organizations, and NGOs to provide effective and sustainable interventions like family- and community-based support systems for street children and their families in order to protect, prevent, and reduce the number of children working on the streets.(56)
Action Plan for the Prevention of Underage Recruitment	Aims to prevent the recruitment of minors into the Afghan National Security Forces (ANSF), which includes the Afghan National Army (ANA), the Afghan National Police (ANP), the National Directory of Security (NDS), and pro-government militia groups.(57-59) Seeks to ensure the release of children under age 18 from armed forces and to facilitate their reintegration into families and communities.(60) In November 2014, government stakeholders participated in a workshop to identify key criteria for developing standardized age-verification procedures across ANSF.(61)
Road Map Towards Full Compliance of the Action Plan for the Prevention of Underage Recruitment†	Supports and expedites implementation of the Action Plan for the Prevention of Underage Recruitment. Identifies 15 priority areas, including criminalization of the recruitment and use of children by national security forces; development of a policy to protect children arrested and detained on national security-related charges; improved age verification procedures; establishment of a national monitoring system; and endorsement of a national birth registration strategy. On July 23, the Inter-Ministerial Steering Committee on Children and Armed Conflict formally endorsed the Road Map, developed through collaboration with the UN and relevant government agencies.(28, 34)
National Action Plan on Trafficking in Persons	Creates a timeline for specific actions to be taken by members of the High Commission to address trafficking.(16) Includes objectives to improve the anti-trafficking legal framework, increase awareness about the trafficking of male children, and improve victim rehabilitation programs for boys.(62)
National Education Strategic Plan (2010–2014)*	Establishes five overarching education goals, including improving access to quality education.(63)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

During the reporting period, the Afghanistan Independent Human Rights Commission (AIHRC) published a legally mandated National Inquiry to analyze the causes and negative consequences of the practice of *bacha baazi* in Afghanistan.(31) The Inquiry included 71 focus group sessions and 17 public hearings in 17 provinces, and it involved approximately 2,200 people.(64) As a result, the AIHRC made recommendations to the Government for improving the legal framework for the prohibition of the commercial sexual exploitation of boys.(8)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Afghanistan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Project to Prevent Child Labor in Home-Based Carpet Production in Afghanistan	USDOL-funded, 4-year, \$2 million project implemented by GoodWeave. Aims to build market preferences for child labor-free Afghan carpets; contribute to evidence-based knowledge of child labor in the Afghanistan carpet sector; and increase public awareness and engagement on the issue of child labor in the Afghan carpet sector.(65) In 2014, the first phase of research on the prevalence of child labor in the carpet sector was completed.(10)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Age Verification of New ANSF Recruits‡	Ministry of Foreign Affairs, Ministry of Defense, MOI, NDS, and UNICEF program that operates Child Protection Units within the Afghan National Security Forces (ANSF) recruitment centers. Aims to ensure that new recruits meet the minimum age requirement of 18 years by carefully screening applicants.(24, 66) Process includes an ID check and a requirement that at least two community elders vouch that a recruit is 18-years-old and is eligible to join the ANSF, in an effort to address the use of the fraudulent IDs sometimes presented by minors. (67) In 2014, Child Protection Units in four provinces rejected 156 children under age 18 who attempted to enlist in the Afghan National Police (ANP).(34)
Trafficking Shelters‡	MoLSAMD-funded and NGO-operated shelter for human trafficking victims. Provides food, clothing, medical care, counseling, psychosocial support, and vocational and academic training. MoLSAMD registers victims and provides reintegration assistance.(36, 52) An additional shelter is available for boy victims of human trafficking in Kabul funded by the U.S. Bureau of International Narcotics and Law Enforcement and operated by Hagar International.(51)
Counter-Trafficking Program	USDOS Office to Monitor and Combat Trafficking in Persons-funded project implemented by Hagar International in collaboration with IOM. Provides counter-trafficking training for law enforcement officials in four provinces and aims to facilitate information-sharing and collaboration on counter-trafficking activities between government and civil society actors.(36, 68)
Safety Nets and Pensions Support Project (2009-2016)*	\$7.5 million World Bank-funded, 7-year project implemented by MoLSAMD that provides cash support on a case-by-case basis to poor families with children under the age of 5 years in three provinces. Targets highly impoverished families, including children who are at risk of child labor.(8, 69)
Protracted Relief and Recovery Operation*†	\$496 million WFP-funded, 3-year project that enhances food security and nutrition for 3.7 million beneficiaries in 184 food insecure districts. Through this project, people affected by conflict, disaster or economic stress are assisted with food, vouchers, or cash; children receive targeted supplementary feeding; schools are supported to increase enrollment and attendance; and adults are provided with vocational training.(70)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Afghanistan.

Although the Government has implemented programs that seek to prevent the recruitment and use of child soldiers in the Afghan National Security Forces, research found no evidence it has carried out programs to remove or rehabilitate children involved in armed conflict. There is also no evidence of programs designed specifically to prevent and eliminate child labor in agriculture and forced child labor in the production of bricks.

Due to lack of funding, in 2014 MoLSAMD closed three of four shelters for victims of human trafficking that were previously operated by IOM.(36) Research found that shelters and support services for male child trafficking victims over the age of ten were particularly limited.(29)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Afghanistan (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that law protects all children, including boys, from commercial sexual exploitation.	2013 – 2014
	Ensure that law clearly prohibits the production, distribution, benefiting from, and possession of child pornography.	2014
	Clearly define human trafficking in accordance with international standards.	2011 – 2014
Enforcement	Provide training for labor inspectors and government officials on the enforcement of child labor laws and regulations.	2011 – 2014
	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2011 – 2014
	Ensure that the labor inspectorate has legal authority to enforce child labor laws.	2014
	Ensure that MoLSAMD and CPAN conduct an adequate number of child labor inspections.	2014



# Afghanistan

## MODERATE ADVANCEMENT

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a referral mechanism to ensure that child laborers identified through labor inspections receive support services that address their needs.	2013 – 2014
	Ensure that there are investigators to enforce criminal laws regarding the worst forms of child labor unrelated to human trafficking.	2014
	Provide a budget for the Ministry of Interior (MOI) to enforce laws concerning the worst forms of child labor.	2012 – 2014
	Ensure that male child victims of human trafficking and other worst forms of child labor are correctly identified as victims and referred to appropriate social services, and that children held in juvenile detention or rehabilitation facilities are not subject to mistreatment or torture.	2014
	Make data publicly available on the number of prosecutions and convictions for all crimes related to the worst forms of child labor.	2011 – 2014
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2009 – 2014
Social Programs	Institute programs to increase access to education and to improve security in schools, especially for girls.	2014
	Assess the impact that existing programs may have on child labor, including its worst forms.	2013 – 2014
	Implement rehabilitation and reintegration programs for children affected by armed conflict.	2009 – 2014
	Create programs to address child labor in agriculture and forced child labor in bricks.	2009 – 2014
	Provide financial support to reopen shelters for victims of human trafficking and ensure that there are sufficient shelter services available for older male child trafficking victims.	2010 – 2014

## REFERENCES

- U.S. Department of State. "Afghanistan," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220598.pdf>.
- UNICEF. *Strategic Programme Framework for ILO-UNICEF Support to National Efforts to Progressively Eliminate Child Labour and Bonded Labour in Brick Kilns in Afghanistan*; December 15, 2012.
- United Nations Assistance Mission in Afghanistan. *Afghanistan Annual Report- 2013*. Kabul; 2014. [http://unama.unmissions.org/Portals/UNAMA/human%20rights/Feb\\_8\\_2014\\_PoC-report\\_2013-Full-report-ENG.pdf](http://unama.unmissions.org/Portals/UNAMA/human%20rights/Feb_8_2014_PoC-report_2013-Full-report-ENG.pdf).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Butt, K. "Illicit Drug Production: Balochistan Madrassa Students Harvest Poppy on Holidays." *The Express Tribune*, Karachi, August 5, 2011. <http://tribune.com.pk/story/224821/illicit-drug-production-balochistan-madrassa-students-harvest-poppy-on-holidays?print=true>.
- Gannon, K. "After Record Opium Year, Afghans Plant New Crop." *bigstory.ap.org* [online] 2013 [cited April 10, 2014]; <http://bigstory.ap.org/article/un-says-afghan-opium-production-hits-record-high>.
- U.S. Embassy- Kabul. *reporting, February 12, 2014*
- Hall, S. *Ties that Bind: Child Labor in the Afghan Carpet Sector*. Kabul, GoodWeave International; June 2014.
- GoodWeave International. *Project to Prevent Child Labor in Home-Based Carpet Production in Afghanistan*. Technical Progress Report. Kabul; October 2014.
- U.S. Embassy- Kabul. *reporting, January 26, 2011*.
- Nissenbaum, D. "Teenager Films Afghan Child Labor- School Documentary Project Seeks to Illuminate Open Secret: Young Boys at Work in Remote Coal Mines." *Wall Street Journal- Eastern Edition*, New York, July 14, 2012; *World News*. <http://online.wsj.com/article/SB10001424052702303640804577491511393159548.html>.
- Nichols, M. "Afghanistan Vows to "Set Standards" on Child Labor in Mines." *ca.reuters.com* [online] August 12, 2011 [cited 2014]; <http://ca.reuters.com/articlePrint?articleId=CATRE77B12V20110812>.
- U.S. Embassy- Kabul. *reporting, March 10, 2010*.
- U.S. Embassy- Kabul. *reporting, March 19, 2012*.
- U.S. Embassy- Kabul. *reporting, February 26, 2013*.
- UNICEF official. E-mail communication to USDOL official. April 5, 2011.
- U.S. Embassy- Kabul official. E-mail communication to USDOL official. June 14, 2013.
- UNICEF. *Child Notice Afghanistan*. New York; January 2013.
- Adeli, B. *Afghanistan: Child Street Workers Vulnerable to Abuse*, Institute for War and Peace Reporting, [online] October 15, 2011 [cited March 1, 2013]; <http://www.rawa.org/temp/runews/2011/10/15/afghanistan-child-street-workers-vulnerable-to-abuse.html>.
- U.S. Embassy- Kabul. *reporting, January 31, 2013*.

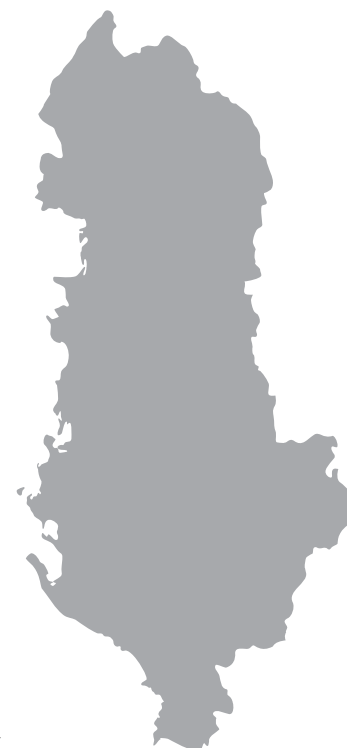
22. U.S. Embassy- Kabul. *reporting, March 15, 2010.*
23. Iskander, A, M Shohjamlov. *Tajik Law Opens Window for Young Afghan Drug Smugglers*, Radio Free Europe Radio Liberty, [online] April 4, 2010 [cited March 1, 2013]; [http://www.rferl.org/content/Tajik\\_Law\\_Opens\\_Window\\_For\\_Young\\_Afghan\\_Drug\\_Smugglers/2002156.html](http://www.rferl.org/content/Tajik_Law_Opens_Window_For_Young_Afghan_Drug_Smugglers/2002156.html).
24. UN Security Council. *Children and Armed Conflict: Report of the Secretary-General*. New York; May 15, 2013. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/67/845](http://www.un.org/ga/search/view_doc.asp?symbol=A/67/845).
25. Integrated Regional Information Networks. "Afghanistan: Fears Over Child Recruitment, Abuse by Pro-Government Militias." IRINnews.org [online] January 20, 2011 [cited March 1, 2013]; <http://www.irinnews.org/Report.aspx?ReportID=91676>.
26. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder Than Words, An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/user\\_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf](http://www.child-soldiers.org/user_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf).
27. United Nations Assistance Mission in Afghanistan. *Annual Report 2014-Afghanistan* Kabul; 2015. <http://unama.unmissions.org/Portals/UNAMA/human%20rights/2015/2014-Annual-Report-on-Protection-of-Civilians-Final.pdf>.
28. U.S. Embassy- Kabul. *reporting, February 8, 2015*
29. Thorson, J. *Forgotten No More: Male Child Trafficking in Afghanistan*. Kabul; October 2013. <http://hagarinternational.org/australia/files/Forgotten-No-More.pdf>.
30. Human Rights Watch. "I Had to Run Away" *The Imprisonment of Women and Girls for "Moral Crimes" in Afghanistan*. New York; March 2012. [http://www.hrw.org/sites/default/files/reports/afghanistan0312webcover\\_0.pdf](http://www.hrw.org/sites/default/files/reports/afghanistan0312webcover_0.pdf).
31. Afghanistan Independent Human Rights Commission. *Causes and Consequences of Bachabazi in Afghanistan*. Kabul; August 20, 2014. [http://www.aihrc.org.af/home/research\\_report/3324](http://www.aihrc.org.af/home/research_report/3324).
32. U.S. Department of State. "Afghanistan," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226845.pdf>.
33. ILO. *Breaking the Mould: Occupational Safety Hazards Faced by Children Working in Brick Kilns in Afghanistan*; December 2013.
34. United National General Assembly Security Council. *Report of the Secretary-General on Children and Armed Conflict (S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/AC.51/2014/38&referer=/english/&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=S/AC.51/2014/38&referer=/english/&Lang=E).
35. Farmer, B. "Brainwashed into Believing They Will Survive: the Boy Bombers of Afghanistan." *The Daily Telegraph*, London, January 14, 2012; World News. <http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/9014282/Afghan-boy-suicide-bombers-tell-how-they-are-brainwashed-into-believing-they-will-survive.html>.
36. U.S. Embassy- Kabul. *reporting, February 16, 2015*
37. UN Secretary-General. *Children and Armed Conflict Report: Report of the Secretary-General*; May 15, 2014. [http://www.un.org/ga/search/view\\_doc.asp?symbol=a/68/878](http://www.un.org/ga/search/view_doc.asp?symbol=a/68/878).
38. O'Hagan, A. "From Classrooms to Suicide Bombs: Children's Lives in Afghanistan." *The Guardian*, London August 2, 2013.
39. Integrated Regional Information Networks. "Worsening Violence Against Children in Afghanistan." IRINnews.org [online] June 21, 2013 [cited November 23, 2013]; [www.irinnews.org/printreport.aspx?reportid=98262](http://www.irinnews.org/printreport.aspx?reportid=98262).
40. UNHCR. *2015 UNHCR Country Operations Profile- Afghanistan*. Geneva; 2015. <http://www.unhcr.org/pages/49e486eb6.html>.
41. United Nations Assistance Mission in Afghanistan. *Nearly 60,000 Afghans Internally Displaced in the First Half of 2013*, UN, [online] [cited February 19, 2014]; <http://unama.unmissions.org/Default.aspx?tabid=12254&ctl=Details&mid=15756&ItemID=37156&language=en-US>.
42. Government of Afghanistan., *Labour Law*, enacted February 4, 2007. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=AFG&p\\_classification=01.02&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=AFG&p_classification=01.02&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).
43. Ariana News. "Sectors Identified Where Child Labor Strictly Prohibited." *ariananews.af* [online] February 10, 2014 [cited February 10, 2014]; <http://ariananews.af/latest-news/sectors-identified-where-child-labor-strictly-prohibited/>.
44. Afghanistan Chamber of Commerce and Industries. "MOLSAMD Announces List of Prohibited Jobs for Child Labors." *acci.org.af* [online] February 9, 2014 [cited 2014]; <http://www.acci.org.af/component/content/article/38-news/467-molsamd-announces-list-of-prohibited-jobs-for-child-labors.html>.
45. Government of Afghanistan. *Constitution*, Articles 43, 49, enacted 2004.
46. Government of Afghanistan. *Decree of the President of Islamic Republic of Afghanistan Concerning the Enforcement of the Law on Combating Abduction and Human Trafficking*, 52, enacted 2008.
47. Government of Afghanistan., *Penal Code*, enacted 1976.
48. Government of Afghanistan., *Law on Elimination of Violence Against Women*, enacted 2009.
49. ILO-IPEC official. E-mail communication to USDOL official. February 20, 2014.
50. U.S. Embassy- Kabul official. E-mail communication to USDOL official. June 2, 2014.
51. U.S. Embassy- Kabul official. E-mail communication to USDOL official. April 8, 2015.
52. Government of Afghanistan, Ministry of Justice. *First-Third Quarter Consolidated Report of High Commission to Combat Crimes of Abduction and Human Trafficking for 1392 (2013)*. Kabul; February 10, 2014.
53. IOM. *Afghan Officials, Community Leaders Trained to Combat Human Trafficking*. Press Release. Geneva; November 14, 2014. <http://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2014b/pbn-listing/afghan-officials-community-leade.html>.
54. United Nations Assistance Mission in Afghanistan. *Afghanistan: Government, UN sign plan to stop under-age recruits in security forces*, UN, [online] January 30, 2011 [cited February 3, 2015]; <http://reliefweb.int/report/afghanistan/afghanistan-government-un-sign-plan-stop-under-age-recruits-security-forces>.
55. Ministry of Labour & Social Affairs Martyrs and Disabled. *National Strategy for Children 'at-risk'*; 2004 [http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/AF/AFG\\_Afghanistan\\_National\\_Strategy\\_for\\_Children\\_at-risk.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/AF/AFG_Afghanistan_National_Strategy_for_Children_at-risk.pdf).
56. Ministry of Labour & Social Affairs Martyrs and Disabled. *A National Strategy for Street Working Children*. <http://www.streetchildrenresources.org/wp-content/uploads/2013/11/national-strategy-for-street-working-children-afghanistan.pdf>.
57. Integrated Regional Information Networks. "Afghanistan: UN Urges More Action on Child Rights." IRINnews.org [online] February 9, 2011 [cited March 1, 2013]; <http://www.rawa.org/temp/runews/2011/02/09/afghanistan-un-urges-more-action-on-child-rights.html>.
58. UN Security Council. *Children and Armed Conflict*. New York; April 23, 2011. <http://unispal.un.org/UNISPAL.NSF/0/70BF34991DA5D6B08525788E004BA583>.
59. UN Human Rights Council. *Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in Afghanistan and on the Achievements of Technical Assistance in the Field of Human Rights in 2013*. New York; January 10, 2014. <http://reliefweb.int/sites/reliefweb.int/files/resources/A-HRC-25-41%20UN.pdf>.
60. Government of Afghanistan. *Action Plan regarding Children associated with National Security Forces in Afghanistan*.
61. Rolland, E. Getting. *Children Out of Armed Forces in Afghanistan*, UNICEF, [online] December 22, 2014, [cited August 18, 2015]; <http://blogs.unicef.org/2014/12/22/getting-children-out-of-armed-forces-in-Afghanistan/> [source on file].

# Afghanistan

## MODERATE ADVANCEMENT

62. Government of Afghanistan. *Anti-Trafficking Action Plan for Afghanistan*; 2014-2015.
63. Government of Afghanistan, Ministry of Education. *The National Education Strategic Plan*, Government of Afghanistan, [online] [cited January 14, 2014]; <http://moe.gov.af/en/page/2010>.
64. Asia Pacific Forum. *Afghanistan: National Inquiry Calls for Stronger Protections against Child Abuse*. Sydney; August 21, 2014. <http://www.asiapacificforum.net/news/afghanistan-national-inquiry-calls-for-stronger-protections-against-child-abuse>.
65. GoodWeave International. *Project to Prevent Child Labor in Home-Based Carpet Production in Afghanistan*. Washington, DC; August 1, 2013.
66. UNICEF. *UNICEF Afghanistan Situation Report*. New York; July 31, 2013. [http://www.unicef.org/appeals/files/UNICEF\\_Afghanistan\\_HAC\\_mid-year\\_report\\_July\\_2013.pdf](http://www.unicef.org/appeals/files/UNICEF_Afghanistan_HAC_mid-year_report_July_2013.pdf).
67. U.S. Department of State official. E-mail communication to USDOL official. June 10, 2014.
68. Hagar International. *Hagar Afghanistan and IOM Deliver Counter Trafficking Training*. Hagar International, [online] December 16, 2014 [cited May 11, 2015]; <http://hagarinternational.org/usa/hagar-afghanistan-and-iom-deliver-counter-trafficking-training/>.
69. World Bank. *Afghanistan Pension Administration and Safety Net Project*, World Bank, [online] [cited February 19, 2014]; <http://www.worldbank.org/projects/P113421/afghanistan-pension-administration-safety-net-project?lang=en>.
70. United Nations Assistance Mission in Afghanistan. *UN World Food Programme Scheme to Support 3.7 million Food-Insecure Afghans through 2016*, UN, [online ] 2013 [cited February 19, 2014]; <http://unama.unmissions.org/Default.aspx?tabid=12254&ctl=Details&mid=15756&ItemID=37651&language=en-US>.

In 2014, Albania made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government participated in and supported the publication of the first national assessment of street children in Albania, providing valuable data on the demographics and work activities of street children. The National Council for the Protection of Children's Rights also held its first meeting after having remained inactive since its launch in 2011. The Government also trained labor inspectors, police officers, prosecutors, and judges on human trafficking issues. However, children in Albania are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in forced begging. The Government does not have sufficient resources to enforce laws on child labor, including its worst forms. In addition, programs to combat child labor are insufficient to adequately address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

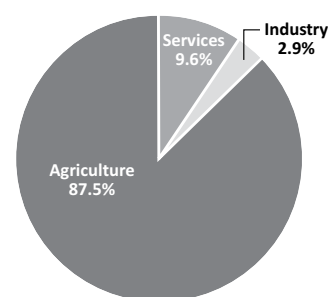
Children in Albania are engaged in child labor, including in agriculture.(1-6) Children are also engaged in the worst forms of child labor, including in forced begging.(3-7) During the reporting period, the Government supported the publication of the first national assessment of children living and working on the street in Albania.(5) The report showed that the most common forms of street work among these children are vending, begging, and busking. The majority of children interviewed (96 percent) reported family income generation as their reason for engaging in street work.(5) Data also showed that 74.3 percent of street children belong to the Roma and Egyptian communities, indicating that a disproportionately high number of children working on the street belong to ethnic minority groups.(5) Table 1 provides key indicators on children's work and education in Albania. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	4.6 (23,665)
Attending School (%)	5-14 yrs.	92.5
Combining Work and School (%)	7-14 yrs.	5.2
Primary Completion Rate (%)		Unavailable

Source for primary completion rate: UNESCO Institute for Statistics, 2015.(8)  
Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labour Survey (NCLS), 2010.(9)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (1-6)
	Shepherding* (2, 3)
Industry	Mining,*† including mining chrome* (1, 2, 4, 6, 10, 11)
	Construction, activities unknown (1, 2, 4-6)



# Albania

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Working in the textile,* garment,* and footwear* sectors (2, 4, 6)
	Processing fish* (6, 12)
Services	Begging (2-5, 13, 14)
	Street work, including vending, washing vehicles, busking, and shining shoes (2, 5, 15)
	Collecting recyclable materials on the street and in landfills (5, 16)
	Working in wholesale and retail trade (1, 4, 6)
Categorical Worst Forms of Child Labor‡	Working in hotels and restaurants (1, 4, 6)
	Used in illicit activities, including drug trafficking, drug couriering, and harvesting and processing cannabis* (2, 4, 5, 17)
	Commercial sexual exploitation sometimes as a result of human trafficking (2-5, 7)
	Forced begging sometimes as a result of human trafficking (3-7)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

Albania is a source country for children trafficked abroad to neighboring countries such as Kosovo, Macedonia, and Montenegro, as well as to EU countries for commercial sexual exploitation and forced begging.(2, 18) In addition, research found an increase in internal trafficking and forced begging during the reporting period.(2, 18) Street children were at the greatest risk of becoming victims of human trafficking. Ethnic minority children from the Roma and Egyptian communities make up the majority of child trafficking victims.(2-5, 7) Unaccompanied minors from northern Albania moving to Belgium, England, France, and Germany during the reporting period were also vulnerable to trafficking and increased in numbers during the reporting period.(18) Approximately 50 percent of trafficking victims in Albania in 2014 were minors.(18)







The majority of children engaged in child labor in Albania work in the agriculture sector. However, there is little information available about the specific work activities in which these children are engaged.(1-5)

Although the Constitution of the Republic of Albania and the Law on Pre-University Education guarantee free public education, children without birth certificates are unable to attend school.(3) The Government registered 141 previously unregistered children in 2014, but residency requirements continue to make it difficult for Roma and Egyptian families in particular to acquire birth registration for their children.(3, 12, 18) Lack of registration often prevents children in this community from accessing education and other social services.(3, 12) Children who do not have access to education and other social services are at an increased risk of exploitation in child labor. In addition, the costs of school supplies and classroom resources are prohibitive for low-income families.(2)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Albania has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 98 of the Code of Labor; Article 22 of the Law for the Protection of the Rights of the Child (19, 20)
Minimum Age for Hazardous Work	Yes	18	Articles 98–101 of the Code of Labor; Article 22 of the Law for the Protection of the Rights of the Child (19, 20)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 99–101 of the Code of Labor; Decree of the Council of Ministers on Defining Hazardous and Hard Works; Decree of the Council of Ministers on the Protection of Minors at Work; Law on Occupational Safety and Health at Work (19, 21–24)
Prohibition of Forced Labor	Yes		Article 8 of the Code of Labor (19)
Prohibition of Child Trafficking	Yes		Articles 110/1 and 128/b of the Criminal Code (25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 114, 114/a, 115, 117, and 128/b of the Criminal Code; Article 24 of the Law for the Protection of the Rights of the Child (20, 25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 129 and 124/b of the Criminal Code (25)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	19	Law on Military Service (26)
Compulsory Education Age	Yes	16	Article 22 of the Law on Pre-University Education System (27)
Free Public Education	Yes		Article 57 of the Constitution of the Republic of Albania; Article 5 of the Law on Pre-University Education System (27, 28)

\*No conscription (26)

Although the minimum age for work is 16, children between the ages of 14 and 16 may be employed during school holidays, provided that the employment is not harmful to their health and development.(19) However, there is no definition of what constitutes permissible school holiday work or the number of hours or conditions that would render employment acceptable.(29)

In October 2014, the Government amended the Law on Compulsory Health Care Insurance in the Republic of Albania to provide victims of human trafficking, including child victims, with free health care. In November, the Council of Ministers passed an additional decision providing trafficking victims with free mental health care.(18)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Labor Inspectorate (SLI) under the Ministry of Social Welfare and Youth	Enforce labor laws, including laws related to child labor and hazardous child labor. File and respond to child labor complaints.(6)
Social Services Agency under the Ministry of Social Welfare and Youth	File and respond to child labor complaints.(6)
General Directorate of Police and Regional Directorate of Police under the Ministry of Interior	Enforce all laws, including child labor and child trafficking laws.(4)
Serious Crimes Prosecution Office	Investigate and prosecute cases involving human trafficking, including child trafficking.(4, 30)

# Albania

## MODERATE ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Child Rights Units (CRUs)	Monitor the situation of high-risk children and families at the regional level, coordinate protection and referral activities at the local level, and identify and manage individual cases.(4, 31, 32)
Child Protection Units (CPUs)	Identify children in danger at the municipal level and subsequently refer them to a safe environment, as defined by the State Social Services.(4, 33, 34)
National Referral Mechanism (NRM)	Coordinate the identification, protection, referral, and rehabilitation of trafficking victims between government and civil society organizations. Chaired by the Office of the National Coordinator for the Fight Against Trafficking in Human Beings (ONAC).(18) The NRM met regularly during the reporting period.(18)

Law enforcement agencies in Albania took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the State Labor Inspectorate (SLI) employed 98 inspectors.(6) In July 2014, 20 labor inspectors received training on proactive identification and referral of forced labor and labor exploitation cases, with a focus on children.(18) However, a source reported that more training on child labor laws is needed. In addition, a lack of adequate office space, transportation, and training compromises the quality of inspections.(6)

During the reporting period, the SLI conducted 42 inspections of businesses in which children were employed. Inspectors performed both proactive and complaint-based inspections, including unannounced inspections.(6) The SLI identified 28 cases of child labor during these inspections; however, no penalties or citations for child labor law violations were issued.(6, 12) A source reported that the number of inspections was inadequate, given the scope of the child labor problem.(6) In addition, although the National Referral Mechanism (NRM) exists for victims of child trafficking, research found no evidence of a referral mechanism between the SLI or criminal investigators and social service providers for children victims of exploitative labor conditions unconnected with human trafficking.

### *Criminal Law Enforcement*

Nationwide, there are approximately 15 police officers dedicated to child rights, which is inadequate to address the scope of the problem. The Ombudsman of the Government of Albania has recommended that each of the approximately 44 police commissariats have several child rights investigators.(6) During the reporting period, prosecutors, judges, and police officers attended multiple trainings on human trafficking issues, including one on the legal standard of child treatment in the justice system and the protocol for investigation and trial of criminal offences involving children, and another on standards for the protection of victims and witnesses in child sexual abuse cases.(18, 30)

In 2014, the Government reported prosecuting four cases of child labor, resulting in two convictions.(6) One perpetrator was sentenced to 2 years and a second was sentenced to 1 year and 4 months of imprisonment.(6) In addition, as part of a new program to assist street children, 5 individuals were arrested and charged with exploitation of children for begging, and 2 parents were prosecuted for child exploitation.(18) The Government also referred 9 cases of child trafficking to prosecution. The Government tried 3 cases involving child trafficking during the reporting period, resulting in 3 convictions and prison sentences of 10 years or more.(18) Given the scope of the problem, the number of investigations and prosecutions for child trafficking are not adequate. In addition, NGOs report that laws prohibiting the production and possession of child pornography are rarely enforced.(3)

In 2014, the police also launched a large-scale operation in the Albanian town of Lazarat, a hub for marijuana production in southern Albania. This operation is believed to have significantly decreased the number of children working in marijuana production; however, long-term results remain to be monitored.(18)

In 2014, the Government completed the establishment of Child Rights Units (CRUs) in all 12 regions of Albania and increased the number of Child Protection Units (CPUs) to 196, covering half of the territory of Albania.(6) CPUs managed approximately 1,159 cases of at-risk children from January to June 2014, including identifying 490 new cases for the year.(12) However, CPUs and

CRUs often receive inadequate funding for child protection, and the Ombudsman has noted that the effectiveness of these units is often low.(4, 6, 30, 35)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Council for the Protection of the Rights of Children (NCPRC)	Coordinate the protection of children's rights, including children involved in child labor. Members include the Ministers of Welfare, Education, Justice, and Interior, as well as representatives from the President's Office and NGOs.(3) Due to a change of government after the June 2013 elections, in October 2014 the NCPRC held its first meeting with new members, having remained inactive since it was first launched in November 2011.(6)
Office of the National Coordinator for the Fight Against Trafficking in Human Beings (ONAC)	Coordinate all anti-trafficking efforts in Albania. Serve as chair of the State Committee Against Trafficking in Persons, a deputy minister-level working group that sets the Government's policy on combating human trafficking. Oversee 12 regional anti-trafficking committees that carry out local action plans in cooperation with civil society partners.(30) In 2014, ONAC held regular meetings with the regional committees, facilitating their adoption of regional action plans. Also in 2014, ONAC received a separate state budget for the first time, allowing the office to independently support its own operations.(18)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Albania has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Action Plan for Children (2012–2015)	Aims to promote comprehensive, harmonized, and coordinated policies of social protection and social inclusion of children; also emphasizes the strengthening of institutional structures set up to monitor and report on the implementation of the rights of children at the national and regional levels. Includes a strategic objective on protecting children from the worst forms of child labor, through strengthening prevention measures and increasing the SLI's role in preventing child labor.(12)
Albanian Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016	Outlines a plan to eliminate the worst forms of child labor in Albania by 2016.(36) Includes the adoption and implementation of effective legislation and law enforcement to address the worst forms of child labor; the provision of free, quality education for all children; the provision of social protection to families and children in need; and the implementation of labor market policies that promote youth employment and the regulation and formalization of the informal economy.(36)
Strategy for Combating Trafficking in Persons and Action Plan (2014–2017)†	Outlines plan to improve law enforcement, build the capacity of social services programs that provide services to victims, and improve interagency coordination. Includes the goals of increasing successful prosecutions for child trafficking and increasing the sensitivity of the investigation and prosecution processes to the needs of child victims.(37)
National Action Plan for the Decade of Roma Inclusion, (2005–2015)	Strives to improve access to and the quality of social services for Roma communities.(38) Objectives include monitoring cases of child labor exploitation in the Roma community, establishing shelters and day schools for street children, and improving birth registration and access to education for Roma children.(39)

† Policy was approved during the reporting period.

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Albania funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
UN Support to Social Inclusion (2012–2016)*	UN program that works with several government ministries to improve implementation of social inclusion by developing informed policies and strengthening institutions.(40)



# Albania

## MODERATE ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Help for Families and Children in Street Situations Action Plan†	Program jointly implemented by the Ministry of Social Welfare and Youth and Ministry of Interior to provide social services directly to street children. Teams of social workers and police officers identify child beggars and work with parents to remove children from the street.(6) Since the June 2014 launch of the pilot phase in Tirana, the program has identified 152 street children, removed 52 children from the street, and helped 27 families access social services.(6) Forty-five children were enrolled in and began attending school, and 11 children received accommodations in social care institutions at the request of their parents or after removal from exploitative situations.(18) The Government plans to expand the program from the capital into the regions.(12) The pilot phase in 2014 was donor funded.(6)
National Anti-Trafficking Week†‡	ONAC-funded program to provide a week of events to raise awareness of human trafficking. Included awareness activities with elementary schools and community centers, as well as conferences, television appearances by the National Coordinator, and television, billboard, and digital advertisements.(18)
Trafficking in Persons Helpline and Report and Save Mobile App†	ONAC projects, supported by USAID, UNODC, World Vision, and the Vodafone Albania Foundation, to provide services for victims of crime and improve prevention of trafficking in persons. Includes a national hotline for trafficking in persons victims and the mobile application "Report and Save," which allows citizens to report suspected trafficking cases, raises public awareness, and provides access to information on victim assistance.(18) In 2014, 765 calls were made to the national hotline, of which 39 were registered by the police as reported trafficking cases, and 590 messages were sent through the mobile app.(18)
Albania-UN Program of Cooperation (2012–2016)	UN program focuses on four thematic areas within the Government and civil society: governance and rule of law, economy and environment, regional and local development, and inclusive social policy.(41) Includes goals such as increased access to education for vulnerable children and increased protections for victims of child trafficking.(42)
National Emergency Transition Center	Government-run center established to provide vulnerable families with temporary housing, health, psychosocial and educational services, legal assistance, vocational education programs, and employment placement assistance. Currently houses 53 Roma families, including 112 children.(6) Beneficiaries include children at risk of street begging. To receive benefits, families must keep their children enrolled in school. (4) In 2014, the Government did not provide funding for the center; however, a decision was issued during the reporting period institutionalizing the Center's services and allocating a public budget for the Center for 2015.(6)
National Reception Center for Victims of Trafficking‡	Government-funded, high-security national shelter under the supervision of the Directorate General of State Social Service. Provides shelter and access to social services for human trafficking victims identified in Albania.(43)
Child Allowance Program (Ndihmja Ekonomike)*‡	\$46 million government-funded cash transfer program that provides a child allowance for families already benefiting from economic aid through Albania's Law on Social Assistance and Services.(6) Although an annual \$35 bonus for families who send their children to school and follow the state's vaccination program was established in 2014, child allowance payments to eligible families are still deemed too low to significantly reduce the number of children living in poverty, and therefore are unlikely to have an impact on reducing child labor.(6)
Decent Work Country Program (2012–2015)	ILO technical assistance project detailing the policies, strategies, and results required to realize progress toward the goal of decent work for all. Outcomes include strengthening the effectiveness and quality of labor inspection systems, enhancing the capacity of policymakers to address informal and vulnerable employment of young people, and ensuring that labor laws better adhere to international labor standards, including those on the worst forms of child labor.(44)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Albania.

Civil society organizations, rather than government organizations, generally provide social services for children engaged in the worst forms of child labor. These civil society organizations often lack well-trained staff and coordination with other protection services, especially at the local level.(4, 35, 45, 46) A source reported that the National Reception Center for Victims of Trafficking lacked proper resources for victim reintegration services such as education, psychological support, and vocational training. In addition, the Government did not provide sufficient financial assistance to the NGO-run shelters in Albania.(18) The only residential shelter specialized in aiding victims of child trafficking closed most of its services for several months due to lack of funding.(18)

Although Albania has implemented programs to assist street children and victims of child trafficking, research found no evidence that it has carried out programs to assist children in agriculture, construction, and mining, or children used in illicit activities.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Albania (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Define permissible work, including hours and conditions thereof, for children between the ages of 14 and 16 years.	2011 – 2014
Enforcement	Provide inspectors with adequate training and the tools needed to carry out their tasks effectively.	2010 – 2014
	Increase the number of child labor inspections to fully address the scope of the child labor problem.	2014
	Establish a referral mechanism between the SLI and providers of social services to ensure that all children found in situations of child labor receive access to needed services.	2014
	Ensure there are an adequate number, nationwide, of police investigators for child rights and that an adequate number of investigations are carried out.	2013 – 2014
	Fully enforce the provisions of the Criminal Code that prohibit the production and possession of child pornography.	2014
	Provide CRUs and CPUs with adequate funding to carry out their work effectively.	2013 – 2014
Social Programs	Conduct research on children working in agriculture and construction to inform policies and programs.	2013 – 2014
	Increase resources, access to civil registration, and the number of social services available to children, including Roma and Egyptian children, engaged in or at risk of engaging in child labor.	2011 – 2014
	Ensure that financial barriers to education, such as the prohibitive cost of school supplies and classroom resources, are removed for families in need.	2013 – 2014
	Increase payments to families who are eligible for assistance under the Social Assistance and Services Law.	2011 – 2014
	Assess the impact that existing programs may have on child labor.	2013 – 2014
	Institute programs to address child labor in agriculture, construction, and mining, and to assist children being used in illicit activities.	2014

## REFERENCES

- ILO and Institute of Statistics (INSTAT) of the Republic of Albania. *The Results of the 2010 National Child Labour Survey*. Budapest; July 2012. [http://www.ilo.org/ipcc/Informationresources/all-publications/WCMS\\_202853/lang-en/index.htm](http://www.ilo.org/ipcc/Informationresources/all-publications/WCMS_202853/lang-en/index.htm).
- International Trade Union Confederation. “Internationally Recognized Core Labour Standards in Albania,” in WTO General Council Review of the Trade Policies of Albania; April 28 and 30, 2010; Geneva; [http://www.ituc-csi.org/IMG/pdf/Final\\_Albania\\_cls\\_report.pdf](http://www.ituc-csi.org/IMG/pdf/Final_Albania_cls_report.pdf).
- U.S. Department of State. “Albania,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Tirana. *reporting, January 17, 2014*.
- UNICEF Save The Children and the Ministry of Social Welfare and Youth. *National Study on children in street situation in Albania*; April 2014. [http://resourcecentre.savethechildren.se/sites/default/files/documents/final\\_research\\_report\\_english.pdf](http://resourcecentre.savethechildren.se/sites/default/files/documents/final_research_report_english.pdf).
- U.S. Embassy- Tirana. *reporting, January 15, 2015*.
- U.S. Department of State. “Albania,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/g/tip/rls/tiprpt/2013>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from National Child Labour Survey (NCLS), 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Axel Kronholm. *In Photos: Murder, Misery and Children in Albania’s Mining Industry*, Vice News, [online] June 4, 2014 [cited January 9, 2015]; <https://news.vice.com/article/in-photos-murder-misery-and-children-in-albanias-mining-industry>.
- Thane Burnett. *Albanian child labour takes shine off chrome industry*, Toronto Sun, [online] June 7, 2014 [cited January 9, 2015]; <http://www.torontosun.com/2014/06/06/albanian-child-labour-takes-shine-off-chrome-industry>.
- Government of Albania. *Written Communication*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 26, 2014) “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor”. Tirana; January 13, 2015.

# Albania

## MODERATE ADVANCEMENT

13. Prendi, B. "Breaking the Chains in the Cycle of Poverty through Education." wvi.org [online] January 28, 2012 [cited March 15, 2013]; <http://beta.wvi.org/content/breaking-chains-cycle-poverty-through-education>.
14. UN Human Rights Committee. *Concluding Observations on the Second Periodic Report of Albania*. Geneva; August 22, 2013.
15. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Albania (ratification: 2001) Submitted: 2011*; accessed March 15, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
16. Jodi Hilton. *Roma of Albania: Life on the Trash Heap*, Vocativ, [online] March 10, 2014 [cited January 9, 2015]; <http://www.vocativ.com/money/breadline/romaalbanialifetrashheap/>.
17. Philip Caulfield. *Hundreds sickened harvesting cannabis in outlaw region of southern Albania*, NY Daily News, [online] November 4, 2013 [cited January 9, 2015]; <http://www.nydailynews.com/news/world/hundreds-sickened-working-cannabis-fields-albania-article-1.1506004>.
18. U.S. Embassy- Tirana. *reporting, February 17, 2015*.
19. Government of Albania. *Code of Labor of the Republic of Albania*, 7961, enacted 1995. [http://www.mpcs.gov.al/dpshb/images/stories/files/kodet/3.3.1.Labour Code of Albania.pdf](http://www.mpcs.gov.al/dpshb/images/stories/files/kodet/3.3.1.Labour%20Code%20of%20Albania.pdf).
20. Government of Albania. *Law for the Protection of the Rights of the Child*, No. 10 347, enacted April 11, 2010. [http://www.kqk.gov.al/sites/default/files/publikime/ligji\\_nr.10\\_347\\_date\\_04.11.2010.pdf](http://www.kqk.gov.al/sites/default/files/publikime/ligji_nr.10_347_date_04.11.2010.pdf).
21. ILO-IPEC. *Support for Policy Level and Up-Scaling Activities for Combating Child Labour in Central and Eastern Europe (1 January 2010-31 December 2010)*. Final Progress Report. Geneva; 2011.
22. Government of Albania. *Decree of the Council of Ministers on Defining Hazardous and Hard Works*, Nr. 207, enacted May 9, 2002. [https://duapune.com/blog/wp-content/uploads/Legjislacioni/Per\\_percaktimin\\_e\\_puneve\\_te\\_veshitura\\_ose\\_te\\_rezikshme.pdf](https://duapune.com/blog/wp-content/uploads/Legjislacioni/Per_percaktimin_e_puneve_te_veshitura_ose_te_rezikshme.pdf).
23. Government of Albania. *Decree of the Council of Ministers on the Protection of Minors at Work*, Nr. 384, enacted May 20, 1996. [https://duapune.com/blog/wp-content/uploads/Legjislacioni/Per\\_mbrojten\\_e\\_tuarve\\_ne\\_pune.pdf](https://duapune.com/blog/wp-content/uploads/Legjislacioni/Per_mbrojten_e_tuarve_ne_pune.pdf).
24. Government of Albania. *Law on Occupational Safety and Health at Work*, Nr. 10 237, enacted February 18, 2010. [http://134.0.34.135/wp-content/uploads/2014/02/Ligj\\_Nr.10237\\_-18.02.2010.pdf](http://134.0.34.135/wp-content/uploads/2014/02/Ligj_Nr.10237_-18.02.2010.pdf).
25. Republic of Albania. *Criminal Code of the Republic of Albania*, 7895, enacted January 27, 1995. <http://legislationline.org/documents/section/criminal-codes/country/47>.
26. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; September 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
27. Government of Albania. *Law on Pre-University Education System in the Republic of Albania*, No. 69, enacted 2012. <http://www.crca.al/sites/default/files/publications/Law%20on%20pre-university%20education%20system%20in%20the%20republic%20of%20Albania%20%282012%29.pdf>.
28. Government of Albania. *Constitution of the Republic of Albania*, enacted November 22, 1998. <http://www.osce.org/albania/41888?download=true>.
29. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Albania (ratification: 1998) Published: 2011* accessed March 15, 2013; <http://www.ilo.org/ilolex/english/ilquery.htm>.
30. U.S. Embassy- Tirana. *reporting, February 14, 2014*.
31. Republic of Albania- National Coordinator on Combating Trafficking in Persons. *Report on the Implementation of the National Strategy on Combating Trafficking in Persons: January-June 2010*. Tirana; September 2010.
32. U.S. Embassy- Tirana. *reporting, January 29, 2013*.
33. U.S. Embassy- Tirana. *reporting, January 20, 2012*.
34. U.S. Embassy Tirana official. E-mail communication to USDOL official. June 3, 2014.
35. Bradford, N. *Child Protection Safety Net Project*; March 2013. [http://s3.amazonaws.com/rcpp/assets/attachments/1620\\_Tdh\\_CPSN\\_Capitalization\\_Report\\_2013\\_FINAL\\_original.pdf](http://s3.amazonaws.com/rcpp/assets/attachments/1620_Tdh_CPSN_Capitalization_Report_2013_FINAL_original.pdf).
36. ILO. *IPEC Action Against Child Labour 2010: Highlights*. Geneva; February 2011.
37. Government of Albania. *Highlights of the Strategy and Action Plan 2014-2017 - Submitted by National Coordinator Elona Gjebrea*, [online] [cited March 24, 2015]; [http://www.punetebrendshme.gov.al/files/news\\_files/Strategjia - Prezantuar nga Koordinatori Kombetar Elona Gjebrea.pdf](http://www.punetebrendshme.gov.al/files/news_files/Strategjia_-_Prezantuar_nga_Koordinatori_Kombetar_Elona_Gjebrea.pdf).
38. UNDP. "Improving the Social Inclusion of Roma/Egyptians," in *The Role of Civil Society in Promoting Social Inclusion and Equal Treatment* June 14-15, 2010;
39. Government of Albania. *National Action Plan for the Decade of Roma Inclusion 2010-2015*; 2010. [http://www.romadecade.org/cms/upload/file/9296\\_file1\\_decade-national-action-plan\\_albania.pdf](http://www.romadecade.org/cms/upload/file/9296_file1_decade-national-action-plan_albania.pdf).
40. UNDP. *New Programme to Boost Social Inclusion in Albania*. Press Release. New York; November 11, 2013. <http://www.al.undp.org/content/albania/en/home/presscenter/pressreleases/2013/11/11/a-new-programme-to-boost-social-inclusion-in-albania/>.
41. UNESCO. *Government of Albania-United Nations Programme of Cooperation 2012-2016*, UNESCO Office in Venice, [online] [cited January 21, 2014]; <http://www.unesco.org/new/en/venice/delivering-as-one/>.
42. Government of Albania and the United Nations. *Government of Albania and United Nations Programme of Cooperation*; 2012. <http://www.al.undp.org/content/dam/albania/docs/GoA-UN-Cooperation-Programme.pdf>.
43. Government of Albania. *Report submitted by the Albanian authorities on measures taken to comply with Committee of the Parties Recommendation on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings*. Strasbourg, Council of Europe; January 29, 2014. [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/CommitteeParties/Reply\\_REC/CP\\_2014\\_1\\_RR\\_ALB\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/CommitteeParties/Reply_REC/CP_2014_1_RR_ALB_en.pdf).
44. ILO. *Albania Decent Work Country Programme 2012-2015*. Project Document. Geneva; December 2012. [http://www.ilo.org/budapest/what-we-do/decent-work-country-programmes/WCMS\\_195198/lang--en/index.htm](http://www.ilo.org/budapest/what-we-do/decent-work-country-programmes/WCMS_195198/lang--en/index.htm).
45. Save the Children. *Save the Children and Municipality of Tirana Round Table: "Children Street Situation- Our Common Responsibility"*, Save the Children, [online] 2011 [cited March 15, 2013]; [source on file].
46. European Commission. *Albania 2012 Progress Report*. Progress Report. Brussels; July 5, 2012. [http://ec.europa.eu/enlargement/pdf/key\\_documents/2012/package/al\\_rapport\\_2012\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/al_rapport_2012_en.pdf).

*In 2014, Algeria made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government approved an amendment to the Penal Code that fully prohibits child pornography, and funded awareness campaigns to sensitize the population on child labor. However, children in Algeria are engaged in child labor, including in street work and domestic work. Algerian law does not clearly establish 18 as the minimum age for hazardous work, and prohibitions against hazardous occupations and activities are not specific enough to facilitate enforcement. The law does not prohibit the use of children in illicit activities and the Government does not make data on law enforcement efforts publicly available.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Algeria are engaged in child labor, including in street work and domestic work. (1-5) Table 1 provides key indicators on children's work and education in Algeria. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		100.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1-4)
Industry	Construction, activities unknown (2, 3, 8)
Services	Street work, including vending, collecting plastics, and begging (1, 2, 5, 9, 10)
	Domestic work (1-4)
Categorical Worst Forms of Child Labor‡	Working in small workshops, including mechanics shops* (11)
	Commercial sexual exploitation,* sometimes as a result of human trafficking* (12, 13)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Evidence suggests that children, primarily sub-Saharan migrants, are trafficked into prostitution in bars and informal brothels (12, 14)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR




Algeria has ratified all key international conventions concerning child labor (Table 3).



# Algeria

## MINIMAL ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 15 of the Labor Code (15)
Minimum Age for Hazardous Work	Yes	16	Article 15 of the Labor Code (15)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 15 of the Labor Code (15)
Prohibition of Forced Labor	Yes		Article 303 of the Penal Code (16)
Prohibition of Child Trafficking	Yes		Articles 303 and 319 of the Penal Code (16, 17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 319, 333, 343, and 344 of the Penal Code (17, 18)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	Yes	19	Article 3 of Law No. 14-06 (19)
Minimum Age for Voluntary Military Service	Yes	17	Presidential Decree No. 08-134 (20, 21)
Compulsory Education Age	Yes	16	Article 12 of Law No. 08-04 (22)
Free Public Education	Yes		Article 13 of Law No. 08-04 (22)

The Labor Code prohibits children younger than age 16 from being employed in work harmful to their health, safety, or morals. (15) However, this prohibition on hazardous occupations or activities is not specific enough to facilitate enforcement because it does not include a list of prohibited types of work. Furthermore, the Labor Code does not protect children age 16 and 17 from hazardous work. (15, 23)

In February 2014, the Government adopted a new law to amend and supplement the Penal Code. The amendment fully prohibits child pornography and criminalizes the buying and selling of minors under age 18. (17, 24)

Research found no indication that Algerian law prohibits the use of children in illegal activities. (25)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security's General Labor Inspectorate	Investigate labor violations, including those involving child labor; authorized to hand out written notices and issue tickets. (2, 11, 26) Demand that safety and health problems be addressed if workers' health and safety are at risk. (26)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Ministry of Interior's National Police	Enforce criminal laws related to child labor violations, including child trafficking.(2)
Ministry of Defense's Gendarmerie Police Force	Enforce criminal laws related to child labor violations, including child trafficking.(2)
Ministry of Justice's Office of Criminal Affairs and Amnesty Procedures	Prosecute child exploitation cases, including noncompliance with labor laws.(24)

Law enforcement agencies in Algeria took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, there were 27 Ministry of Labor, Employment, and Social Security inspection offices throughout the country. Some cover one governorate (*wilaya*), while others cover more than one.(2, 11) According to the Government, the Labor Inspectorate had more than 600 operational inspectors as of February 2014.(11) There are more inspectors in urban areas than in rural areas, although past reports indicate higher levels of child labor in rural areas.(11, 27) According to the Government, General Labor Inspectorate officials received training on laws and law enforcement during the reporting period.(24)

The Government indicated that inspections were carried out during 2014, but this information is not publicly available.(24) Therefore, no information is available on the number or quality of inspections, whether they are announced or unannounced, child labor violations found, and citations or penalties issued. Labor inspectors are authorized to conduct regular inspections or special visits to investigate general labor conditions or a specific issue.(24, 26) The Gendarmerie and Police both have hotlines to receive complaints on child labor; however, research did not find the number of complaints related to child labor that were received during the reporting period.(9)

Labor inspectors share child labor reports with the Ministry of Solidarity to ensure follow-up with social welfare services.(9)

### ***Criminal Law Enforcement***

In 2014, the Government of Algeria did not make information publicly available on the number of investigators responsible for enforcing laws on the worst forms of child labor. Approximately 25 Gendarmerie officers, 25 National Police officers, and 25 Ministry of Justice prosecutors and judges attended three, week-long training sessions on issues related to human trafficking. The training focused on the links and differences between exploitation and trafficking, as well as the fact that trafficking is not necessarily transnational.(13)

The Government of Algeria did not make information publicly available on the number of investigations, prosecutions, and convictions pertaining to the worst forms of child labor.(24)

The Government does not have a formal procedure to refer victims identified by the Gendarmerie and the National Police to the appropriate social welfare services within the Ministry of Solidarity.(13)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Intersectoral Commission Relative to the Prevention of and Fight Against Child Labor	Work to prevent and eliminate child labor by coordinating between government ministries and all other agencies that oversee labor activities.(2, 24) Led by the Ministry of Labor, Employment, and Social Security, with members from the National Labor Union, NGOs, and the Ministries of Agriculture; Rural Development; Health; Interior; Justice; Youth and Sports; National Solidarity; National Education, Training, and Professional Teaching; and Communication and Culture.(24, 28)

# Algeria

## MINIMAL ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Inter-Ministerial Coordinating Committee on Trafficking	Manage government efforts to address human trafficking. Led by the Ministry of Foreign Affairs' Director General for Political Affairs and International Security.(2, 29) Members of the committee include representatives from the Gendarmerie and the National Police, as well as of the Ministries of Justice; Health; Labor, Employment, and Social Security; and National Solidarity.(30)

In 2014, both the Intersectoral Commission and the Inter-Ministerial Coordinating Committee met monthly.(9) Although past reports indicate that the Intersectoral Commission organized hundreds of open-door seminars on child labor and education programs, and strengthened the labor inspection services, research found no evidence of such activities during 2014.(31)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Algeria has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan for Children (2008–2015)	Promotes universal access to education and child protection, including a section on child labor.(1, 23)

As of June 2012, the Government had not met its timetable for reporting on the implementation of the National Action Plan for Children. Research found that a lack of funding and technical capacity hinders the policy's implementation.(1)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Algeria funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Combating Child Domestic Labor in Africa and in the Countries of the Mediterranean Union	\$1.3 million, Government of France-funded, 4-year regional project implemented by ILO-IPEC to combat child domestic work.(32)
Strengthening the Framework of the Arab Region to Prevent and Combat Human Trafficking	\$650,000 EU-funded, 3-year regional project to strengthen the capacity of Algeria and other Arab governments to address human trafficking. Trained judges and criminal law enforcement officials on human trafficking issues in 2014.(11, 13, 33)
Child Labor Awareness Campaigns†‡	Ministry of Labor, Employment, and Social Welfare and Ministry of Education nationwide program that highlights issues involving child labor and sensitized the population against such practices through 3-day awareness campaigns at vocational training centers.(24)

† Program was launched during the reporting period.

‡ Program is funded by the Government of Algeria.

Although the Government of Algeria has implemented programs in domestic work and human trafficking, research found no evidence that it has carried out programs to assist children in agriculture, construction, and street work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Algeria (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish the minimum age for hazardous work as 18 and ensure that hazardous occupations or activities prohibited for children are specific enough to facilitate enforcement.	2009 – 2014
	Prohibit the use of children in illicit activities.	2013 – 2014
Enforcement	Ensure that child labor laws are enforced effectively in all geographic areas.	2009 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Make information regarding child labor law enforcement, including criminal law enforcement, publicly available.	2009 – 2014
	Disaggregate the number of child labor-related complaints received by the Gendarmerie and Police hotlines.	2014
	Establish a formal referral mechanism between criminal law enforcement agencies and social welfare services.	2014
Coordination	Ensure that the Intersectoral Commission Relative to the Prevention of and Fight Against Child Labor remains active to guarantee proper coordination.	2011 – 2014
Government Policies	Report on the progress of the National Action Plan for Children according to the agreed-upon timetable, and provide adequate funding and capacity building to ensure that objectives are met.	2011 – 2014
Social Programs	Conduct research on the prevalence and nature of child labor to publicly inform policies and programs.	2014
	Institute programs to address child labor in agriculture, construction, and street work.	2009 – 2014

## REFERENCES

- UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Algeria*. Geneva; July 18, 2012. <http://tb.ohchr.org/default.aspx>.
- U.S. Embassy- Algiers. *reporting, March 4, 2014*.
- U.S. Department of State. "Algeria," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; March 4, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- UNICEF. *UNICEF Annual Report 2013 - ALGERIA*. New York; May 29, 2014. [http://www.unicef.org/about/annualreport/files/Algeria\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Algeria_COAR_2013.pdf).
- Hamatou, R. "Exploitation des enfants a Batna." *Liberte, El Achour*, December 13, 2012; Algérie. <http://www.liberte-algerie.com/algerie-profonde/les-nouveaux-miserables-exploitation-des-enfants-a-batna-190632>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UN Committee on the Rights of the Child. *Consideration of reports submitted by States Parties Under Article 44 of the Convention: Summary Record: Algeria*. Geneva; June 18, 2012. Report No. CRC/C/SR.1715.
- U.S. Embassy Algiers official. E-mail communication to USDOL official. March 12, 2015.
- Massalaki, A. "Algeria and Niger start repatriation of 3,000 illegal migrants." *reuters.com* [online] December 10, 2014 [cited December 10, 2014]; <http://www.reuters.com/article/2014/12/10/us-niger-algeria-idUSKBN0JO23W20141210>.
- U.S. Embassy- Algiers official. E-mail communication to USDOL official. March 2, 2014.
- U.S. Department of State. "Algeria," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- U.S. Embassy- Algiers. *reporting, March 11, 2015*.
- U.S. Embassy- Algiers official. E-mail communication to USDOL official. May 14, 2014.
- Government of Algeria. *Loi n° 90-11 du 21 avril 1990 Relative aux Relations de Travail, Modifiée et Complétée au 11 janvier 1997*, enacted April 21, 1990. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/9557/64805/F97DZA01.htm>.
- Government of Algeria. *Loi n°09-01 du 29 Safar 1430 correspondant au 25 février 2009 modifiant et complétant l'ordonnance n°66-156 du 8 juin 1966 portant code pénal*, enacted February 25, 2009. [http://www.africanchildforum.org/clr/Legislation%20Per%20Country/algeria/algeria\\_trafficking\\_2009\\_fr.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/algeria/algeria_trafficking_2009_fr.pdf).
- Government of Algeria. *Loi n° 14-01 du 4 Rabie Ethani 1435 correspondant au 4 février 2014 modifiant et complétant l'ordonnance n° 66-156 du 8 juin 1966 portant code pénal*, enacted February 4, 2014.
- Government of Algeria. *Ordonnance n° 66-156 du 8 juin 1966 portant code pénal*, enacted June 8, 1966.
- Government of Algeria. *Loi n° 14-06 du 13 Chaoual 1435 correspondant au 9 août 2014 relative au service national*, enacted August 9, 2014. [http://www.elmouatin.dz/IMG/pdf/loi\\_14-06.pdf](http://www.elmouatin.dz/IMG/pdf/loi_14-06.pdf).
- United Nations Treaty Collection. *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*; accessed January 8, 2015; [https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg\\_no=iv-11-b&chapter=4&lang=en#EndDec](https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=iv-11-b&chapter=4&lang=en#EndDec).
- Government of Algeria. *Décret présidentiel n° 08-134 du 30 Rabie Ethani 1429 correspondant au 6 mai 2008 fixant les conditions de recrutement des officiers de carrière de l'Armée nationale populaire*, enacted May 11, 2008.
- Government of Algeria. *Loi d'orientation sur l'éducation nationale*, Loi n° 08-04, enacted January 23, 2008. [http://www.africanchildforum.org/clr/Legislation%20Per%20Country/algeria/algeria\\_education\\_2008\\_fr.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/algeria/algeria_education_2008_fr.pdf).
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Algeria (ratification: 1984) Published: 2012*; accessed January 11, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO>.
- U.S. Embassy- Algiers. *reporting, January 25, 2015*.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Algeria (ratification: 2001) Published: 2011*; accessed January 11, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO>.
- ILO Labor Administration and Inspection Program. *Structure et organisation du système d'inspection du travail*. Geneva; April 4, 2013. [http://www.ilo.org/labadm-in/info/WCMS\\_159112/lang--en/index.htm](http://www.ilo.org/labadm-in/info/WCMS_159112/lang--en/index.htm).
- U.S. Embassy- Algiers. *reporting, April 26, 2010*.
- Government of Algeria. *Decision no 006 du 16 mars 2003 portant creation, composition et fonctionnement de la commission intersectorielle relative a la prevention et a la lutte contre le travail des enfants*, enacted March 16, 2003.
- U.S. Embassy- Algiers. *reporting, February 19, 2014*.
- U.S. Embassy- Algiers. *reporting, March 17, 2013*.
- U.S. Department of State official. E-mail communication to USDOL official. June 6, 2012.
- ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
- UNODC. *Strengthening the Framework of the Arab Region to Prevent and Combat Human Trafficking*, UNODC, [online] [cited January 27, 2014]; <http://www.unodc.org/middleeastandnorthafrica/en/project-profiles/xmex19.html>.



# Angola

## MODERATE ADVANCEMENT

In 2014, Angola made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government acceded to the Palermo Protocol, passed a new law protecting all children from human trafficking for sexual and economic exploitation, established a Commission to Combat Trafficking in Persons, and trained criminal law enforcement officials. However, children in Angola are engaged in child labor, including in agriculture and mining. There are gaps in the legal framework to protect children from exploitation, including a lack of prohibitions on the use of children in illicit activities. Additionally, there is little publicly available information on the Government's efforts to enforce laws on child labor, including its worst forms.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Angola are engaged in child labor, including in agriculture and mining. (1-7) Table 1 provides key indicators on children's work and education in Angola.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	25.7 (694,458)
Attending School (%)	5-14 yrs.	65.4
Combining Work and School (%)	7-14 yrs.	22.1
Primary Completion Rate (%)		54.3

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 2, 2001.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting and picking tomatoes,* production of rice* (1-5)
	Fishing,* animal herding* (1, 6)
Industry	Artisanal diamond mining (1, 7)
	Mining coal* (3)
	Construction,* making and transporting bricks* (1-3, 6, 10, 11)
Services	Street work, including vending, car washing, and shoe shining* (1, 3, 6, 11-14)
	Transporting heavy loads (1, 3, 6)
	Domestic work (1, 6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2, 6, 12)
	Work in agriculture,* construction,* and domestic work,* each as a result of human trafficking (2, 15, 16)
	Forced labor in artisanal diamond mining* (2)
	Used in illicit activities, including drug trafficking, moving illicit goods across the border of Angola and Namibia, and working as thieves in criminal gangs (2, 6, 14, 16)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Although the Government collected general information on the prevalence of child labor in its 2008–2009 national well-being survey, it has not conducted in-depth research on the worst forms of child labor.(17)




Angolan children are trafficked within the country and internationally for domestic servitude and commercial sexual exploitation.(2) There is evidence of girls as young as age 13 in commercial sexual exploitation.(2) Limited evidence suggests that Congolese migrant children enter Angola for work in diamond-mining districts where they experience conditions of forced labor or commercial sexual exploitation in mining camps.(1, 2) Additionally, human trafficking networks recruit and transport Congolese girls as young as age 12 from the Kasai Occidental province in the Democratic Republic of Congo to Angola for various forms of exploitation.(2)

There is a low rate of birth registration in Angola due to high costs, great distances to service centers, and parents who lack documentation.(18) Registration is necessary to enroll in school and access social services.(19) Additional barriers to education include a lack of school infrastructure, teaching materials, and qualified teachers.(14, 18, 20)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Angola has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2014, Angola ratified the Palermo Protocol on Trafficking in Persons.(21)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 282 of the Labor Law (22)
Minimum Age for Hazardous Work	Yes	18	Article 284 of the Labor Law (22, 23)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Joint Executive Decree No. 171/10 (24)
Prohibition of Forced Labor	Yes		Article 60 of the Constitution of Angola; Article 18 of Law No. 3/14 (25, 26)
Prohibition of Child Trafficking	Yes		Articles 19 and 23 of Law No. 3/14; Article 165 of the Penal Code (26, 27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 22 and 23 of Law No. 3/14; Articles 182-184 of the Penal Code (26-29)
Prohibition of Using Children in Illicit Activities	Yes		Article 7 of Law No. 3/99; Article 157 of the Penal Code (27, 30)
Minimum Age for Compulsory Military Recruitment	Yes	20	Article 2 of the Military Service Law (31)
Minimum Age for Voluntary Military Service	Yes	18	Article 11 of the Military Service Law (31)
Compulsory Education Age	Yes	12	Article 17 of the Basic Law of the Education System (8, 32)
Free Public Education	Yes		Article 7 of the Basic Law of the Education System (32)

# Angola

## MODERATE ADVANCEMENT

During the reporting period, the Government passed the Law on the Criminalization of Infractions Surrounding Money Laundering, Law No. 3/14, which protects all children less than 18 years old from human trafficking and forced labor.(26) The new law also penalizes employers or labor agents who confiscate, hide, damage, or destroy workers' identity documents. The penalty for labor or sex trafficking, including acting as an agent of a trafficker, is 8 to 12 years in prison; custodial adults who are complicit in child trafficking may be subject to 2 to 8 years in prison.(26)

The Government's list of hazardous work, established by Joint Executive Decree No. 171/10, prohibits activities for minors including fireworks production, stone mining, animal slaughter, leather production, paper making, and pornography.(24, 33) However, the hazardous work list does not cover all hazardous activities in which Angolan children are involved, including high-seas fishing, diamond mining, informal market vending, and in street work.(34)

The Penal Code protects children under age 16 from child pornography, but this protection does not extend to age 18, and there are no provisions against possession of child pornography.(27)

While Law No. 3/99 contains provisions prohibiting the use of children in drug trafficking, and article 157 of the Penal Code prohibits a child's custodian from employing the child in prohibited activities, research found no law that generally prohibits the use of children in all illicit activities.(27, 30)

The law establishes that primary education is compulsory for 6 years.(32) The Government reported to the UNESCO Institute of Statistics that children begin primary education at 6 years old, making education compulsory until age 12.(8) Ending compulsory education at 12 years of age makes children ages 12 through 14 vulnerable to child labor, as they are not required to attend school but are not legally permitted to work either. In addition, this age conflicts with the National Development Plan (2013–2017), which sets the age for compulsory education at 14.(11)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The Ministry of Public Administration, Labor, and Social Security (MAPTSS)	Inspect workplaces and identify children who are employed in the formal sector. MAPTSS can fine an employer, or send the case to the Ministry of Interior for further investigation and the Ministry of Justice and Human Rights for prosecution.(6, 28) Employ labor inspectors in all 18 provinces to carry out inspections and joint operations with tax authorities and social service providers.(28)
National Children's Institute (INAC)	Receive complaints about cases of child abuse, including child labor, through its research and investigation branch. INAC's inspection teams conduct regular oversight missions in collaboration with various ministries, the ILO, and civil society.(28, 30)
Ministry of Justice and Human Rights, including the Attorney General's Office and Court for Minors	Prosecute child labor cases, including the worst forms of child labor.(28) The Court for Minors handles protective proceedings where a child has been the victim of abuse, exploitation, or neglect.(35)
Ministry of the Interior and its agencies, including the National Police, Border Police, and Immigration Services	Enforce criminal laws and conduct operations and investigations related to forced labor, human trafficking, and commercial sexual exploitation.(1, 11, 30)

Law enforcement agencies in Angola took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, Angola employed 187 labor inspectors. According to the Government, the number of inspectors is insufficient to effectively monitor the labor market.(1) Inspectors, especially those outside of Luanda, lack necessary resources and sufficient training to carry out their work.(1)

The National Children's Institute (INAC) collects information from the provinces on the number of child labor cases; however, no information is available regarding child labor inspections, violations, citations, and penalties.(11, 16)

MAPTSS inspectors work with INAC and the Ministry of Assistance and Social Reintegration (MINARS) to ensure that victims of child labor receive the appropriate social services.(30)

### *Criminal Law Enforcement*

Research did not find information on the number of investigators responsible for investigating cases of the worst forms of child labor. According to the Government, 240 Angolan officials were trained on the new anti-trafficking in persons legislation during the reporting period.(11)

In 2014, an Angolan national acquired a child in Huila province, intending to take her to the Democratic Republic of Congo to sell her as a sex slave.(36, 37) Police authorities apprehended the perpetrator in Cabinda province and the victim received assistance from social services.(37) In addition, a National Police investigation resulted in the arrest of two Angolan citizens for facilitating the transport and delivery of two children to France. The Attorney General's Office is investigating the case in preparation for prosecution.(16, 36) Research did not find further information regarding investigations, prosecutions, and convictions.

The National Police and Immigration Services refer victims of the worst forms of child labor to INAC and MINARS to receive social services; victims of child trafficking are referred to INAC's Child Support Centers.(16, 30)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established a coordination mechanism on human trafficking, research found no evidence of coordinating mechanisms to combat child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The Ministry of Assistance and Social Reintegration (MINARS)	Ensure coordination between various Government bodies related to social welfare and victim protection.(1, 38) MINARS has established institutions and a network of shelters to protect children from abusive, exploitative, and dangerous situations.(37)
National Children's Institute (INAC)	Coordinate Government child protection services. Work with MINARS to provide shelter and help reintegrate children found in child labor situations with their families.(28)
National Council of Children (CNAC)	Coordinate the Government's efforts on children's issues, including the worst forms of child labor. Led by MINARS and comprised of 17 ministries and related organizations, including the Ministries of Justice and Human Rights, Interior, MAPTSS, Education, Culture, as well as UNICEF, religious institutions, and civil society organizations.(1)
Commission to Combat Trafficking in Persons*	Coordinate enforcement efforts on human trafficking, including child trafficking for labor and sexual exploitation. Composed of representatives from the Ministries of Justice and Human Rights, MINARS, MAPTSS, Interior, and relevant Government agencies including the Office of the Attorney General, Immigration Services, and the National Police.(11) Established in November 2014, the commission is currently working on a national strategy to combat human trafficking.(11)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The process for selecting civil society members of the National Council of Children (CNAC) lacks transparency.(29)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Angola has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Community of Portuguese-Speaking Countries (CPLP) Action Plan to Combat Child Labor	Establishes four target areas to combat child labor: the exchange of information and experiences; awareness-raising campaigns; use of statistical methodologies to collect child labor data; and technical cooperation and training.(39-42) During the reporting period, the Government represented the CPLP at the 320th session of the Board of Directors of the International Labor Organization.(42)



**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
The Eleven Commitments for Angolan Children	Outlines the Government's main policies for protecting children's rights; goals include protecting children from exploitation and providing education to every child.(12, 43, 44) During the reporting period, the Government raised awareness on the importance of education, built or refurbished 293 schools in Zaire province, and increased the number of teachers in the country.(30, 45)
National Strategy to Prevent and Combat Violence Against Children	Guides the Government's efforts to address violence against children including physical and psychological violence, child labor, child trafficking, and sexual abuse.(12, 29)
Plan of Action and Intervention against the Sexual and Commercial Exploitation of Children (NPAI SCEC)	Aims to protect and defend the rights of child victims of sexual and economic exploitation, including the rehabilitation and social inclusion of the victims.(34)
Free birth registration and identification cards*	Makes birth registration free for all Angolan citizens until 2016. Allows parents to get Identity Cards for free so that they are able to register their children.(19)
Poverty Reduction Strategy (2005-2015)	Serves as the main policy document that guides the Government's anti-poverty actions. Supports the Millennium Development Goals and includes as its objectives poverty reduction, democratic governance, crisis prevention and recovery, environmental protection, and sustainable development.(46, 47)
National Development Plan* (2013-2017)	Guarantees nine years of compulsory, free education until age 14.(11)
National Action Plan for Education for All (2001-2015)*	Aims to achieve universal primary education by 2015.(12, 29)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The Government has indicated that the Plan of Action and Intervention against the Sexual and Commercial Exploitation of Children (NPAI SCEC) is unsuitable for the current context and that there is an urgent need to revise it. INAC is in the process of evaluating the NPAI SCEC's implementation, with the goal of strengthening the policy.(34)

Research found that a lack of human and financial resources has hindered progress toward targets of the Education for All Plan.(18)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Angola funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Mobile schools‡	Ministry of Education program that provides education in mobile schools to migrant children who work with their parents in herding cattle.(1) The program specifically targets children at the highest risk of involvement in child labor in southern Angola.(1) Some mobile schools also have kitchens, which facilitate in the Government's school meal program.(1, 48)
Microcredit project‡	MAPTSS program that provides cash assistance to parents so that their children do not need to work.(1)
National Institutes of Job and Professional Training *‡	Government-funded program of 555 centers that provide free, professional training for youth so that they have skills to enter the formal labor market.(1, 49) At least 27,019 young people were trained during the reporting period.(49)
Free meals for children*‡	Government program offering free meals for school children.(1, 28) One such program in Benguela, supported by the U.S. Department of Agriculture, NGOs, and the Government of Angola, is reported to have fed more than 220,000 school children. The Angolan Ministry of Education reports similar programs in the provinces of Lunda Norte and Lunda Sul.(28)
Child Support Centers‡	INAC oversees a national network of Child Support Centers in all 18 provinces that offer health care, psychological care, legal and social assistance, meals, basic education, and family reunification for crime victims, including human trafficking victims, under 18 years of age.(2, 16)
Children's shelters‡	The Ministry of Assistance and Social Reintegration (MINARS), the Ministry of Family and Women's Promotion (MINFAMU), and the Organization of Angolan Women operate 51 children's shelters for child trafficking victims.(2, 37)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Angola.

Although Angola has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Furthermore, research did not identify programs that target children engaged in certain worst forms of child labor, such as commercial sexual exploitation, illicit activities, or forced labor in agriculture, domestic work, or diamond mining.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Angola (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits hazardous occupations or activities for children in all relevant sectors in Angola, including work in high-seas fishing, diamond mining, informal market vending, and street work.	2011 – 2014
	Ensure that the legal framework protects all children under age 18 from child pornography and includes penalties for possession of child pornography.	2014
	Ensure that the legal framework prohibits the use of children in illicit activities, including thievery or illegal couriering.	2014
	Increase the compulsory education age to 14 to be consistent with the National Development Plan.	2009 – 2014
Enforcement	Strengthen the labor inspection system by increasing the number of labor inspectors, in order to provide adequate coverage of the workforce, and by providing all inspectors with adequate training and the appropriate resources.	2009 – 2014
	Collect child labor information from provincial agencies and make information on child labor inspections, citations, violations, and penalties publicly available.	2011 – 2014
	Make information publicly available regarding the number of law enforcement officials, investigations, prosecutions, and convictions of the worst forms of child labor.	2011 – 2014
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2014
	Release details on the selection process for civil society members of the CNAC.	2012 – 2014
Government Policies	Accelerate birth registration and identification processes to promote school enrollment and provide social services to vulnerable children.	2010 – 2014
	Use the results of the 2008-2009 national well-being survey to integrate child labor elimination and prevention strategies into existing policies.	2009 – 2014
	Revise and strengthen the NPAI SCEC and ensure its effective implementation.	2014
	Allocate more Government resources to the Education for All Policy to ensure targets are met.	2014
Social Programs	Conduct research on the worst forms of child labor.	2010 – 2014
	Strengthen the education system by providing more funding, schools, and trained teachers.	2013 – 2014
	Assess the impact that existing programs may have on child labor.	2011 – 2014
	Institute programs that target children engaged in commercial sexual exploitation, illicit activities, and forced labor in agriculture, domestic work and diamond mining, and expand existing programs to address the scope of the child labor problem.	2010 – 2014

## REFERENCES

- U.S. Embassy- Luanda. *reporting, February 27, 2014.*
- U. S. Department of State. “Angola,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- Government of Angola. *Response to the Questionnaire about Child Labor in Angola*. [source on file]; 2014.
- Voice of America. “Angola: Trabalho Infantil em Plantações Chinesas.” [voaportugues.com](http://voaportugues.com) [online] December 15, 2010 [cited February 20, 2014]; [http://www.voanews.com/portuguese/news/12\\_15\\_angola\\_china\\_childlabour\\_voanews-111943619.html](http://www.voanews.com/portuguese/news/12_15_angola_china_childlabour_voanews-111943619.html).
- Gayeta, A. “UNICEF Denuncia Exploração de Menores em Angola.” [voaportugues.com](http://voaportugues.com) [online] December 24, 2010 [cited February 20, 2014]; [http://www.voanews.com/portuguese/news/12\\_24\\_2010\\_unicef\\_angola\\_labor\\_minors-112425824.html](http://www.voanews.com/portuguese/news/12_24_2010_unicef_angola_labor_minors-112425824.html).
- U.S. Department of State. “Angola,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220081EXECUTIVE>
- Leber, B. *Human Rights and Economic Development Issues in the Gemstone and Precious Metals Trade of AGOA Recipient Countries*. submitted in response to U.S.

- Department of Labor Federal Register Notice (September 23, 2009) “Request for Public Comments on Annual Review of Country Eligibility for Benefits Under the African Growth and Opportunity Act (AGOA).” October 16, 2009 2009.
8. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
  9. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 2, 2001. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
  10. Vieira, A. “Child Labour Cases on the Rise in Angola “ [africareview.com](http://www.africareview.com) [online] June 6, 2013 [cited March 3, 2014]; <http://www.africareview.com/News/Child-labour-cases-on-the-rise-in-Angola/-/979180/1874160/-/kryvs6/-/index.html>.
  11. U.S. Embassy- Luanda. *reporting January 21, 2015*.
  12. ILO-IPEC. *Angola: Estudo sobre a Aplicação das Convenções n.º 138 e n.º 182 da OIT e Suas Recomendações na Legislação Nacional dos Países da CPLP*. Geneva; December 2012. [http://www.ilo.org/ipcec/Informationresources/WCMS\\_222484/lang-en/index.htm](http://www.ilo.org/ipcec/Informationresources/WCMS_222484/lang-en/index.htm).
  13. Constantino, J. “Trabalho Infantil é Estimulado pelos Pais.” *Jornal de Angola*, Luanda, October 15, 2010. [source on file].
  14. ILO. *The Worst Forms of Child Labor in Conflict and Post Conflict Settings: Results from a Research Project*. Turin, International Training Centre; 2010. [source on file].
  15. U.S. Embassy- Luanda. *reporting, March 2, 2010*.
  16. U.S. Embassy- Luanda. *reporting, February 17, 2015*.
  17. Ministry of Planning. *Inquérito Integrado Sobre o Bem-Estar da População (IBEP) 2008-09*. Luanda, National Institute of Statistics; August 2010. [http://cncs2009forum.bligoo.com/media/users/4/211695/files/23110/Grelha\\_de\\_Indicadores\\_IBEP\\_2010.pdf](http://cncs2009forum.bligoo.com/media/users/4/211695/files/23110/Grelha_de_Indicadores_IBEP_2010.pdf).
  18. UNICEF. *UNICEF Annual Report 2013- Angola*. [http://www.unicef.org/about/annualreport/files/Angola\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Angola_COAR_2013.pdf).
  19. Carvalho, V. *Eight citizens in a day - A story on birth registration in Angola*. UNICEF; November 24 2014. [http://www.unicef.org/esaro/5440\\_angola\\_eight-citizens.html](http://www.unicef.org/esaro/5440_angola_eight-citizens.html).
  20. UNICEF. *Angola*, [cited October 20, 2014] <http://www.schoolsforafrica.org/wherewework/index.htm>.
  21. United Nations Treaty Collection. *12. a Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*; accessed October 27, 2014; [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=XVIII-12-a&chapter=18&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVIII-12-a&chapter=18&lang=en).
  22. Government of Angola. *Lei Geral do Trabalho de Angola*, enacted June 2, 2010. [source on file].
  23. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Angola (ratification: 2001) Submitted: 2011*; accessed [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100\\_COMMENT\\_ID:2332709](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:2332709).
  24. AVM Advogados. *Trabalhos Proibidos ou Condicionados a Menores, AVM*, [online] [cited July 17, 2013]; [http://www.avm-advogados.com/newsletter/old/2011-03/newsletter\\_avm\\_2011-03\\_PT.pdf](http://www.avm-advogados.com/newsletter/old/2011-03/newsletter_avm_2011-03_PT.pdf).
  25. Government of Angola. *Constituição da República de Angola*, enacted January 21, 2010. <http://www.comissaoconstitucional.ao/pdfs/constituicao-da-republica-de-angola.pdf>.
  26. Government of Angola. *Lei sobre a Criminalização das Infrações Subjacentes ao Branqueamento de Capitais*, no. 3/2014, enacted February 10, 2014. [source on file].
  27. Government of Angola. *Anteprojeto de Código Penal*, enacted 2006. [http://www.saflii.org/ao/legis/num\\_act/cp76.pdf](http://www.saflii.org/ao/legis/num_act/cp76.pdf).
  28. U.S. Embassy- Luanda. *reporting, February 13, 2013*.
  29. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Concluding Observations: Angola*. Geneva; October 11, 2010. Report No. CRC/C/AGO/CO/2-4. <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-AGO-CO-2-4.doc>.
  30. U.S. Embassy- Luanda official. Email communication to USDOL Official. April 14, 2015.
  31. Government of Angola. *Lei Geral do Serviço Militar*, Lei No. 1/93, enacted March 26, 1993.
  32. Government of Angola. *Lei de Bases do Sistema de Educação*, no. 13/01, enacted December 31, 2001. [http://planipolis.iiep.unesco.org/upload/Angola/Angola\\_Lei\\_de\\_educacao.pdf](http://planipolis.iiep.unesco.org/upload/Angola/Angola_Lei_de_educacao.pdf).
  33. Government of Angola. *Decreto Executivo Conjunto No. 171/10 de 12 de Dezembro que Aprova a Lista de Actividades Proibidas ou Condicionadas a Menores*, enacted December 24, 2010. <http://www.casacivilpr.com/pt/documentos/bd46c403a820f6aecb2d2e6da52e1738876cc089.pdf>.
  34. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Angola (ratification: 2001) Published: 2011*; accessed <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&texbase=iloeng&document=12686&chapter=6&query=Angola%40ref&highlight=&querytype=bool&context=0>.
  35. Government of Angola. *Lei sobre o Julgado de Menores*, no. 9/96, enacted April 19, 1996. [http://www.law.yale.edu/rcw/rcw/jurisdictions/afm/angola/frontpage.htm#\\_edn9](http://www.law.yale.edu/rcw/rcw/jurisdictions/afm/angola/frontpage.htm#_edn9).
  36. U.S. Embassy- Luanda. *reporting, December 3, 2014*.
  37. U.S. Embassy- Luanda. *reporting, October 7, 2014*.
  38. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Angola*. Geneva; February 26, 2010. Report No. CRC/C/AGO/2-4. <http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.AGO.2-4.doc>.
  39. Community of Portuguese-Speaking Countries. *Declaração de Luanda*. Luanda, Ministras e os Ministros do Trabalho e dos Assuntos Sociais dos Países da Comunidade de Língua Portuguesa; March 29, 2011. <http://www.cplp.org/id-2281.aspx>.
  40. Community of Portuguese-Speaking Countries. *Resolução sobre a Prevenção e a Eliminação da Exploração do Trabalho Infantil na CPLP*. Luanda; March 29, 2011. <http://www.cplp.org/Default.aspx?ID=2281>.
  41. Community of Portuguese-Speaking Countries. *II Reunião de Pontos Focais para Área do Trabalho Infantil da CPLP*. Maputo; October 28, 2010. <http://www.cplp.org/Default.aspx?ID=2281>.
  42. Agência Angola Press. “Angola Apresenta Declaração em Nome da CPLP na Sessão da OIT.” [portalangop.co.ao](http://portalangop.co.ao) [online] March 20, 2014 [cited May 21, 2014]; [http://www.portalangop.co.ao/angola-pt\\_noticias/sociedade/2014/2/12/Angola-apresenta-declaracao-nome-CPLP-sessao-OIT.1f86ff1d-8a3c-4b92-85c4-25f113650d71.html](http://www.portalangop.co.ao/angola-pt_noticias/sociedade/2014/2/12/Angola-apresenta-declaracao-nome-CPLP-sessao-OIT.1f86ff1d-8a3c-4b92-85c4-25f113650d71.html).
  43. Angop. “Executivo cumpre 11 compromissos da criança.” [governo.gov.ao](http://www.governo.gov.ao) [online] October 10, 2014 [cited November 21, 2014]; <http://www.governo.gov.ao/VerNoticia.aspx?id=24843>.
  44. Governo de Angola, Ministério da Assistência e Reinserção Social (MINARS), Conselho Nacional da Criança (CNAC). *Estratégia de divulgação dos 11 compromissos*; 2009. <http://www.cidadao.gov.ao/VerPublicacao.aspx?id=498>.
  45. allAfrica. “Bié Province Government Fulfils Eleven Commitments to Children.” [allafrica.com](http://allafrica.com) [online] November 5, 2014 [cited <http://allafrica.com/stories/201411051859.html>].
  46. United Nations Development Programme. *Angola: Poverty Reduction*, UNDP, [online] August 10, 2010 [cited February 20, 2013]; [source on file].
  47. Ministério do Planeamento. *Estratégia de combate à pobreza* Government of Angola; 2005. [source on file].
  48. U.S. Department of State official. E-mail communication to USDOL official. May 23, 2014.
  49. allAfrica. “Inefop Trains Over 20,000 Young People.” [allafrica.com](http://allafrica.com) December 12, 2014 [cited 2014]; <http://allafrica.com/stories/201412120427.html>.



*In 2014, Argentina made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified ILO Convention 189 Concerning Decent Work for Domestic Workers in its effort to ensure compulsory schooling and minimum age protections for young domestic workers. The Government's Provincial Commissions for the Prevention and Eradication of Child Labor (COPRETI) provided key trainings to labor inspectors on child labor issues, and the Executive Council to Fight Human Trafficking provided additional training to officials on human trafficking issues. The National Registry of Agricultural Workers and Employers (RENATEA) also launched a program to lengthen the school day and create child care centers for children of agricultural laborers to reduce their vulnerability to child labor. However, children in Argentina are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Argentina has not adopted a list of hazardous occupations that are prohibited for children, and the country appears to lack programs that target working children in several key sectors.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Argentina are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking.(1-9) In 2012, the Government of Argentina began incorporating a child labor module into the Permanent Survey of Households. However, the survey does not fully encompass rural areas, leaving the prevalence of child labor in agricultural activities unknown.(10, 11) Preliminary results of the 2012 survey, which were released in 2013, indicated a decrease in child labor. However, the full results have not been made publicly available.(11, 12) Table 1 provides key indicators on children's work and education in Argentina.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	6.5 (395,869)
Attending School (%)	5-14 yrs.	98.9
Combining Work and School (%)	7-14 yrs.	6.7
Primary Completion Rate (%)		109.3

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011-2012.(14)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting bell peppers,* blueberries, carrots,* corn,* cotton, garlic, grapes, olives, onions,* potatoes,* strawberries, and tomatoes (9, 15-30)
	Harvesting yerba mate (3, 5, 26, 31-33)
	Harvesting tobacco (1, 6, 19)
Industry	Production of garments (34, 35)
	Production of bricks (17, 36, 37)
	Manufacturing aluminum pots* (38)
	Construction, activities unknown (17, 19, 39)
	Mining* (19)



# Argentina

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Street begging and performing, windshield-washing, automobile caretaking (12, 17, 40, 41)
	Refuse collection, recycling, and garbage scavenging (11, 17, 40-42)
	Domestic service (19, 40, 41, 43, 44)
	Transporting goods* (22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2, 19, 40, 45)
	Forced labor in the production of garments (46-48)
	Used in the production of pornography* (7)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.







‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children of Bolivian immigrants are engaged in child labor in agriculture and domestic service, and are engaged in forced child labor in the production of garments.(18, 30, 44, 48) While the extent of the problem is unknown, reports indicate that there has been an increase in the trafficking of Bolivian children to Argentina for labor and commercial sexual exploitation.(49, 50) Reports also indicate that Paraguayan children are trafficked to Argentina for the purpose of commercial sexual exploitation.(2, 45, 51, 52)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Argentina has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

During the reporting period, the Government ratified ILO Convention 189 Concerning Decent Work for Domestic Workers. (53) ILO Convention 189 requires signatories to specify a minimum age of employment for domestic workers, as well as ensure that work performed by domestic workers who are under the age of 18 and above the minimum age does not deprive them of compulsory education, or interfere with opportunities to participate in further education or vocational training. The Convention enters into force for Argentina in 2015.(54)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Articles 2, 7, and 17 of the Prohibition of Child Labor and Protection of Adolescent Work Law (26.390); Article 9 of the Special Code on Contracting Domestic Workers (26.844); Article 1 of the Child Labor Law (26.847); Article 25 of the Child and Adolescent Rights Protection Law (26.061); Article 55 of the Law on Agrarian Work (26.727) (55-59)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Prohibition of Child Labor and Protection of Adolescent Work Law (26.390); Articles 176 and 191 of the Law on Labor Contracts (20.744); Article 62 of the Law on Agrarian Work (26.727) (55, 59, 60)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 15 of the Constitution; Articles 1 and 24 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law (26.842) (61, 62)
Prohibition of Child Trafficking	Yes		Articles 1 and 25-26 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law (26.842); Article 9 of the Child and Adolescent Rights Protection Law (26.061) (57, 62)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1 and 21-23 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law (26.842); Article 6 of the Crimes Against Sexual Integrity Law (25.087); Article 2 of the Modification to the Penal Code (Law 26.388) (62-64)
Prohibition of Using Children in Illicit Activities	Yes		Article 11 of the Possession and Trafficking of Drugs Law (23.737) (65)
Minimum Age for Compulsory Military Recruitment	Yes*	18	Article 19 of the Voluntary Military Service Law (24.429) (66)
Minimum Age for Voluntary Military Service	Yes	18	Article 8 of the Voluntary Military Service Law (24.429) (66)
Compulsory Education Age	Yes	18	Articles 16 and 29 of the National Education Law (26.206) (67, 68)
Free Public Education	Yes		Articles 15-16 of the Child and Adolescent Rights Protection Law (26.061) (57)

\* No conscription in practice (69)

Argentina has not adopted a comprehensive list of hazardous occupations prohibited for children.(45) Article 2 of Law 26.388 (Modification to the Penal Code) prohibits the use of children in pornographic shows and in the production, publication, and distribution of child pornography.(64) However, Law 26.388 does not criminalize the possession of child pornography for personal use.(39)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MTESS)	Enforce child labor laws, in part through its Coordinating Body for the Prevention of Child Labor and the Regulation of Adolescent Work (COODITIA), which trains inspectors in child labor and adolescent work issues. Oversee the Commission for the Eradication of Child Labor (CONAETI).(40, 70, 71) Oversee the National Registry of Agricultural Workers and Employers (RENATEA) which, through its own team of inspectors, assists in the enforcement of child labor laws in the agricultural sector.(12, 72)
Ministry of Justice and Human Rights	Maintain a Tribunal for adjudicating disputes in domestic service work and telephone lines for reporting cases of child labor and forced labor.(73)
Office for the Rescue and Care of Trafficking Victims	Provide emergency legal and other assistance to victims of labor and sex trafficking, including child victims. Part of the Ministry of Justice and Human Rights.(41, 74, 75)
Public Prosecutor's Anti-Trafficking Division (PROTEX)	Prosecute crimes of trafficking in persons for labor and commercial sexual exploitation, instruct federal personnel in the investigation of trafficking, and design criminal policy in trafficking.(76-78)
National Immigration Directorate	Direct the National Immigration Police, oversee the rights of migrants, and assist in investigating cases of international trafficking.(18, 79)
Federal Police	Conduct trafficking investigations through its Trafficking in Persons Division.(35)
Federal Administration of Public Revenue (AFIP)	Ensure employer compliance with national laws, assist in workplace and labor-related inspections, and initiate prosecutions of labor violations through the Penal Section of its Social Security Directorate.(35, 80, 81)

# Argentina

## MODERATE ADVANCEMENT

Law enforcement agencies in Argentina took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor, Employment, and Social Security (MTESS) employed 566 labor inspectors, which is 19 inspectors more than the MTESS employed in 2013.(12, 82) The National Registry of Agricultural Workers and Employers (RENATEA), which assists the MTESS in the enforcement of labor laws in the agricultural sector, reported employing 50 labor inspectors.(12, 83) Although research could not determine whether all 566 MTESS inspectors received training in child labor issues in 2014, the MTESS's Coordinating Body for the Prevention of Child Labor and the Regulation of Adolescent Work (COODITIA) conducted numerous trainings on child labor and adolescent work for labor inspectors and government officials located around the country.(71) In addition, RENATEA reported that it provided 10 training sessions to its inspectors on identifying and reporting hazardous child labor in the agricultural sector.(12, 83) The budget for the MTESS in 2014 was approximately \$8.7 billion.(12)

Although some information on specific MTESS inspection efforts was publicly available for 2014, research could not identify the total number of labor inspections conducted by the MTESS during the reporting period.(12, 84) Information on the specific sectors and geographic localities in which MTESS inspections were carried out, as well as on the total number of children removed from child labor, was also not publicly available.(12) RENATEA conducted 865 labor inspections in the agricultural sector in 2014. These inspections were conducted in approximately half of Argentina's 23 provinces where agricultural labor is prevalent. Inspections were conducted in operations involving the production of potatoes, tomatoes, grapes, tobacco, cotton, and yerba mate, among others; inspections were also conducted on livestock-raising undertakings.(83) Through these inspections, RENATEA identified 50 children engaged in child labor.(83) RENATEA reported that its inspectors refer children rescued from child labor to the COODITIA for the provision of services and the initiation of legal action against the employer; however, research could not identify whether the 50 children RENATEA rescued in 2014 were referred to the COODITIA. Research could also not find information on whether the MTESS inspectors followed this referral process during the reporting period, or on the number of children who received these referrals.(12) Information on the number of fines issued or penalties assessed for child labor violations was not publicly available.(12)

### *Criminal Law Enforcement*

In 2014, the number of investigators from the Public Prosecutor's Anti-Trafficking Division (PROTEX), the Federal Police, or other criminal law enforcement agencies dedicated to investigating the worst forms of child labor was not known. Although PROTEX investigators led and participated in trainings on human trafficking, research could not determine the extent to which these trainings addressed the worst forms of child labor, including child commercial sexual exploitation, forced child labor, or the use of children in illicit activities. Research could also not determine whether agencies engaged in enforcing criminal laws related to child labor had sufficient resources to carry out their duties.

PROTEX reported that it initiated 286 investigations for crimes of human trafficking in 2014. It pursued 139 cases related to commercial sexual exploitation and 59 cases related to labor exploitation.(85) Although these cases were not disaggregated to differentiate between adult and child exploitation, PROTEX reported that 9 percent of the victims were children. PROTEX also reported that, in 2014, there were 22 prosecutions for sex trafficking that involved 5 minors, and 11 prosecutions for labor trafficking that involved 11 minors.(85) In 2014, PROTEX reported that there were 24 sentences issued, with 37 individuals convicted of sex trafficking, and 18 individuals convicted of labor trafficking. Sentences for sex trafficking ranged from 1 to 14 years of imprisonment, and sentences for labor trafficking ranged from 2 to 6 years of imprisonment.(85) Research did not identify how many of these sentences were issued for trafficking crimes involving minors.

The Office for the Rescue and Care of Trafficking Victims and the National Secretariat for Childhood, Adolescence, and Family (SENNAF) provide legal and other assistance to trafficking survivors. However, research could not determine the number of child trafficking victims who received these services during the reporting period.(49)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAETI)	Coordinate efforts to monitor and eradicate child labor at the national level and implement Argentina's National Plan for the Prevention and Eradication of Child Labor.(40, 86-89) Composed of the MTESS, the Ministry of Social Development, the Ministry of Justice and Human Rights, the Ministry of Security, the Ministry of the Interior, and the Ministry of Health. Includes representatives from the Argentine Industrial Union, the General Confederation of Labor, and the National Secretariat of the Argentine Episcopal Conference.(40) UNICEF and IPEC also provide advisors. Overseen by the MTESS.(40)
Provincial Commissions for the Prevention and Eradication of Child Labor (COPRETI)	Coordinate efforts, with oversight by CONAETI, to prevent and eradicate child labor at the provincial level.(40, 87, 90). Composed of representatives of governmental and nongovernmental institutions, labor unions, and religious institutions. There are 23 COPRETI.(40, 87, 90)
National Secretariat for Childhood, Adolescence, and Family (SENNAF)	Establish, through its Childhood and Adolescence Protectorate, public policies to secure rights of children and adolescents; coordinate child protection efforts with other government ministries and entities of civil society; and provide assistance to trafficking victims. Overseen by the Ministry of Social Development.(91)
Federal Council for Childhood, Adolescence, and Family	Uphold rights of children and adolescents; deliberate on, assess, and plan public policies on child and adolescent rights; and secure the transfer of federal monies to fund provincial programs. Composed of representatives from national and provincial agencies that coordinate with the SENNAF and formed through the Ministry of Social Development.(92)
Child and Adolescent Labor Monitoring Office (OTIA)	Conduct qualitative and quantitative research on child and adolescent labor to provide policy analysis and inform programming to eradicate child labor and regulate adolescent labor. Created through the Undersecretariat of Technical Programming and Labor Studies of the MTESS.(87, 93)
Coordinating Unit for Children and Adolescents in Danger of Commercial Sexual Exploitation	Provide guidance to relevant institutions, run workshops and research programs regarding commercial sexual exploitation, and assist children, adolescents, and their families. Formed within the Ministry of Justice and Human Rights.(94)
Network of Businesses Against Child Labor	Develop initiatives to sensitize stakeholders to issues of child labor and programs to prevent and eradicate child labor. Developed through a partnership between the MTESS, CONAETI, and the businesses that comprise it.(86, 95)
Council for the Rights of Children and Adolescents (CDNNyA)	Develop programs and policies on child labor and the sexual exploitation of children for the City of Buenos Aires.(40, 96)
Executive Council to Fight Human Trafficking and Exploitation and to Protect and Assist Victims	Coordinate executive branch efforts to combat human trafficking. Composed of representatives of the Ministry of Justice and Human Rights, the Ministry of Security, and the MTESS.(49)

In July 2014, the National Commission for the Eradication of Child Labor (CONAETI) convened the 23 Provincial Commissions for the Prevention and Eradication of Child Labor (COPRETI) to provide training on how the labor inspection process is integral to the protection of children's rights.(71) The COPRETI of Salta, Jujuy, Mendoza and San Luis also held separate programs on child labor issues for regional labor inspectors and government officials.(71)

Also during the reporting period, the Executive Council to Fight Human Trafficking and Exploitation and to Protect and Assist Victims reported hosting 92 trafficking seminars for government officials and representatives from civil society in 19 provinces. A total of 5,210 attendees participated in the sessions.(49)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Argentina has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work (2011-2015)	Calls for actions to address child labor and regulate adolescent work, including awareness-raising, inter-institutional collaboration, stronger inspection mechanisms, and programming in rural and urban settings. Implemented by CONAETI and seeks to mainstream child labor issues into labor and health policies.(88, 97, 98)
National Action Plan for the Rights of Children and Adolescents (2012-2015)	Promotes the dignity and rights of children and adolescents in Argentina. Objectives include preventing and eliminating child labor, including its worst forms.(99)



# Argentina

## MODERATE ADVANCEMENT

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Third Program for Decent Work for Argentina (2012-2015)	Pursues a decent work and social well-being agenda in the context of Argentina's Millennium Development Goals (2003-2015) and in consultation with the ILO. Social and economic objectives include the prevention and eradication of child labor.(11, 100)
MERCOSUR United Against Child Labor Campaign	Develops public awareness about the need to combat child labor in MERCOSUR. Addresses child labor in agriculture, domestic work, and sexual exploitation, with particular emphasis on communities along country borders.(101)
Second Presidential Declaration on the Prevention and Eradication of Child Labor in MERCOSUR (2012)	Promotes greater articulation between governmental agencies, levels of government, and with civil society among MERCOSUR members.(100)
MERCOSUR Southern Child Initiative	Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding the commercial sexual exploitation of children, child trafficking and pornography, child labor, and migrant labor; by improving country legal frameworks to harmonize them with international conventions affecting children; and by exchanging best practices.(102)
Regional Plan for Adolescent Work (2011)	Promotes decent work for adolescent workers. Articulated within MERCOSUR's Strategy for Employment Growth.(100)
Fight against Human Trafficking Agreement between the Government of Colombia and the Government of Argentina†	Establishes a work plan to prevent, identify, and collaborate in the fight against human trafficking between the Government of Colombia and the Government of Argentina. Agreement signed in Argentina in July 2014; aims to strengthen efforts to assist Colombian victims of human trafficking found in forced labor in Argentina.(103)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014 – 2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Argentina at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(104-106)

† Policy was approved during the reporting period.

In September 2014, Argentina participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(107, 108)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Argentina funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Universal Child Allowance Program (Asignación Universal)*‡	Government of Argentina program funded in part by the World Bank that provides a monthly cash transfer to unemployed parents and workers in the informal economy, contingent upon parents' fulfillment of health and education requirements for their children.(11, 109, 110) Includes pregnant women and currently covers 3.5 million children under age 18.(11)
RENATEA Awareness-Raising Campaigns‡	RENATEA campaigns that raise awareness of child labor in agriculture and inform families and children of the right to education.(83, 111)
CONAETI Awareness-Raising Campaigns	CONAETI/Network of Businesses Against Child Labor campaigns that make businesses and the general public aware of child labor in sourcing and supply chains.(95)
Harvest Day Care and Future Programs (Jardines de Cosecha y Porvenir)	COPRETI/Network of Businesses Against Child Labor programs that aim to reduce child labor in the production of crops, such as tobacco and blueberries, where labor is often performed by entire families. Children are placed in day care centers that have educational and recreational programs.(15, 112-116)
Care Program's Extended School Day/ Child Care Centers (Programa Cuidar)†‡	RENATEA program to lengthen the school day and create child care centers in agricultural regions designed to reduce children's vulnerability to child labor in the agricultural sector.(12, 117)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Heads of Household Program (Programa Jefes de Hogar)*‡	MTESS program that seeks to improve the employability of families who have experienced economic hardship. (118)
UNICEF Argentina's Program for the Protection of Children's Rights	Works to protect children from child labor, commercial sexual exploitation, violence, and abuse. Fosters the development of protection systems and dialogue between civil society and local, provincial, and federal state agencies. Priority areas for 2011-2014 concern indigenous and immigrant children and the urban poor.(119)
Regional Action Group for the Americas (Grupo de Acción Regional para las Américas)	Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(120-122)
Elimination of Child Labor in Latin America (Phase 4)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC to combat child labor in 19 countries, including Argentina.(123)
Education and Monitoring Program for the Eradication of Child Labor	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including Argentina. Includes the objective of developing information systems on the worst forms of child labor.(123)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Argentina.

During the reporting period, Argentina continued to implement social programs designed to combat child labor.(12) However, programs that address child labor in agriculture do not address the scope of the problem in the sector; research also did not find programs that specifically targeted children working in urban activities, such as refuse collection or street begging and performing.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Argentina (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Adopt a list of hazardous occupations prohibited for children.	2009 – 2014
	Criminalize the possession of child pornography.	2009 – 2014
Enforcement	Make information publicly available on MTESS child labor enforcement efforts, including the number of labor inspections, the sectors and geographic localities in which inspections are carried out, and the sanctions imposed as a result.	2009 – 2014
	Publicly report on the total number of children removed from child labor, including its worst forms, as well as on the number of children who received services, including the agencies that refer and receive child labor victims.	2014
	Publicly report on the number of criminal investigators who investigate child labor-related crimes and ensure that they have training and adequate resources to enforce laws on the worst forms of child labor.	2014
Social Programs	Fully incorporate rural areas into the Permanent Survey of Households and make findings on child labor publicly available.	2013 – 2014
	Assess the impact that social programs, especially cash transfer programs, may have on reducing the worst forms of child labor.	2010 – 2014
	Expand programs that target child labor in agricultural activities.	2012 – 2014
	Develop specific programs that target child labor in informal urban activities, such as refuse collection or street begging and performing.	2009 – 2014

### REFERENCES

- Página 12. "Explotación infantil en Salta: Nueve chicos en condiciones infrahumanas en una tabacalera." March 10, 2014. <http://www.pagina12.com.ar/imprimir/diario/sociedad/3-241443-2014-03-10.html>.
- U.S. Department of State. "Argentina," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- Claudia Sapa, and Ana Victoria Espinoza. "Tareferos, marginalidad y exclusión detrás de la yerba mate." Argentina Investiga: Divulgación y Noticias Universitarias, Misiones, October 1, 2012; Noticia. [http://infouniversidades.siu.edu.ar/noticia.php?titulo=tareferos\\_marginalidad\\_y\\_exclusion\\_detras\\_de\\_la\\_yerba\\_mate&id=1711](http://infouniversidades.siu.edu.ar/noticia.php?titulo=tareferos_marginalidad_y_exclusion_detras_de_la_yerba_mate&id=1711).
- CONAETI. *Trabajo Infantil Rural*, [previously online] November 28, 2011 [cited Jan 17, 2012]; [http://www.trabajo.gov.ar/conaeti/que\\_es/rural.htm](http://www.trabajo.gov.ar/conaeti/que_es/rural.htm).
- Roffredo, R. "Trabajo infantil rural en la zafra de la yerba mate," in Décimo Congreso Nacional de Estudios de Trabajo; August 4, 2011; Buenos Aires; [http://www.aset.org.ar/congresos/10/ponencias/p13\\_Roffredo.pdf](http://www.aset.org.ar/congresos/10/ponencias/p13_Roffredo.pdf).
- Página 12. "Chicos explotados." Buenos Aires, February 28, 2014; Sociedad. <http://www.pagina12.com.ar/diario/sociedad/3-240788-2014-02-28.html>.
- CONAETI. *Trabajo Infantil Urbano*, [previously online] November 28, 2011 [cited Jan 17, 2012]; [http://www.trabajo.gov.ar/conaeti/que\\_es/urbano.htm](http://www.trabajo.gov.ar/conaeti/que_es/urbano.htm).
- IDB. *La Trata y el Tráfico de Niños y Adolescentes para fines Explotación Sexual*, IDB, [online] December 31, 2011 [cited February 7, 2013]; <http://www.iadb.org/es/proyectos/project-information-page.1303.html?id=RG-T1266>.
- Página 12. "Esclavos para la papa: Niños, niñas y adolescentes trabajando en la cosecha." pagina12.com [online] February 12, 2014 [cited April 4, 2015]; <http://www.pagina12.com.ar/imprimir/diario/economia/2-239656-2014-02-12.html>.
- Jueguen, F. "Se reduce el trabajo infantil, pero para el Indec casi no existe." La Nación, Buenos Aires, February 12, 2013. <http://www.lanacion.com.ar/1553971-se-reduce-el-trabajo-infantil-pero-para-el-indec-casi-no-existe>.
- U.S. Embassy- Buenos Aires. *reporting, February 18, 2014*.
- U.S. Embassy- Buenos Aires. *reporting, January 23, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2011-2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Ministerio de Trabajo de la Provincia de Entre Ríos. *Se abrirán centros de Cuidado Infantil o Jardines de Cosecha para evitar el trabajo infantil*, Gobierno de Entre Ríos, [online] [cited January 10, 2014]; [http://www.entrerios.gov.ar/mintrabajo/index.php?cod=1199&noticia=ver\\_noticia&modulo=noticia#](http://www.entrerios.gov.ar/mintrabajo/index.php?cod=1199&noticia=ver_noticia&modulo=noticia#).
- "Bajas temperaturas complicaron producción de arándano." Cuestión Entrerriana, August 17, 2013; Economía. <http://cuestionentrerriana.com.ar/bajas-temperaturas-complicaron-produccion-de-arandano/>.
- Ministerio de Trabajo Justicia y Gobierno. *El Gobierno conmemora el Día Mundial contra el Trabajo Infantil*, Prensa - Gobierno de Mendoza, [online] June 11, 2012 [cited November 21, 2012]; [http://prensa.mendoza.gov.ar/index.php?option=com\\_content&view=article&id=7955:el-gobierno-conmemora-el-dia-mundial-contra-el-trabajo-infantil&catid=40:trabajo&Itemid=61](http://prensa.mendoza.gov.ar/index.php?option=com_content&view=article&id=7955:el-gobierno-conmemora-el-dia-mundial-contra-el-trabajo-infantil&catid=40:trabajo&Itemid=61).
- Página 12. "Cuatro detenidos por trabajo esclavo." Página 12, Buenos Aires, February 19, 2011; Sociedad. <http://www.pagina12.com.ar/diario/sociedad/3-162656-2011-02-19.html>.
- Arroyo, A. "Trabajo infantil, una trampa de la pobreza." Argentina Investiga: Divulgación y Noticias Universitarias, Salta, May 3, 2010. <http://infouniversidades.siu.edu.ar/noticia.php?id=949>.
- Página 12. "Trabajo esclavo cerca de la playa " Página 12, Buenos Aires, November 28, 2011; Últimas Noticias. <http://www.pagina12.com.ar/diario/ultimas/20-165549-2011-04-04.html>.
- Verbitsky, H. "Una vida nueva." Página 12, Buenos Aires, January 2, 2011; El País. <http://www.pagina12.com.ar/diario/elpais/1-159715-2011-01-02.html>.
- Página 12. "Un flagelo que cruza fronteras." Buenos Aires, March 25, 2011. <http://www.pagina12.com.ar/diario/ultimas/20-164908-2011-03-25.html>.
- Página 12. "Estar en el ajo." pagina12.com.ar [online] January 16, 2011 [cited April 4, 2015]; <http://www.pagina12.com.ar/diario/elpais/subnotas/1-51487-2011-01-16.html>.
- El Litoral.com. "El trabajo infantil es más frecuente en los sectores menos regulados." ellitoral.com [online] June 12, 2011 [cited April 4, 2015]; <http://www.ellitoral.com/index.php/diarios/2011/06/12/metropolitanas/AREA-01.html>.
- Susana Aparicio, Martín Campos, Graciela Cardarelli, Magdalena Chiara, Gabriela Dorrego, Elena Duro, et al. *El trabajo infantil en la Argentina: Análisis y desafíos para la política pública*. Buenos Aires; July 2007. <http://www.trabajo.gov.ar/left/estadisticas/orial/centro/Doc/verDocumento.asp?id=146>.
- Télam. "El Renatea detectó casos de trabajo infantil en Chaco y Misiones." telam.com.ar [online] April 26, 2014 [cited April 5, 2015]; <http://www.telam.com.ar/notas/201404/60857-el-renatea-detecto-casos-de-trabajo-infantil-en-chaco-y-misiones.html>.
- La Nueva. "Trabajo infantil: denunciarán penalmente a los productores." lanueva.com [online] February 21, 2014 [cited April 6, 2015]; <http://www.lanueva.com/La-region-/748031/trabajo-infantil--denunciaran-penalmente-a-los-productores.html>.
- Diario 21. "Chaco: detectan trabajo infantil y trabajadores en negro en Villa Ángela y San Bernardo." diario21.tv [online] April 25, 2014 [cited April 6, 2015]; [http://www.diario21.tv/notix2/noticia/27373\\_chaco-detectan-trabajo-infantil-y-trabajadores-en-negro-en-villa-aacutengela-y-san-bernardo.htm](http://www.diario21.tv/notix2/noticia/27373_chaco-detectan-trabajo-infantil-y-trabajadores-en-negro-en-villa-aacutengela-y-san-bernardo.htm).
- Hoy Corrientes. "Virasoro: detectan trabajo no registrado en campos." hoycorrientes.com [online] October 23, 2014 [cited April 6, 2015]; [http://hoycorrientes.com/vernota.asp?id\\_noticia=131938](http://hoycorrientes.com/vernota.asp?id_noticia=131938).
- Rioja Virtual. "Detectan indocumentados y menores trabajando en la cosecha." riojavirtual.com.ar [online] March 10, 2014 [cited April 6, 2015]; [http://riojavirtual.com.ar/noticias/locales/detectan\\_indocumentados\\_y\\_menores\\_trabajando\\_en\\_la\\_cosecha](http://riojavirtual.com.ar/noticias/locales/detectan_indocumentados_y_menores_trabajando_en_la_cosecha).
- Mundo Gremial. "Trabajo Infantil: el oscuro y multimillonario negocio de la Yerba Mate." November 16, 2013. <http://mundogremial.com/analisis-y-opinion/trabajo-infantil-el-oscur-y-multimillonario-negocio-de-la-yerba-mate-4234>.
- Misiones Online. "Impulsan campaña por una "yerba mate sin trabajo infantil" " October 13, 2013; Sociedad. <http://img.misionesonline.net/noticias/index?dia=28&mes=10&anio=2013&permalink=impulsan-campa-a-por-una-yerba-mate-sin-trabajo-infantil>.
- Diario 33. "RENATEA detectó en San Pedro a tareferos en condiciones de esclavitud y trabajo infantil." [online] January, 2015 [cited April 6, 2015]; <http://diario33.com/25370-renatea-detect-en-san-pedro-a-tareferos-en-condiciones-de-esclavitud-y-trabajoinfantil.html>.
- Página 12. "Grandes marcas bajo investigación." Buenos Aires, May 28, 2013; Sociedad. <http://www.pagina12.com.ar/diario/sociedad/3-220993-2013-05-28.html>.
- Terra. "Detectan trabajo infantil y trata de personas en talleres textiles." Terra, October 03, 2013. <http://noticias.terra.com.ar/detectan-trabajo-infantil-y-trata-de-personas-en-talleres-textiles.6d685a8c76e71410VgnCLD2000000dc6eb0aR CRD.html>.
- Brondo, H. "Un detenido por explotación infantil en cortadero de ladrillos." La Voz, August 8, 2013. <http://www.lavoz.com.ar/ciudadanos/detenido-explotacion-infantil-cortadero-ladrillos>.
- Brondo, H. "Trabajo infantil: no cede en Córdoba el cepo a la niñez." La Voz, May 28, 2013. <http://www.lavoz.com.ar/ciudadanos/trabajo-infantil-no-cede-cordoba-cepo-ninez>.

38. Página 12. “El taller de los chicos esclavos.” Buenos Aires, September 1, 2013. <http://www.pagina12.com.ar/diario/elpais/1-228038-2013-09-01.html>.
39. U.S. Department of State. “Argentina,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220626.pdf>.
40. U.S. Embassy- Buenos Aires. *reporting, February 8, 2013*.
41. U.S. Embassy- Buenos Aires. *reporting, March 15, 2011*.
42. Organización Internacional para las Migraciones. *Lucha Contra el Trabajo Infantil Cartonero en la Villa 31 y 31 Bis de Retiro - Buenos Aires*, Organización Internacional para las Migraciones, [online] [cited April 2, 2014]; <http://www.argentina.iom.int/no/index.php/actividades/programas-y-proyectos/cooperacion-tecnica-sobre-migracion/lucha-contra-el-trabajo-infantil-cartonero-en-la-villa-31-y-31-bis-de-retiro>.
43. Universidad Católica Argentina. *Encuesta de la Deuda Social Argentina*. Bulletin. Buenos Aires, Universidad Católica Argentina- Fundación Telefonía; 2010. [http://www.uca.edu.ar/uca/common/grupo81/files/Bolet-n\\_trabajo\\_infantil\\_-\\_Bar-metro.pdf](http://www.uca.edu.ar/uca/common/grupo81/files/Bolet-n_trabajo_infantil_-_Bar-metro.pdf).
44. María Inés Pacecca. *El trabajo adolescente y la migración desde Bolivia a Argentina: entre la adultez y la explotación* CLACSO; 2013. [http://www.migrantropologia.com.ar/images/stories/PDF/pacecca\\_trabajo\\_adolescente\\_y\\_migracion\\_desde\\_bolivia\\_a\\_argentina\\_2013.pdf](http://www.migrantropologia.com.ar/images/stories/PDF/pacecca_trabajo_adolescente_y_migracion_desde_bolivia_a_argentina_2013.pdf).
45. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Argentina (ratification: 2001) Published: 2011*; accessed February 7, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
46. Arana Araya, I. “Prolifera la exportación de trabajo esclavo boliviano.” Sindicato Mercosul, August 27, 2006. <http://www.sindicatomercosul.com.br/noticia02.asp?noticia=33144>.
47. Arrieta, G. “Talleres clandestinos: el negocio de la explotación.” La Nación, Buenos Aires, May 11, 2008. <http://www.lanacion.com.ar/1011299-talleres-clandestinos-el-negocio-de-la-explotacion>.
48. Niñez Indígena en América Latina: *Situación y Perspectivas. Compilación de documentos de trabajo para el Encuentro Latinoamericano, Cartagena de Indias, del 8 al 10 de marzo de 2010. ILO-IPEC white paper*. [http://white.oit.org/pe/ipec/documentos/publi\\_encuentro\\_final.pdf](http://white.oit.org/pe/ipec/documentos/publi_encuentro_final.pdf).
49. U.S. Embassy- Buenos Aires. *reporting, March 3, 2015*.
50. María Inés Pacecca. *La explotación sexual y laboral de la niñez y adolescencia en Argentina*. UNICEF - IOM; 2013. [http://www.migrantropologia.com.ar/images/stories/PDF/unicef\\_33historias\\_explotacion\\_sexual\\_y\\_laboral\\_de\\_la\\_ninez\\_y\\_adolescencia\\_en\\_argentina.pdf](http://www.migrantropologia.com.ar/images/stories/PDF/unicef_33historias_explotacion_sexual_y_laboral_de_la_ninez_y_adolescencia_en_argentina.pdf).
51. U.S. Department of State. “Argentina,” in *Trafficking in Persons Report-2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210738.pdf>.
52. U.S. Department of State. “Argentina,” in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 9, 2013; <http://www.state.gov/documents/organization/186697.pdf>.
53. ILO. “Argentina ratifica el Convenio sobre las trabajadoras y trabajadores domésticos.” March 24, 2014 [cited November 4, 2014]; [http://www.ilo.org/global/standards/information-resources-and-publications/news/WCMS\\_239519/lang-es/index.htm](http://www.ilo.org/global/standards/information-resources-and-publications/news/WCMS_239519/lang-es/index.htm).
54. ILO. *Ratifications of C189 - Domestic Workers Convention, 2011 (No. 189)*, ILO, [online] [cited June 16, 2014]; [http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:2551460](http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:2551460).
55. Government of Argentina. *Prohibición del Trabajo Infantil y Protección del Trabajo Adolescente*, 26.390, enacted June 4, 2008. <http://www.infoleg.gov.ar/infolegInternet/anexos/140000-144999/141792/norma.htm>.
56. Government of Argentina. *Código Penal. Incorporase artículo N° 148 bis, Trabajo Infantil*, 26.847, enacted March 20, 2013. <http://www.infoleg.gov.ar/infolegInternet/anexos/210000-214999/210491/norma.htm>.
57. Government of Argentina. *Ley Integral de Protección de Derechos de las Niñas, Niños y Adolescentes*, 26.061, enacted September 28, 2005. <http://www.infoleg.gov.ar/infolegInternet/anexos/110000-114999/110778/norma.htm>.
58. Government of Argentina. *Régimen Especial de Contrato de Trabajo para el Personal de Casas Particulares*, 26.844, enacted March 13, 2013. <http://www.infoleg.gov.ar/infolegInternet/anexos/210000-214999/210489/norma.htm>.
59. Government of Argentina. *Regimen de Trabajo Agrario*, 26.727, enacted December 27, 2011. <http://infoleg.mecon.gov.ar/infolegInternet/anexos/190000-194999/192152/norma.htm>.
60. Government of Argentina. *Ley de Contrato de Trabajo*, 20.744, enacted May 13, 1976 (actualizado). <http://www.infoleg.gov.ar/infolegInternet/anexos/25000-29999/25552/texact.htm>.
61. Government of Argentina. *Constitución de 1994*, enacted 1994. <http://pdba.georgetown.edu/constitutions/argentina/argen94.html>.
62. Government of Argentina. *Prevención y Sanción de la Trata de Personas y Asistencia a Sus Víctimas (Modificaciones)*, 26.842, enacted December 26, 2012. <http://www.infoleg.gov.ar/infolegInternet/anexos/205000-209999/206554/norma.htm>.
63. Government of Argentina. *Delitos contra la integridad sexual. Modificación*, 25.087, enacted April 14, 1999. <http://www.infoleg.gov.ar/infolegInternet/anexos/55000-59999/57556/norma.htm>.
64. Government of Argentina. *Código Penal, Modificación de Artículo 128*, 26.388, enacted June 04, 2008. <http://www.infoleg.gov.ar/infolegInternet/anexos/140000-144999/141790/norma.htm>.
65. Government of Argentina. *Tenencia y Tráfico de Estupefacientes*, 23.737, enacted October 11, 1989. [http://www.cicad.oas.org/Lavado\\_Activos/ESP/LeyesLavado/Argentina/Ley23.737AR.doc](http://www.cicad.oas.org/Lavado_Activos/ESP/LeyesLavado/Argentina/Ley23.737AR.doc).
66. Government of Argentina. *Ley del Servicio Militar Voluntario*, 24.429, enacted January 5, 1995. <http://infoleg.mecon.gov.ar/infolegInternet/anexos/0-4999/802/norma.htm>.
67. Government of Argentina. *Ley de Educación Nacional*, 26.206, enacted December 14, 2006. <http://www.infoleg.gov.ar/infolegInternet/anexos/120000-124999/123542/norma.htm>.
68. Ministerio de Educación. “El sistema educativo.” [online] [cited July 31, 2015]; <http://portal.educacion.gov.ar/sistema/la-estructura-del-sistema-educativo/>.
69. Child Soldiers International. “Appendix II: Data Summary on Recruitment Ages of National Armies,” in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
70. Ministerio de Trabajo. *Coordinación de Prevención del Trabajo Infantil y Protección del Trabajo Adolescente*, Ministerio de Trabajo, Empleo y Seguridad Social, [online] [cited January 10, 2014]; <http://www.trabajo.gov.ar/cooditial/>.
71. Ministerio de Trabajo Empleo y Seguridad Social. *Capacitaciones*, Government of Argentina, [online] [cited April 4, 2015]; <http://www.trabajo.gov.ar/cooditial/capacitaciones.asp>.
72. Registro Nacional de Trabajadores y Empleadores Agrarios (RENATEA). “Qué es RENATEA?” [renatea.gov.ar](http://www.renatea.gov.ar/renatea.php) [online] [cited April 5, 2015]; <http://www.renatea.gov.ar/renatea.php>.
73. Ministerio de Justicia y Derechos Humanos. *Guía de Derivaciones - Trabajo*, Government of Argentina, [online] [cited January 13, 2014]; <http://www.jus.gov.ar/atencion-al-ciudadano/guia-de-derivaciones/trabajo.aspx>.
74. Ministerio de Justicia y Derechos Humanos. *Oficina de Rescate y Acompañamiento a Personas Damnificadas por el Delito de Trata de Personas*, Ministerio de Justicia y Derechos Humanos, [cited January 13, 2013]; <http://www.jus.gov.ar/areas-tematicas/trata-de-personas.aspx>.
75. U.S. Embassy- Buenos Aires. *reporting, March 11, 2010*.
76. Government of Argentina. *Resolución PGN No. 805/13*, enacted April 30, 2013. <http://www.mpf.gov.ar/resoluciones/pgn/2013/PGN-0805-2013-001.pdf>.
77. Ministerio Público Fiscal. *Procuraduría de Trata y Explotación de Personas (PROTEX) Institucional*, Government of Argentina, [online] [cited June 3, 2014]; [http://webcache.googleusercontent.com/search?q=cache:7VLQ2X16S\\_sJ:www.mpf.gov.ar/protex/+&cd=1&hl=en&ct=clnk&gl=us](http://webcache.googleusercontent.com/search?q=cache:7VLQ2X16S_sJ:www.mpf.gov.ar/protex/+&cd=1&hl=en&ct=clnk&gl=us).
78. Ministerio Público Fiscal - Procuraduría de Trata y Explotación de Personas (PROTEX). *Trata Laboral en Argentina: El tratamiento judicial de los casos en el fuero federal*; 2014. [http://fisciales.gov.ar/trata/wp-content/uploads/sites/2/2014/02/Informe\\_Trata\\_laboral\\_en\\_Arg\\_Genero.pdf](http://fisciales.gov.ar/trata/wp-content/uploads/sites/2/2014/02/Informe_Trata_laboral_en_Arg_Genero.pdf).
79. Dirección Nacional de Migraciones. Ministerio del Interior y Transporte, [online] [cited January 12, 2014]; <http://www.migraciones.gov.ar/accesible/?institucional>.



# Argentina

## MODERATE ADVANCEMENT

80. Administración Federal de Ingresos Públicos. *Fiscalizaciones, Inspecciones y Verificaciones*, AFIP, [online] [cited January 14, 2014]; <http://www.afip.gov.ar/inspecciones/>.
81. Página 12. “El “amo” detrás de los talleres clandestinos.” Buenos Aires, May 28, 2013; Sociedad. <http://www.pagina12.com.ar/diario/sociedad/3-220992-2013-05-28.html>.
82. Ministerio de Trabajo Empleo y Seguridad Social de la Nación. *Inspectores*, Ministerio de Trabajo Empleo y Seguridad Social de la Nación, [online] [cited April 4, 2015]; <http://www.trabajo.gov.ar/inspeccion/inspectores/>.
83. U.S. Embassy official. E-mail communication to USDOL official. May 13, 2015.
84. Ministerio de Trabajo Empleo y Seguridad Social. *Operativos Realizados 2014*, Government of Argentina, [online] [cited April 4, 2015]; [http://www.trabajo.gov.ar/inspeccion/operativos/?id\\_anio=2014](http://www.trabajo.gov.ar/inspeccion/operativos/?id_anio=2014).
85. Ministerio Público Fiscal - Procuraduría de Trata y Explotación de Personas (PROTEX). *Informe Anual 2014*. <http://www.mpf.gov.ar/protex/files/2015/02/INFORME-ANUAL-2014.pdf>.
86. UNICEF Argentina- Protección de Niños Niñas y Adolescentes. *Trabajo Infantil*, UNICEF, [online] [cited January 14, 2014]; [http://www.unicef.org/argentina/spanish/protection\\_25973.htm](http://www.unicef.org/argentina/spanish/protection_25973.htm).
87. Observatorio de Trabajo Infantil y Adolescente. *Manual para la constitución del observatorio regional sobre trabajo infantil y adolescente*, Ministerio de Trabajo, [cited February 2, 2014]; [http://www.undp.org.ar/docs/Libros\\_y\\_Publicaciones/Manual\\_Observatorio\\_Regional\\_Trabajo\\_Infantil.pdf](http://www.undp.org.ar/docs/Libros_y_Publicaciones/Manual_Observatorio_Regional_Trabajo_Infantil.pdf).
88. ILO. *Prevenir y erradicar el trabajo infantil en Argentina*. online; November 2011. [http://www.oit.org.ar/documentos/trabajo\\_infantil.pdf](http://www.oit.org.ar/documentos/trabajo_infantil.pdf).
89. Ministerio de Trabajo. *Comisión Nacional para la Erradicación del Trabajo Infantil (CONAETI)*, Government of Argentina, [online] [cited January 14, 2014]; <http://www.trabajo.gov.ar/conaeti/>.
90. Ministerio de Trabajo. *Comisiones Provinciales (COPRETI)*, Government of Argentina, [online] [cited January 14, 2014]; <http://www.trabajo.gov.ar/conaeti/copreti.asp>.
91. Ministerio de Desarrollo Social. *Secretaría Nacional de Niñez, Adolescencia y Familia*, Government of Argentina, [online] [cited January 15, 2014]; <http://www.desarrollosocial.gob.ar/Uploads/i1/1.%20Presentaci%C3%B3n%20SENAF%20y%20autoridades.pdf>.
92. Consejo Federal de Niñez Adolescencia y Familia. Consejo Federal de Niñez Adolescencia y Familia, [online] [cited January 15, 2014]; [http://www.conabip.gob.ar/sic/ninez\\_cf](http://www.conabip.gob.ar/sic/ninez_cf).
93. Ministerio de Trabajo Empleo y Seguridad Social. *¿Qué es el Observatorio de Trabajo Infantil y Adolescente?*, Ministerio de Trabajo Empleo y Seguridad Social, [online] [cited February 2, 2014]; <http://www.trabajo.gov.ar/left/estadisticas/otia/index.asp>.
94. Ministerio de Justicia y Derechos Humanos. *Guía de Derivaciones - Niñez y Adolescencia*, Government of Argentina, [online] [cited January 13, 2014]; <http://www.jus.gob.ar/atencion-al-ciudadano/guia-de-derivaciones/ninez-y-adolescencia.aspx>.
95. CONAETI. *Red de Empresas contra el Trabajo Infantil*, Ministerio de Trabajo, Empleo y Seguridad Social, [online] [cited January 16, 2014]; [http://www.trabajo.gov.ar/conaeti/red\\_actividades.asp](http://www.trabajo.gov.ar/conaeti/red_actividades.asp).
96. Bruno Domeniconi, Cristina Erbaro, and Carmella Vives. *Consejo de los Derechos de Niñas, Niños y Adolescentes: Datos Estadísticos correspondientes al año 2009*. Statistics. Buenos Aires; 2009. [http://estatico.buenosaires.gov.ar/areas/chicos/doc\\_y\\_pub/informe\\_estadistico\\_datos\\_2009.pdf](http://estatico.buenosaires.gov.ar/areas/chicos/doc_y_pub/informe_estadistico_datos_2009.pdf).
97. Ministerio de Trabajo, Empleo y Seguridad Social, and CONAETI. *Plan Nacional para la Prevención y Erradicación del Trabajo Infantil y la Protección del Trabajo Adolescente 2011-2015*. Buenos Aires; May 18, 2011. [http://www.trabajo.gov.ar/downloads/conaeti/PUBLI\\_Plan-Nacional2011-2015.pdf](http://www.trabajo.gov.ar/downloads/conaeti/PUBLI_Plan-Nacional2011-2015.pdf).
98. Government of Argentina. *Convenio entre el Ministerio de Trabajo, Empleo y Seguridad Social de la Nación, el Ministerio de Salud de la Nación y la Comisión Nacional para la Erradicación del Trabajo Infantil*, enacted June 27, 2011. <http://www.trabajo.gov.ar/left/estadisticas/otia/normativa/verNormativa.asp?id=65>.
99. Government of Argentina. *Plan Nacional de Acción por los Derechos de Niñas, Niños y Adolescentes 2012-2015*. Buenos Aires; 2012. <http://www.desarrollosocial.gob.ar/Uploads/i1/PNA%202012-2015%20aprobado.pdf>.
100. ILO. *Tercer Programa de Trabajo Decente por País para Argentina, periodo 2012 a 2015*. Buenos Aires, ILO; 2013. [http://www.oit.org.ar/WDMS/bib/publ/documentos/ptdp\\_2012\\_2015\\_web.pdf](http://www.oit.org.ar/WDMS/bib/publ/documentos/ptdp_2012_2015_web.pdf).
101. ILO. *El MERCOSUR unido contra el trabajo infantil*, ILO, [online] April 13, 2012 [cited January 16, 2014]; [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_178923/lang-es/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_178923/lang-es/index.htm).
102. *Iniciativa Niñ@Sur: recomendaciones sobre derechos y asistencia a las niñas, niños, y adolescentes víctimas de trata, tráfico, explotación sexual y/o venta*; 2014. [http://www.unicef.org/argentina/spanish/iniciativa\\_ninio\\_sur.pdf](http://www.unicef.org/argentina/spanish/iniciativa_ninio_sur.pdf).
103. Colombian Ministry of the Interior. “Colombia y Argentina comprometidos en la lucha contra la trata de personas.” [mininterior.gov.co](http://www.mininterior.gov.co) [online] July 8, 2014 [cited April 4, 2015]; <http://www.mininterior.gov.co/sala-de-prensa/noticias/colombia-y-argentina-comprometidos-en-la-lucha-contra-la-trata-de-personas>.
104. ILO. “18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour.” October 17, 2014. [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
105. UN News Centre. “At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour.” October 15, 2014. <http://www.un.org/apps/news/printnews.asp?nid=49082>.
106. “Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO’s 18th Regional Meeting of the Americas, October 14, 2014.” [wordpress.com](http://wordpress.com) [online] 2014 [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
107. The Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
108. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
109. La Nación. “La Asignación Universal por Hijo subirá 26% hasta \$340.” La Nación, Buenos Aires, September 12, 2012. <http://www.lanacion.com.ar/1507782-una-vez-mas-cristina-vuelve-a-hablar-por-cadena-nacional-a-las-19-hs>.
110. La Nación. “Para la Presidenta, “con la Asignación Universal se evita la explotación de los empleados.” La Nación, Buenos Aires, March 1, 2013. <http://www.lanacion.com.ar/1559134-para-la-presidenta-con-la-asignacion-universal-se-evita-la-explotacion-de-los-empleados>.
111. Registro Nacional de Trabajadores y Empleadores Agrarios (RENATEA). “Trabajar en el campo no es un juego.” [renatea.gob.ar](http://renatea.gob.ar) [source on file] 2014 [cited May 14, 2015];
112. ILO. *Jardines de cosecha, 2011*, International Labour Organization, [online] [cited January 10, 2014]; [http://www.oit.org.ar/portal/index.php?option=com\\_content&view=article&id=488:jardines-de-cosecha&catid=58:videos&Itemid=394](http://www.oit.org.ar/portal/index.php?option=com_content&view=article&id=488:jardines-de-cosecha&catid=58:videos&Itemid=394).
113. Porvenir. *Destacan Tarea de Porvenir y Jardines de Cosecha*, Porvenir, [online] Jan 18, 2012 [cited Feb. 7, 2013]; <http://www.porvenirnoa.com.ar/2012/01/destacan-tarea-de-porvenir-y-jardines-de-cosecha/>.
114. Jujuy al Día. “Avanza programa de prevención del Trabajo Infantil.” [jujuyaldia.com.ar](http://www.jujuyaldia.com.ar) [online] February 5, 2013 [cited May 15, 2015]; <http://www.jujuyaldia.com.ar/2013/02/05/avanza-programa-de-prevencion-del-trabajo-infantil/>.
115. Porvenir. *Quiénes Somos?* Salta de Jujuy; Jan 18, 2012. <http://www.porvenirnoa.com.ar/>.
116. Porvenir. *Porvenir: diez años avalan nuestro compromiso*, Porvenir, [online] July 6, 2012 [cited February 8, 2013]; <http://www.porvenirnoa.com.ar/2012/07/porvenir-diez-anos-avalan-nuestro-compromiso/>.
117. El Independiente Digital. “El RENATEA inaugura las primeras guarderías del programa “CUIDAR.” [elindependiente.com.ar](http://elindependiente.com.ar) [online] March 20, 2015 [cited April 5, 2015]; [http://www.elindependiente.com.ar/papel/hoy/archivo/noticias\\_v.asp?298450](http://www.elindependiente.com.ar/papel/hoy/archivo/noticias_v.asp?298450).
118. Ministerios de Trabajo Empleo y Seguridad Social. *Programa Jefes de Hogar*, Ministerio de Trabajo Empleo y Seguridad Social, [online] 2011 [cited January 16, 2014]; <http://www.trabajo.gov.ar/jefesdehogar/>.

119. UNICEF Argentina- Protección de Niños Niñas y Adolescentes. *Programa de Protección de Derechos*, UNICEF, [online] [cited January 16, 2014]; <http://www.unicef.org/argentina/spanish/protection.html>.
120. Mercosur. *Reunión de la Comisión Permanente para la Coordinación e Implementación de las Acciones Relativas a la Iniciativa Niñ@ Sur para la Protección y Promoción de los Derechos de los Niños y Niñas y Adolescentes*. Buenos Aires; March 27, 2012. <http://www.niniosur.com/pdf/actabsas.pdf>.
121. Grupo de Acción Regional de las Américas. *Países Participantes*, [previously online] [cited February 13, 2013]; [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=article&id=52%3AQuienes-somos&catid=38&Itemid=73&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=article&id=52%3AQuienes-somos&catid=38&Itemid=73&lang=es). [source on file].
122. Grupo de Acción Regional de las Américas. *Quienes Somos*, Grupo de Acción Regional de las Américas, [previously online] 2010 [cited March 28, 2011]; [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=article&id=52%3AQuienes-somos&catid=38&Itemid=73&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=article&id=52%3AQuienes-somos&catid=38&Itemid=73&lang=es) [source on file].
123. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.

# Armenia

## MINIMAL ADVANCEMENT

*In 2014, Armenia made a minimal advancement in efforts to eliminate the worst forms of child labor. Armenia has received an assessment of minimal advancement because the Government lacks a labor inspectorate to monitor, inspect, and enforce child labor laws. This gap in enforcement delays the advancements made in eliminating child labor during the reporting period. In addition, the Government lacks a mechanism to coordinate its efforts to address all forms of child labor, including its worst forms, and no programs exist to aid children engaged in work activities on the street or in agriculture. Children in Armenia continue to engage in child labor in the services sector. Despite these gaps, the Government did make efforts to prevent and eliminate child labor, including enacting legislation to improve the identification of and provision of services to victims of human trafficking.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, evidence suggests that children are engaged in child labor in the services sector.(1-5) Table 1 provides key indicators on children’s work and education in Armenia.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	8.1 (30,494)
Attending School (%)	5-14 yrs.	89.8
Combining Work and School (%)	7-14 yrs.	9.9
Primary Completion Rate (%)		100.1

Source for primary completion rate: Data from 2008, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey, 2010.(7)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including planting and harvesting potatoes* (1, 3-5, 8, 9)
	Herding livestock* (4, 5, 10)
Industry	Construction,* activities unknown (1, 8, 11)
Services	Washing cars* (1, 3, 4)
	Street work, including gathering scrap metals* and begging (1, 2, 4, 5, 9, 11, 12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (4, 8, 13-15)
	Forced begging sometimes as a result of human trafficking* (4, 8, 14)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Although Article 39 of the Constitution of Armenia and Article 6 of the Law of Republic of Armenia on Education guarantee free universal education, children from low-income families and from families belonging to ethnic minorities continue to have reduced access to education.(16, 17) In addition, children with disabilities also face difficulty accessing mainstream education due to the inaccessibility of the physical infrastructure of schools, a lack of individual education planning and methodologies,

a lack of community-based support services for the child and the family, and a general social stigma against individuals with disabilities. (16-18) As a result of these barriers, a source reports that over 70 percent of children with disabilities in the care of the state and almost 20 percent of children with disabilities in the care of their families do not attend school.(19)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Armenia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Articles 15 and 17 of the Labor Code; Article 32 of the Constitution of the Republic of Armenia (20, 21)
Minimum Age for Hazardous Work	Yes	18	Article 257 of the Labor Code (20)
Prohibition of Hazardous Occupations or Activities for Children	Yes		List of Work Categories Considered Excessive or Harmful for Persons Under the Age of 18, Women Who are Pregnant, and Women Caring for Infants Under the Age of One Year (22)
Prohibition of Forced Labor	Yes		Article 32 of the Constitution of the Republic of Armenia; Article 3 of the Labor Code; Article 132 of the Republic of Armenia Criminal Code (20, 21, 23, 24)
Prohibition of Child Trafficking	Yes		Articles 132, 132.2, and 168 of the Republic of Armenia Criminal Code (23, 25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 132, 166, and 261-263 of the Republic of Armenia Criminal Code (23-25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 165 and 166.1 of the Republic of Armenia Criminal Code (23-25)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 5 of the Law on Mandatory Military Service (25, 26)
Minimum Age for Voluntary Military Service	No		
Compulsory Education Age	Yes	16	Article 18 of the Law of the Republic of Armenia on Education (25, 27)
Free Public Education	Yes		Article 39 of the Constitution of the Republic of Armenia; Article 6 of the Law of the Republic of Armenia on Education (21)

The minimum age for work is 16. If children ages 14 to 15 obtain the written consent of a parent or a guardian, they may work restricted hours as specified by the labor code; however, Armenia does not specify the type of light work in which they may engage. (20, 28)

In December 2014, the Government passed the Law on Identification and Assistance of Victims of Trafficking and Exploitation, which will replace the National Referral Mechanism when it comes into force in June 2015. This law aims to improve the



# Armenia

## MINIMAL ADVANCEMENT

identification of and provision of services to victims of human trafficking, including child trafficking, by removing the necessity for victims to cooperate with law enforcement in order to receive assistance.(15, 29)

Also in December 2014, the Government passed an amendment to the Law of the Republic of Armenia on General Education that guarantees inclusive education, improves education standards, and defines respective support services for children with special education needs and children with disabilities.(10, 18, 30)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Health Inspectorate (SHI)*	Enforce labor laws and impose sanctions for violations.(31)
Main Department on Especially Serious Crimes within the Investigative Committee*	Investigate cases of child trafficking and the commercial sexual exploitation of children referred to the Investigative Committee by the Police.(29, 32)
Department on Defending the Rights of Minors and Combating Domestic Violence within the Police	Identify and conduct preliminary investigation of crimes in which children are victims or perpetrators. (13, 32) Enforce laws against the worst forms of child labor under the General Department of Criminal Intelligence.(25, 29, 32) Refer identified crimes to the Investigative Committee for further investigation. (32)
Anti-Trafficking Unit within the Police	Identify and conduct preliminary investigation of crimes related to child trafficking and the commercial sexual exploitation of children through a staff of seven field officers. Operate within the Department of Combating High-Tech related (Cyber) Crimes, Human Trafficking, Illegal Migration, and Terrorism of the General Department on Combating Organized Crime.(33) Refer identified crimes to the Investigative Committee for further investigation.(32)

\* Agency responsible for child labor enforcement was created during the reporting period.

Law enforcement agencies in Armenia took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

During the reporting period, there were 60 labor inspectors located in the State Health Inspectorate (SHI).(34) In July 2013, the Government had adopted Decree #857-N that created the new SHI under the Ministry of Health to take over the combined inspection functions of the former State Labor Inspectorate under the Ministry of Labor and Social Affairs (MoLSA) and the former State Hygiene and Anti-Epidemic Inspectorate under the Ministry of Health.(33) As part of the 2013 restructuring, the number of labor inspectors was reduced from 146 to 60, which the SHI reports was insufficient to fully enforce labor laws. The 20 inspectors based at the SHI headquarters are civil servants, while the remaining 40 are contractors, who do not receive the same training as the civil servants.(34) In addition, in 2014 the SHI lacked sufficient funding, work space, computers, and transportation to effectively enforce labor laws. SHI officials reported that inspectors are often required to walk to inspection sites in order to perform inspections due to lack of transportation.(34) As a result, inspectors were not able to conduct a sufficient number of inspections in 2014. Inspectors were also unable to conduct unannounced inspections.(34)

In 2014, the SHI conducted 48 inspections and discovered 2 violations of laws related to child labor. After an administrative review, these employers were issued administrative penalties and given mandatory requirements to eliminate their child labor law violations. (35) While inspectors do not have the right to issue penalties for violations discovered during the course of investigations, the head of the SHI does have the power to review cases of violations and issue administrative penalties.(35) However, a source indicated that penalties for violations of labor laws were insufficient to deter violations.(36)

In addition, in January 2015, the Government enacted legislation that amended the Labor Code to remove the SHI's mandate to conduct labor inspection.(34) The SHI is restricted to conducting inspections based on complaints only related to occupational safety and health violations.(37) As a result, the SHI reports that there is now no monitoring or enforcement of child labor laws in Armenia.(34)

## *Criminal Law Enforcement*

In June 2014, the Investigation Department within the Police was merged with the Investigative Department of the Ministry of Defense to create a new autonomous body called the Investigative Committee.(29) As a result of the reorganization, functions formerly carried out by the Unit to Investigate Human Trafficking, Illegal Drug Trafficking, and Organized Crime within the Police are now part of the mandate of the Main Department on Especially Serious Crimes within the Investigative Committee.(29) Under the new system, police officers respond to allegations of a crime and conduct a pre-investigation during a period of 10 days to determine whether a crime has been committed. After this period, the case is either transferred to the Investigative Committee for full investigation or dropped due to lack of evidence of a crime.(32) The Main Department on Especially Serious Crimes within the Investigative Committee has 40 investigators.(29)

In 2014, approximately 300 police officers were engaged in the investigation of cases involving the worst forms of child labor.(35) Both police officers and MoLSA employees received training on human trafficking, including training on interviewing victims of child trafficking, in 2014.(15) The Police developed modules on Juvenile Justice in the Republic of Armenia and trained 24 officers on dealing with criminal cases involving minors.(35) However, a source reported that law enforcement officials do not receive sufficient specialized training on interviewing child victims of crime.(4)

In 2014, law enforcement investigated a total of five criminal cases involving minors, including one new case involving a child trafficked for forced begging.(15, 35) Two individuals were charged with child trafficking and their cases were sent to the courts.(35) However, a source reported that because not all the children who are referred to social service providers by the Police are officially registered as victims, official statistics for begging, forced begging, and commercial sexual exploitation may underreport the scope of the problem.(4)

Law enforcement agencies refer all at-risk children discovered during investigations to the Children Support Center of the Armenian Relief Fund, which provides medical, psychological, and social assistance to at-risk children.(25) The Government also has a National Referral Mechanism that defines procedures and responsible government agencies for identification, referral, assistance, and protection of trafficking victims, including children.(14, 25) Victim assistance includes the provision of in-kind, legal, medical, and psychological support, as well as the victims' integration into various social, educational, and employment projects.(14)

Research found that although the Police work with social service providers when conducting the pre-investigation, the Investigative Committee does not work with social service providers to ensure the well-being of the children during the investigation period.(4) Implementing the provisions of the Criminal Procedural Code on victim and witness protection continued to be difficult due to lack of an appropriate victim witness protection mechanism and of sufficient funding for these efforts.(8, 38)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established coordinating mechanisms to combat human trafficking and ensure the protection of child rights, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
Ministerial Council to Combat Human Trafficking	Implement, coordinate, and monitor government efforts on human trafficking.(14, 25) Chaired by the Deputy Prime Minister and composed of various officials from 17 government entities.(14)
Inter-Agency Working Group against Trafficking in Persons	Advise, organize, and implement decisions made by the Ministerial Council to Combat Human Trafficking.(14) Chaired by the Ministry of Foreign Affairs and composed of officials from all government entities. Includes nongovernmental stakeholders such as NGOs, international organizations, and social partners in regularly scheduled meetings.(14, 25)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
National Commission on the Protection of Child Rights	Coordinate activities of state bodies responsible for child protection, assist in developing state policy and programs aimed at the protection of children's rights, and assist in developing solutions to new child welfare problems as they arise. Facilitate cooperation between state and local government and NGOs.(25) Maintain a working group to prevent child begging, which includes representatives from the Ministry of Labor and Social Affairs, the Ministry of Health, and the Ministry of Education. (25) In 2014, developed a draft proposal for approval by the Prime Minister that would introduce new functions for the Commission and expand its composition. The Commission has also developed a draft joint decision by the Police, MOLSA, and the Ministry of Health to create a working group for the purpose of introducing modern rehabilitative services for child beggars and street children.(35)

During the reporting period, the Ministerial Council to Combat Human Trafficking and the Inter-Agency Working Group against Trafficking in Persons met regularly to share information and make implementation and policy decisions.(15, 29, 33) The two groups focused on taking steps to address the National Plan of Action Against Trafficking in Persons for years 2013–2015, particularly those related to child trafficking.(14, 29)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Armenia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Strategic Program for the Protection of Children's Rights for 2013–2016*	Outlines the Government's goals and activities in the sphere of child rights protection; formerly included a child labor component focusing on data collection on working children, awareness raising of the rights of working children, and implementation of oversight mechanisms for children's work.(39) The National Child Labor Survey and recommendations for the prevention of child labor exploitation originally envisaged in the 2013–2016 Strategic Program remains in the list of activities for 2016. However, during a 2014 revision, the Government removed the child labor component from the document.(18, 29)
National Plan of Action Against Trafficking in Persons for the Years 2013–2015	Aims to improve victim identification, including for child laborers; conduct surveys among working children; improve prevention efforts; and work with the media on the format and approach of reporting on human trafficking cases.(40) Strategies and activities fall under five sections: legislation on action against trafficking in persons and enforcement of laws; prevention of trafficking in persons; protection of and support to victims of trafficking in persons; cooperation; and surveys, monitoring, and evaluation.(40)
Concept on Combatting Violence Against Children†	Defines government priorities for combatting violence against children and outlines a list of related activities. Addresses labor exploitation of children, especially in agriculture, and commercial sexual exploitation of children, especially child trafficking.(29)
UNDAF Plan for Armenia (2010–2015)*	Focuses on poverty reduction through expanding economic and social opportunities for vulnerable groups, including by developing vocational training and technical assistance programs targeted at the most vulnerable youth.(39, 41)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was launched during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Armenia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Research on Child Labor Measurement and Policy Development (MAP)	USDOL-funded research project implemented by the ILO in 10 countries, including Armenia, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(42)
When September Comes Program*	Ministry of Labor and Social Affairs (MoLSA) program, implemented by charitable organizations, that assists families with children excluded from secondary education and families of "deceased freedom fighters" with three or more children of school age. Provides school supplies, clothing, and food.(25)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Social Response to Labor Migration in Armenia Project*	EU-funded, 3-year project implemented by UNICEF, the Ministry of Territorial Administration, and MoLSA, designed to mitigate the social vulnerability of labor migrants' families, including children.(43) In 2014, the project resulted in an MOU with representatives from 10 communities in order to provide social support to migrant workers and their families, including by establishing preschools and child development centers.(44)
Police Hotline‡	Police-supported hotline for human trafficking and migration-related calls.(8)
Armenia Social Protection Administration II Project (SPAP)†‡	World Bank project to improve social services delivery through the functional integration of agencies responsible for social services. Continues the first SPAP efforts to co-locate service providers for social protection benefits by building 37 new Integrated Social Protection Centers.(45) Will target unemployed youth through the Youth without Education and Skills program.(45)
UNICEF Country Program for 2010–2015	Outlines a plan for the development of an enhanced child care system, a continuum of child protection services to identify and respond to the exploitation and abuse of children, and a comprehensive policy framework for protecting vulnerable children in cooperation with UNICEF.(46)
Day Care Centers‡	Government-supported day care centers that provide alternatives to working children and daytime centers that provide services for children with special needs.(33) In 2014, the Government co-funded four daytime centers to support up to 250 children, and fully owned and operated an additional three to support up to 100 children each.(33, 47-49)
Shelter for Victims of Human Trafficking‡	Government shelter co-funded and run by the United Methodist Committee on Relief—Armenia that provides victims of human trafficking with medical, psychological, social, and legal services; access to education for children; and vocational training for adult victims.(15) Assisted five victims of child trafficking during the reporting period. In 2014, the Government increased funding to the shelter to approximately \$36,300 from approximately \$16,100 provided in 2013.(15)
School Feeding Program*	Approximately \$260,000 program, co-funded by the World Food Program, which provided in-school meals to 67,000 students in 800 schools.(35)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Armenia.

Although the Government of Armenia has implemented programs to address child labor, research found no evidence that it has carried out programs to assist children engaged in child labor in street work or in agriculture.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Armenia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that Armenian law specifies the types of light work and the working conditions acceptable for children age 14.	2014
Enforcement	Address deficiencies in the SHI's labor inspection resources, including by increasing the number of labor inspectors and empowering inspectors to perform unannounced inspections; increasing the funding and resources available to the SHI; ensuring that all inspectors receive an adequate amount of training; and ensuring that penalties for child labor violations are sufficient to serve as a deterrent.	2014
	Ensure that the SHI is capable of monitoring, inspecting, and enforcing child labor laws through quality inspections, including targeted, complaint-based, and unannounced inspections; that inspectors have the ability to assess penalties; and that data on the number and type of inspections, violations, and penalties are made publicly available.	2014
	Protect children by providing law enforcement officials with specialized training on interviewing child victims of crime.	2014
	Implement and adequately fund a victim-witness protection mechanism for criminal proceedings.	2011 – 2014



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into national policies, including the Strategic Program for the Protection of Children's Rights and the UNDAF Plan for Armenia (2010–2015).	2011 – 2014
Social Programs	Ensure that all children, including children from low-income families and those belonging to ethnic minorities, have equal access to education.	2010 – 2014
	Ensure that mainstream education is accessible to children with special education needs and children with disabilities by improving the accessibility of the physical infrastructure, bringing the child disability assessment criteria up to international standards, improving needs assessments, expanding community-based support services, and ensuring that social stigmas against individuals with disabilities do not prevent children from accessing schools.	2014
	Assess the impact that existing programs may have on child labor.	2011 – 2014
	Implement programs to address child labor in street work and in agriculture.	2009 – 2014

### REFERENCES

- UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Armenia*. Geneva; July 8, 2013. Report No. CRC/C/ARM/CO/3-4. <http://tb.ohchr.org/default.aspx>.
- Hasmik Smbatyan. "Armenian Teen Demands 'Right To A Good Life'," Radio Free Europe/Radio Liberty- Armenian Service; June 12, 2013; 3 min., 9 sec., Youtube Video; <http://youtu.be/Q2H4Y2LmUQE>.
- Gayane Mkrtychyan, and Sara Khojoyan. "Social: Poverty in Shirak Province Hampers Struggle against Illegal Child Labor." armenianow.com [online] August 16, 2011 [cited 2013]; [http://armenianow.com/social/31461/poverty\\_child\\_labors\\_gyumri\\_shirak\\_armenia?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+armenianow%2FHome+%28Home+Page+%7C+ArmeniaNow.com%29](http://armenianow.com/social/31461/poverty_child_labors_gyumri_shirak_armenia?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+armenianow%2FHome+%28Home+Page+%7C+ArmeniaNow.com%29).
- Mira Antonyan- Director of the Children's Support Center Foundation. Interview with USDOL official. February 26, 2015.
- Word Vision Armenia officials. Interview with USDOL official. February 25, 2015.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2005. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Armenia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2013/>.
- Government of Armenia official. Interview with USDOL official. February 24, 2015.
- UNICEF official. Interview with USDOL official. February 23, 2015.
- Chitemyan, A. *On Guard against Child Labour in Armenia*, World Vision, [online] June 12, 2013 [cited January 25, 2014]; <http://www.wvi.org/armenia/article/guard-against-child-labour-armenia>.
- UNICEF and the European Union. *Situation Analysis of Children in Armenia 2012*. Yerevan; 2013. [source on file].
- U.S. Department of State official. E-mail communication to USDOL official. June 28, 2013.
- U.S. Embassy- Yerevan. *reporting, February 28, 2014*.
- U.S. Embassy- Yerevan. *reporting, March 3, 2015*.
- The Helsinki Committee of Armenia. *Ditord Observer*. Yerevan; February 2012. [http://armhels.com/wp-content/uploads/2012/06/515eng-Ditord\\_459\\_2012-1.pdf](http://armhels.com/wp-content/uploads/2012/06/515eng-Ditord_459_2012-1.pdf).
- U.S. Department of State. "Armenia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Yerevan official. E-mail communication to USDOL official. April 28, 2015.
- UNICEF. *It's about Inclusion: Access to Education, Health, and Social Protection Services for Children with Disabilities in Armenia*; 2012. [http://www.unicef.org/ceecis/UNICEF\\_Disability\\_Report\\_ENG\\_small.pdf](http://www.unicef.org/ceecis/UNICEF_Disability_Report_ENG_small.pdf).
- Government of Armenia. *Labor Code of the Republic of Armenia*, enacted November 9, 2004. [source on file].
- Government of Armenia. *Constitution of the Republic of Armenia*, enacted July 5, 1995. <http://www.concourt.am/english/constitutions/index.htm>.
- Government of Armenia. *List of Work Categories Considered Excessive or Harmful for Persons Under the Age of 18, Women Who are Pregnant, and Women Caring for Infants Under the Age of One Year*, ROA Official Bulletin 2006.02.01/6(461) Article. 151, enacted February 2, 2006. [English translation on file].
- Government of Armenia. *Criminal Code of the Republic of Armenia*, enacted April 18, 2003. <http://www.legislationline.org/documents/section/criminal-codes>.
- U.S. Embassy- Yerevan official. E-mail communication to USDOL official. April 14, 2011.
- Government of Armenia. *Government of Armenia Response to the TDA Questionnaire*. Submitted in response to U.S. Department of Labor Federal Register Notice (December 3, 2013) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Yerevan; January 20, 2014.
- Government of Armenia. *Law on Military Service*, enacted 1998.
- Government of Armenia. *Law of the Republic of Armenia on Education*, enacted April 14, 1999. [http://www.translation-centre.am/pdf/Translat/HH\\_orenk/Education/Education\\_en.pdf](http://www.translation-centre.am/pdf/Translat/HH_orenk/Education/Education_en.pdf).
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Armenia (ratification: 2006) Submitted: 2011* accessed March 5, 2013; <http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::>.
- U.S. Embassy- Yerevan. *reporting, January 15, 2015*.
- Government of Armenia. *Amendments to the Law "General Education"*, enacted December 1, 2014. <http://edu.am/index.php?id=7038&topMenu=1&menu1=85&menu2=89&arch=0>.
- Structure: Ministry of Healthcare*, Government of Armenia, [online] [cited November 26, 2014]; <http://www.gov.am/en/structure/1/>.

32. U.S. Embassy- Yerevan official. Interview with USDOL official. February 23, 2015.
33. U.S. Embassy- Yerevan. *reporting, January 17, 2014.*
34. State Health Inspectorate officials. Interview with USDOL official. February 25, 2015.
35. Government of Armenia. *Government Response to the Information request to inform preparation of the U.S. Department of Labor's 2014 annual findings on the Worst Forms of Child Labor.* Yerevan.
36. Avetiğ Mejlumyan. *The Problems of State Supervision and Control over the Implementation of the RA Labour Legislation Requirements.* Yerevan; 2014. <http://www.osf.am/wp-content/uploads/2014/06/Labour-Inspection-in-Armenia-A-Mejlumyan.pdf>.
37. Avetiğ Mejlumyan. Interview with USDOL official. February 26, 2015.
38. U.S. Embassy- Yerevan. *reporting, March 1, 2013.*
39. U.S. Embassy- Yerevan official. E-mail communication to USDOL official. March 18, 2013.
40. Government of Armenia. *National Action Plan on Fight Against Trafficking in Persons During 2013-2015 in the Republic of Armenia, Annex to the Republic of Armenia Government Decree 186-N.* Yerevan; February 28, 2013.
41. United Nations Development Programme. *United Nations Development Assistance Framework 2010-2015.* New York; 2010. <http://www.undg.org/docs/11090/UNDAF-Armenia-2010-2015-ENG.pdf>.
42. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP).* Technical Progress Report. Geneva; October 2014.
43. UNICEF Armenia. *EU, UNICEF Launch Project to Mitigate Social Consequences of Labor Migration in Armenia,* UNICEF, [online] April 3, 2013 [cited November 28, 2014]; <http://unicef.am/en/news/i/EU,+UNICEF+LAUNCH+PROJECT+TO+MITIGATE+SOCIAL+CONSEQUENCES+OF+LABOUR+MIGRATION+IN+ARMENIA>.
44. UNICEF Armenia. *10 Social Projects Launched to Mitigate the Consequences of Labor Migration in Armenia,* UNICEF, [online] September 10, 2014 [cited November 26, 2014]; <http://unicef.am/en/news/i/10+SOCIAL+PROJECTS+LAUNCHED+TO+MITIGATE+THE+CONSEQUENCES+OF+LABOUR+MIGRATION+IN+ARMENIA>.
45. World Bank. *World Bank Supports Social Service Delivery in Armenia,* [online] March 24, 2014 [cited November 25, 2014]; <http://www.worldbank.org/en/news/press-release/2014/03/24/world-bank-integrated-social-service-delivery-armenia>.
46. UNICEF. *Summary Results Matrix: Government of Armenia- UNICEF Country Programme, 2010-2015.* New York; January 4, 2009. [http://www.unicef.org/about/execboard/files/Armenia\\_SRM.For\\_Submission.01.04.pdf](http://www.unicef.org/about/execboard/files/Armenia_SRM.For_Submission.01.04.pdf).
47. Government of Armenia. *Government of Armenia Response to the TDA Questionnaire.* Submitted in response to U.S. Department of Labor Federal Register Notice (November 26, 2012) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Yerevan; February 14, 2013.
48. Bridge of Hope. *Bridge Of Hope Non-Governmental, Non-Profitable, Non-Political Organization of the Republic of Armenia,* Civil Society Partnership Network, [online] [cited March 1, 2013]; <http://www.cspn.am/eng/members/bridge-of-hope/about-us>.
49. U.S. Department of State official. E-mail communication to USDOL official. June 3, 2014.

# Azerbaijan

## MODERATE ADVANCEMENT

In 2014, Azerbaijan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed amendments to the Administrative Offenses Code and the Criminal Code that impose a fine or imprisonment for employing people without an effective employment agreement, thereby providing children working without a contract with protection. The Government also instituted a new National Action Plan on Combating Trafficking in Human Beings, and law enforcement officials received training on best practices in investigating and prosecuting cases of human trafficking. In addition, the Government funded a program for the rehabilitation of child victims of human trafficking. However, children in Azerbaijan are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. There are gaps in Azerbaijan's labor inspection system and in the training of its law enforcement officials. In addition, research found limited evidence of government programs to address child labor in the sectors where it is most prevalent.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Azerbaijan are engaged in child labor, including in agriculture.(1-8) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(5, 6, 9-12) Table 1 provides key indicators on children's work and education in Azerbaijan.

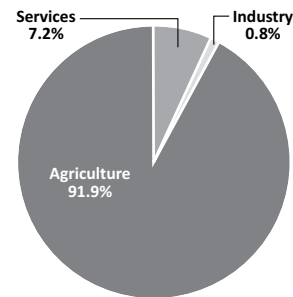
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	4.5 (70,034)
Attending School (%)	6-14 yrs.	94.3
Combining Work and School (%)	7-14 yrs.	4.9
Primary Completion Rate (%)		92.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Labor Survey (SIMPOC) Survey, 2005.(14)

**Figure 1. Working Children by Sector, Ages 7-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cotton, tea,* and tobacco*† (1-8)
Industry	Construction,* activities unknown (2, 4, 15)
Services	Street work, including begging, washing cars, and vending (1-6, 8-10) Washing cars at commercial car washes (15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (5, 6, 9-12) Forced begging (10-12)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.




The majority of child labor in Azerbaijan occurs in the agriculture sector. Evidence suggests that the number of child laborers involved in the production of cotton, tea, and tobacco has considerably declined in the past decade, although the significance of the decline is unknown.(2-4)

Children in Azerbaijan are trafficked for the purpose of commercial sexual exploitation both domestically and transnationally. Street children, many of whom become homeless after their release from government-run orphanages and correctional facilities, are at the highest risk of becoming victims of human trafficking.(11) Children living in border towns and economically depressed rural communities have also been identified as vulnerable to becoming victims of human trafficking.(16)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Azerbaijan has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 42 of the Labor Code of the Republic of Azerbaijan (17)
Minimum Age for Hazardous Work	Yes	18	Article 250 of the Labor Code of the Republic of Azerbaijan (17)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 98 and 250–254 of the Labor Code of the Republic of Azerbaijan; Decision 58 of the Cabinet of Ministers in 2000; Article 9 of the Law of the Republic of Azerbaijan on the Rights of the Child (17-19)
Prohibition of Forced Labor	Yes		Article 35 of the Constitution of the Azerbaijan Republic; Article 144-2 of the Criminal Code of the Azerbaijan Republic (20, 21)
Prohibition of Child Trafficking	Yes		The Law of the Republic of Azerbaijan on Trafficking in Persons; Articles 106, 144-1, 144-3, and 173 of the Criminal Code of the Azerbaijan Republic (21-24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 108, 151, 152, 171, 171-1, and 242–244 of the Criminal Code of the Azerbaijan Republic (22, 25)
Prohibition of Using Children in Illicit Activities	Yes		Article 28 of the Law of the Republic of Azerbaijan on the Rights of the Child; Article 170 of the Criminal Code of the Azerbaijan Republic (19, 22)
Minimum Age for Compulsory Military Recruitment	Yes	18	Articles 2,3, and 12 of the Law on Military Obligation and Military Service (26)
Minimum Age for Voluntary Military Service	Yes	19	Article 36 of the Law on Military Obligation and Military Service (26, 27)
Compulsory Education Age	Yes	15	Articles 5 and 19 of the Education Law of Azerbaijan (28, 29)
Free Public Education	Yes		Article 5 of the Education Law of Azerbaijan; Article 22 of the Law of the Republic of Azerbaijan on the Rights of the Child (19, 28)



# Azerbaijan

## MODERATE ADVANCEMENT

According to Articles 2 and 3 of the Labor Code, the Labor Code only applies to workers with written employment contracts. (17) As a result, labor protections do not apply to children working without a written employment agreement. However, in February 2014, the president signed amendments to the Administrative Offenses Code and the Criminal Code that impose a fine or imprisonment for employing people without an effective employment agreement, thereby attempting to ensure that all working children will be working under a contract. (6)

In June 2014, the Government amended the Labor Code to require all labor contracts to be registered in a central database, including the retroactive entry of all current valid contracts. Additionally, the legislation requires all businesses to register with the Government in order to grant contracts to any employees. (15, 16) Companies that do not enter their contracts into the database are subject to the same penalties as those who employ workers without a contract. This will assist with the enforcement of child labor laws by facilitating the detection of child workers who are employed without a contract. (15, 16)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The Ministry of Labor and Social Protection of Population (MLSPP)	Enforce labor laws related to the worst forms of child labor. (30)
State Labor Inspection Service (SLIS) within the MLSPP	Enforce the Labor Code, including provisions related to child labor. (2) Investigate child labor complaints and ensure that violations of child labor law receive attention from the proper agencies. (30)
Ministry of Internal Affairs (MIA)	Function as the central executive agency responsible for public security and prevention and exposure of criminal offences, including child trafficking and begging. (2) Through the Anti-Trafficking Division (ATD), enforce trafficking laws, investigate trafficking violations, and enforce criminal laws related to the use of children in illicit activities. (5) Refer children who are victims of human trafficking to social services for assistance with school enrollment, registering for recreational activities, and obtaining proper documentation. (5)
The Commission on Juvenile Issues and Protection of Minors' Rights	Coordinate efforts on enforcement of laws related to the worst forms of child labor. Located under the Cabinet of Ministers and consists of relevant state agencies. (30)
The National Referral Mechanism for Trafficking in Persons (NRM)	Refer victims of human trafficking to the relevant authorities, ensuring the protection of their rights. (31) Refer human trafficking cases to the ATD for prosecution. (12) Led by the National Coordinator and the Deputy-Minister of the MIA; counts a large number of government agencies as members, including the MLSPP and the State Committee on Family, Women and Children's Affairs (SCFWCA). (12)

Law enforcement agencies in Azerbaijan took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the State Labor Inspection Service (SLIS) employed 220 labor inspectors. (32) The SLIS reports that all inspectors receive training on identification of trafficking victims and situations of labor exploitation. (16) However, research did not find information on whether inspectors received training on laws and the enforcement of laws relating specifically to child labor and/or hazardous child labor. Limited evidence suggests that inspectors may not be adequately trained on child labor, including hazardous child labor. (6)

In 2014, the SLIS conducted 8,546 labor inspections, during which compliance with child labor laws was examined. The MLSPP has reported difficulty in investigating and prosecuting child labor violations due to conflicting bureaucratic mandates and the lack of mechanisms for effective interagency cooperation. (15)

In 2014, the Ministry of Labor and Social Protection of Population (MLSPP) reported carrying out targeted child labor inspections in the trade, construction, and service sectors, but information on the number of investigations conducted was unavailable. The SLIS identified six child labor law violations, all of which involved children working at car washes. (15) Five of the companies found to be in violation received fines of \$13,800, while one company received a warning. (16)

While the SLIS does conduct unannounced inspections, the MLSPP reports that subjects of unannounced child labor investigations are often warned of the investigation in advance through unofficial channels, indicating a problem with internal integrity of the SLIS.(15) In addition, the Government does not have a mechanism for filing and responding expeditiously to complaints about child labor.(6)

### *Criminal Law Enforcement*

Research did not find information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor. During the reporting period, officials from the Ministry of Internal Affairs (MIA) attended numerous trainings on trafficking in persons both in Azerbaijan and internationally.(16) In addition, in November 2014, the U.S. Embassy in Baku trained 25 prosecutors, judges, criminal investigators, and trafficking victim shelter personnel on best practices in investigating and prosecuting cases of human trafficking.(33)

In 2014, the Anti-Trafficking Division (ATD) of the MIA reported one child victim of commercial sexual exploitation.(16) Research did not find information on investigations, convictions, or penalties implemented for violations of criminal laws on the worst forms of child labor during 2014.(6)

Although the National Referral Mechanism for Trafficking in Persons (NRM) exists to refer victims of trafficking, including child trafficking, to the relevant government agencies, research found that the NRM's efficacy was damaged by a lack of interagency cooperation, despite the introduction of a number of MOUs between key agencies within the NRM in 2013. In addition, NGOs report that no human trafficking victims referred to the NRM by NGOs have succeeded in receiving government services.(16)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee on Child Labor*	Identify government priorities in the sphere of child labor prevention to facilitate efficient mobilization of resources. Established through the Global Action Program on Child Labor Issues Project and comprised of representatives from the MLSPP, the SCFWCA, the Ministry of Education, the Employers' Confederation, the Trade Unions' Confederation, the OSCE, UNICEF, and the ILO.(34)
State Committee on Family, Women and Children's Affairs (SCFWCA)	Serve as the primary central executive body responsible for implementing child-related policies.(2) Create and maintain an interagency case management database on child rights.(35)
Control-Coordination Group	Work with the Ministry of Education and SCFWCA to develop a national database for local agencies to identify children who are not in school and to track absentees over time and across districts.(30, 36) Established from the State Program on Poverty Reduction and Sustainable Development in 2008–2015. Membership includes representatives from the SCFWCA, the Ministries of Education, Health, and Labor and Social Protection of Population are also represented.(30)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Azerbaijan has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Joint Action Plan (2013–2015) on Elimination of Child Labor Exploitation	Joint action plan outlining coordination between the MLSPP and the SCFWCA. Planned activities include preparing social awareness campaigns on the negative consequences of child labor exploitation; organizing seminars and roundtables for state agencies involved in the fight against child labor; conducting research on child labor throughout the country; and training labor inspectors on the worst forms of child labor.(30) In 2014, the SCFWCA published a booklet on child labor rights, which it disseminated to children.(32)
National Action Plan on the Protection of Human Rights (2012–2015)	Seeks to ensure that the Criminal Code is compatible with international standards on preventing the sexual exploitation of children and to strengthen efforts to fulfill the ILO child labor conventions, respectively. Addresses human trafficking and calls for rehabilitation centers for victims.(37)

# Azerbaijan

## MODERATE ADVANCEMENT

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Action Plan on Combating Trafficking in Human Beings (NAP) (2014–2018)†	Aims to identify and combat the causes of vulnerability to human trafficking in Azerbaijan, through improved coordination among the government agencies, NGOs, and intergovernmental organizations involved in combating human trafficking. Also seeks to improve the identification, protection, and provision of services to victims, and to ameliorate social conditions that make victims vulnerable to human trafficking.(38) Places special emphasis on protecting the rights of child victims and preventing trafficking of vulnerable children and youth.(16, 38)
UNDAF (2011–2015)	Seeks to improve identification, referral, and legal support services for victims of trafficking, as well as to build the capacity of judiciary and law enforcement personnel.(39)
State Program on Poverty Reduction and Sustainable Development (2008–2015)	Seeks to improve social protection for the most vulnerable populations, including child laborers. Calls for developing a national action plan to address the issues of abandoned and street children.(40) Includes a plan to improve efforts to make schools better and more accessible, and to decrease educational costs by providing free textbooks and hot meals for children.(40)

† Policy was approved during the reporting period.

The ATD consulted with a wide array of international and domestic partners, including NGOs, when developing the National Action Plan on Combating Trafficking in Human Beings (NAP). The NAP addresses many prior international recommendations, but lacks clear indicators of the source and amount of funding for full implementation of associated programs.(16) NGO-run shelters that are tasked by the NAP with providing victim services do not currently receive funding from the Government. Directors of these shelters note that the informal method of funding prevents long-term planning and capacity building of shelters.(16)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Azerbaijan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
The program of social rehabilitation and social reintegration of child victims of trafficking (2014–2016)†‡	Government program implemented by the MLSPP, SCFWCA, and Ministry of Education. Assists children who are victims of human trafficking and their families by establishing a system of monitoring the social reintegration of child victims of trafficking and providing for professional development of psychologists and medical professionals.(41, 42)
Victim Assistance Center (VAC) for Victims of Human Trafficking	MLSPP-supported program that provides medical, psychological, and social rehabilitation and reintegration assistance to victims of trafficking, including children.(12, 16)
Baku Shelter for Victims of Human Trafficking‡	MIA-run shelter for victims of human trafficking. In 2014, MIA invested \$120,000 to renovate the shelter.(16)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the Government and develop strategic policies to address the elimination of child labor and forced labor in Azerbaijan.(34) In 2014, facilitated the establishment of a National Steering Committee on Child Labor.(34)
Global Research on Child Labor Measurement and Policy Development (MAP)†	USDOL-funded research project implemented by the ILO in 10 countries, including Azerbaijan, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity of the Government to conduct research in this area.(43)
Targeted Social Assistance Program (TSA)*‡	MLSPP-run program that provides cash transfers to low-income families.(44, 45)
Statistical Analysis on Child Labor and Street Children in Azerbaijan	SCFWCA and UNICEF collaboration to create a comprehensive report on the situation of street children in 11 cities and districts of Azerbaijan.(16)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Centers for Vulnerable Children‡	Government-funded program comprising 13 centers that provide social services to vulnerable children including street children and orphans.(46, 47) NGOs reported that the centers are effective in providing services and may contribute to a reduction in child labor.(6) The centers were originally established in 2013, but ran out of funds and closed by the end of 2013.(6) In August 2014, funding for the shelters was restored; however it is not clear if the funding is permanently secured.(46, 47)
MIA Identification Document Program‡	Provides identification documents to undocumented minors who may be street children or victims of human trafficking.(6)
USAID Anti-Trafficking in Persons Project†	\$610,00 USAID-funded, OSCE-implemented program to provide technical assistance and financial support to civil society organizations operating shelters for victims of human trafficking, including children.(33, 48)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Azerbaijan.

Although the Government of Azerbaijan has implemented programs to address child trafficking, research found no evidence that it has carried out programs to assist children working in agriculture, in construction, or on the street.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Azerbaijan (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions apply to children working without a written employment agreement.	2011 – 2014
Enforcement	Ensure that labor inspectors receive adequate training on the enforcement of laws relating to child labor.	2014
	Strengthen the inspection system by developing a system to receive and act on child labor complaints and by tracking and monitoring labor inspections to collect data that would facilitate targeted inspections.	2011 – 2014
	Make complete data on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor and on the number of investigations, convictions, and penalties related to criminal laws on the worst forms of child labor publicly available.	2014
	Improve interagency cooperation to ensure that the NRM functions adequately and provides needed services to all victims of child trafficking, including victims identified and referred by NGOs.	2014
Government Policies	Fully fund the National Action Plan on Combating Trafficking in Human Beings.	2014
Social Programs	Conduct research to determine the extent of children's continued involvement in the production of commercial agricultural goods, and to determine specific activities related to children's work in construction in order to inform policies and programs.	2013 – 2014
	Assess the impact that existing programs may have on child labor.	2011 – 2014
	Institute programs to address child labor in agriculture and on the streets.	2009 – 2014

## REFERENCES

- Azerbaijan Ministry of Labor official. Interview with USDOL official. May 22, 2012.
- ICF International. *In-Country Data Collection on Child Labor for Use in TDA and Related Reporting: Azerbaijan*. Washington, DC, USDOL; May 22, 2012.
- NGO Alliance on Children's Rights official. Interview with USDOL official. May 21, 2012.
- Sadagat Gambarova- Child Labor Expert. Interview with USDOL official. May 21, 2012.
- U.S. Embassy- Baku. *reporting, February 28, 2013*.
- U.S. Embassy- Baku. *reporting, February 12, 2014*.
- UN Committee on the Rights of the Child. *Consideration of reports submitted by States parties under article 44 of the Convention: Concluding observations: Azerbaijan*. Geneva; March 12, 2012. <http://www.ohchr.org>.
- USDOL official. *Field Observations of USDOL Official*. Field observations. Bilasuvar; 2012.
- Children's Union Azerbaijan official. Interview with USDOL official. May 21, 2012.
- U.S. Department of State. "Azerbaijan," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.



# Azerbaijan

## MODERATE ADVANCEMENT

11. U.S. Department of State. "Azerbaijan," in *Trafficking in Persons Report-2014*. Washington DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2012/192366.htm>.
12. U.S. Embassy- Baku. *reporting, February 13, 2014*.
13. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
14. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Child Labor Survey, 2005 Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
15. U.S. Embassy- Baku. *reporting, January 15, 2015*.
16. U.S. Embassy- Baku. *reporting, February 13, 2015*.
17. Government of Azerbaijan. *Labor Code of the Republic of Azerbaijan*, Chapter X, Section 240, enacted February 1, 1999. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/54131/65184/E99AZE01.htm#c10>.
18. Government of Azerbaijan. *Decree of the Cabinet of Ministers of the Republic of Azerbaijan "On approval of list of jobs with difficult and hazardous work conditions, professions as well as underground works where application of labor of children under age of 18 is prohibited"*, No. 58, enacted March 24, 2000.
19. Government of Azerbaijan. *Law of the Republic of Azerbaijan on the Rights of the Child*, No. 499, enacted May 19, 1998. <http://www.migration.gov.az/images/pdf/b373fca899bab5b1c0c667bd07ab4d0.pdf>.
20. Government of Azerbaijan. *Constitution of the Azerbaijan Republic*, Article 35, enacted November 12, 1995. <http://www.servat.unibe.ch/icl/aj000000.html>.
21. U.S. Department of State official. E-mail communication to USDOL official. January 14, 2015.
22. Government of Azerbaijan. *Criminal Code of the Azerbaijan Republic*, Articles 106 and 173, enacted September 1, 2000. <http://www.unhcr.org/refworld/docid/4417f82d4.html>.
23. Government of Azerbaijan. *Law of the Republic of Azerbaijan on Trafficking in Persons*, enacted August 5, 2005. <http://www.unhcr.org/refworld/docid/4417f1214.html>.
24. Government of Azerbaijan. *Law of the Republic of Azerbaijan on Amendments to the Criminal Code of the Republic of Azerbaijan*, enacted April 19, 2013.
25. Government of Azerbaijan. *Decree on Amendments to the Criminal Code of the Republic of Azerbaijan*, enacted June 29, 2012.
26. Government of Azerbaijan. *Law of The Republic of Azerbaijan on Military Duty and Military Service*, No. 274-IVQ, enacted December 23, 2011. <http://e-qanun.az/print.php?internal=view&target=1&docid=23021&doctype=0#http://e-qanun.az/print.php?internal=view&target=1&docid=23021&doctype=0#alpiViewDocFirstDoc>.
27. Government of Azerbaijan official. E-mail communication to USDOL official. January 30, 2015.
28. Government of Azerbaijan. *Education Law of the Republic of Azerbaijan*, 324, enacted 1992.
29. U.S. Embassy official. E-mail communication to USDOL official. April 25, 2012.
30. Government of Azerbaijan. *Information provided by the Azerbaijani authorities*. submitted with regard to the U.S. Department of Labor Questionnaire on Child Labor and Forced Labor. Baku; January 15, 2014.
31. Government of Azerbaijan. "Rules of the National Referral Mechanism on victims of human trafficking", No. 123, enacted August 11, 2009. [http://iaqmi.gov.az/files/uploader/Az%C9%99rbaycan%20Respublikas%C4%B1nC4%B1n\\_en.pdf](http://iaqmi.gov.az/files/uploader/Az%C9%99rbaycan%20Respublikas%C4%B1nC4%B1n_en.pdf).
32. Government of Azerbaijan. *Responses of the Republic of Azerbaijan to the US Department of Labor questionnaire on child labor in Azerbaijan in the context of preparation of 2014 Findings on the worst forms of child labor (TDA Report)*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 26, 2015) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Baku; February 24, 2015.
33. U.S. Embassy- Baku. *reporting, December 1, 2014*.
34. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report Geneva; October 2014.
35. U.S. Embassy- Baku official. E-mail communication to USDOL official. April 12, 2013.
36. Government of Azerbaijan official. E-mail communication to USDOL official. April 1, 2014.
37. Government of Azerbaijan. *National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan*. January 10, 2012.
38. The Government of Azerbaijan. *The National Action Plan for the years 2014-2018 on Combating trafficking in human beings in Azerbaijan Republic*, No. 667, enacted July 24, 2014.
39. UN Country Team in Azerbaijan. *United Nations Development Assistance Framework- Azerbaijan 2011-2015*. Baku, UNADP; December 16, 2010. [http://www.slundp.org/content/dam/azerbaijan/docs/Legal\\_docs/undaf\\_2011\\_2015\\_eng.pdf](http://www.slundp.org/content/dam/azerbaijan/docs/Legal_docs/undaf_2011_2015_eng.pdf).
40. Government of Azerbaijan. *State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015*. Baku; September 15, 2008. <http://www.cled.az/pdf/others/Azerbaijan%20Poverty%20Program%20for%202008-2015.pdf>.
41. U.S. Department of State official. E-mail communication to USDOL official. June 11, 2014.
42. Government of Azerbaijan. *The Program of Social Rehabilitation and Social Reintegration of Child Victims of Trafficking*, No. 37, enacted February 6, 2014. <http://www.cabmin.gov.az/?/az/pressreliz/view/1234/>.
43. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP)*. Technical Progress Report Geneva; October 2014.
44. World Bank. *Azerbaijan Living Conditions Assessment Report*. Assessment Report. Washington, DC; 2010. Report No. 52801-AZ. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2010/03/25/000333037\\_20100325235529/Rendered/PDF/528010ESW0GRAY1C0disclosed031241101.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2010/03/25/000333037_20100325235529/Rendered/PDF/528010ESW0GRAY1C0disclosed031241101.pdf) [source on file].
45. International Monetary Fund. *Republic of Azerbaijan: 2014 Article IV Consultation - Staff Report; Press Release*. Washington, D.C.; June 2014. <http://www.imf.org/external/pubs/ft/scr/2014/cr14159.pdf>.
46. U.S. Embassy- Baku official. E-mail communication to USDOL official. April 8, 2015.
47. U.S. Embassy- Baku official. E-mail communication to USDOL official. April 10, 2015.
48. OSCE Project Coordinator in Baku. *USAID, OSCE support Azerbaijan in combating human trafficking*. OSCE, [online] November 20, 2014 [cited January 9, 2015]; <http://www.osce.org/baku/126927>.

In 2014, Bahrain made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Action Plan to Combat Human Trafficking to support the implementation of the Law on Combating Trafficking in Persons. Although the problem does not appear to be widespread, children are engaged in the worst forms of child labor, including in commercial sexual exploitation. The Government has not conducted research to determine the extent and nature of the worst forms of child labor in the country. Furthermore, the Government has not published information on enforcement or established mechanisms to coordinate its efforts to address child labor, including all its worst forms.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children are engaged in the worst forms of child labor, including in commercial sexual exploitation, in Bahrain.(1) Data on key indicators on children's work and education are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (%)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2014.(2)

Data were unavailable from Understanding Children's Work Project's analysis, 2014.(3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Services	Street begging* (4)
	Domestic work* (1)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (1)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3 (a) – (c) of ILO C. 182.

In 2014, the Government did not conduct or participate in research to determine the extent to which children are engaged in the worst forms of child labor.(1)

In 2014, there were cases of children who traveled to Bahrain with falsified documents to work as domestic workers.(1)

In Bahrain, citizenship is derived from the father. As a result, children of Bahraini mothers and non-Bahraini fathers may be stateless. However, depending on the laws of the father's country of origin, children of non-Bahraini fathers may be able to acquire the citizenship of another country.(5) While no law or official policy prohibits stateless children from accessing government-funded education, stateless children cannot register at schools due to lack of legal documents such as birth certificates.(6-8)




# Bahrain

## MINIMAL ADVANCEMENT

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bahrain has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 24 of the Labor Law (9)
Minimum Age for Hazardous Work	Yes	18	Article 27 of the Labor Law (9)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 1 and 2 of the Ministerial Order No. 23 of 2013 (10)
Prohibition of Forced Labor	Yes		Article 1 of the Law on Combating Trafficking in Persons (11)
Prohibition of Child Trafficking	Yes		Article 1 of the Law on Combating Trafficking in Persons (11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 324–327 of the Penal Code; Article 39 of the Child Law (12, 13)
Prohibition of Using Children in Illicit Activities	Yes		Articles 59 and 68 of the Child Law (12)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 24 of the Defense Force Act (14)
Compulsory Education Age	Yes	15	Article 1 of the Education Act (15)
Free Public Education	Yes		Article 7 of the Constitution (16)

\* No conscription (14)

The minimum age protection in the Bahraini Labor Law does not apply to children working in certain industries, such as domestic work.<sup>(9)</sup> However, some Government policies help prevent child labor in domestic work. For example, visa policies require all individuals seeking to migrate to Bahrain and work to be at least 18 years of age. Similarly, children already in Bahrain as dependents of migrants cannot obtain a work visa.<sup>(17)</sup>

Under Article 326 of the Penal Code, which penalizes commercial sexual exploitation, children ages 15-18 may be prosecuted for commercial sexual exploitation.<sup>(13, 18)</sup> However, it is standard practice in Bahrain in those situations for the children to be placed in a rehabilitation center and not prosecuted.<sup>(17)</sup> Additionally, Articles 1.26 and 1.27 of the Ministerial Order No. 23 of 2013 prohibit the employment of minors in bars and nightclubs which are sectors particularly vulnerable to commercial sexual exploitation.<sup>(10)</sup> This reduces children's vulnerability to commercial sexual exploitation and the likelihood of prosecution.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor	Enforce child labor laws, along with the Labor Market Regulatory Authority.(19) Inspectors often take the lead role in initial mediation to resolve violations of the labor law. Violations that are not resolved through mediation are referred to the Public Prosecutor's office.(1)
Labor Market Regulatory Authority	Issue work visas to ensure that individuals coming to Bahrain as migrant workers are at least 18 years of age.(1) Plans to include hotline operators who can communicate with victims in additional languages.(20)
Ministry of Social Development (MOSD)	Maintain a hotline to receive complaints on child labor and child abuse.(21)
Police Department of the Ministry of the Interior	Enforce criminal laws that prohibit the worst forms of child labor in coordination with MOSD, the Ministry of Justice and Islamic Affairs, and the Public Prosecutor's Office, as needed. Oversee the 12-person Criminal Investigations Directorate that investigates potential cases of human trafficking and commercial sexual exploitation.(19) Refer any identified child victims of human trafficking or illicit activities to the Center for Child Protection.(1) Maintain a hotline to receive criminal complaints of child labor, including its worst forms.(21)
Public Prosecutor's Office	Prosecute all crimes related to child labor and human trafficking.(22)

Law enforcement agencies in Bahrain took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor employed 33 labor inspectors as a part of its regular inspection process. Given the size of the workforce in Bahrain, the number of labor inspectors is insufficient. All inspectors received training on the Labor Law, including issues related to child labor.(1) In 2014, they carried out more than 11,000 inspections and found no violations of child labor laws. (1) Article 13 of the Resolution on Inspection authorizes inspectors to visit work sites, including unannounced visits.(23) It is not known how many of the inspections conducted in 2014 entailed worksite visits and whether such visits were announced or not. Likewise, research did not reveal information on the type of inspections, or on the number of complaints received on the Ministry of Social Development's hotline, including complaints that may have been related to child labor.(21)

### *Criminal Law Enforcement*

In 2014, research did not find information on the number of investigators. Police officers attended several trainings during the reporting period, both in Bahrain and internationally, on combatting human trafficking.(1) From 2012 until the end of 2014, 34 judges and members of the Public Prosecutor's Office also participated in three sessions that covered child labor, child trafficking, and commercial sexual exploitation.(22) In 2014, the Public Prosecutor's Office investigated 21 cases of human trafficking, including 16 cases of commercial sexual exploitation.(20) None of the investigations involved the worst forms of child labor.(21) Of the seven cases that were referred to the court in 2013, six sentences and one acquittal were issued.(20) It is not known how many of the seven cases may have involved children.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established the National Committee on Combating Human Trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee on Combating Human Trafficking	Coordinate trafficking policies and organize educational and outreach campaigns to raise awareness on trafficking in persons.(24) Led by the Ministry of Foreign Affairs, other members include representatives from Ministry of Labor, Ministry of the Interior, Ministry of Justice, MOSD, Ministry of Information, Labor Market Regulatory Authority, and representatives from non-governmental organizations, including the Migrant Workers Protection Society.(21) Met regularly in 2014.(20)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Bahrain has established policies related to child labor, including its worst forms (Table 7).



**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Human Trafficking (2014 – 2015)†	Supports the implementation of the Law on Combating Trafficking in Persons.(21)

† Policy was approved during the reporting period.

Although the Government of Bahrain has adopted the National Action Plan to Combat Human Trafficking, research found no evidence of a policy to combat other worst forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Bahrain funded programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Dar al Aman Shelter‡	MOSD shelter that provides legal, medical, and psychological services to victims of human trafficking, labor exploitation, and commercial sexual exploitation.(1, 20)
Child Protection Center‡	Government center that provides treatment and counseling to child victims of abuse, including sexual exploitation.(4, 25) Receives referrals of child victims of human trafficking and commercial sexual exploitation from the Ministry of the Interior.(1)
Social Welfare Dignity Home‡	Government program that provides services to homeless persons and beggars, including children.(4)

‡ Program is funded by the Government of Bahrain.

Although the Government has implemented programs to assist victims of human trafficking, commercial sexual exploitation, and begging, research found no evidence of programs specifically aimed at protecting children engaged in domestic work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bahrain (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law’s minimum age provisions do not exclude children working in certain industries, including in domestic work.	2014
	Ensure that laws do not allow the prosecution of child victims of commercial sexual exploitation.	2010 – 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2014
	Collect and make publicly available data on the notification system for labor inspectors, the type and quality of inspections, as well as the number of investigators responsible for cases related to the worst forms of child labor.	2009 – 2014
	Gather the number of complaints made to the MOSD hotline and disaggregate the number of complaints to discern how many of them relate to child labor.	2013 – 2014
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2014
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation.	2009 – 2014
Social Programs	Conduct a comprehensive study of children’s activities to determine the extent to which children are engaged in or at risk for involvement in child labor, including the worst forms of child labor.	2010 – 2014
	Ensure universal access to education, particularly for stateless children.	2014
	Develop programs to address the issue of children working in domestic work.	2010 – 2014

## REFERENCES

1. U.S. Embassy- Manama. *reporting, January 29, 2015.*
2. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
3. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* 2014. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
4. UN Committee on the Rights of the Child. *Periodic Reports of States Parties due in 1999: Bahrain.* Prepared by Government of Bahrain, Article 44 of the Convention on the Rights of the Child. March 25, 2010. <http://tb.ohchr.org/default.aspx>.
5. U.S. Department of State. “Bahrain.” in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
6. Migrant Workers Protection Society official. E-mail communication to USDOL official. December 13, 2014.
7. Bahrain Center for Human Rights. *Stateless in Bahrain.* Copenhagen; 2014. <http://bahrainrights.org/sites/default/files/Stateless%20in%20Bahrain%20-%20Final.pdf>.
8. UN Committee on the Rights of the Child. *Consideration of reports submitted by States Parties under article 44 of the Convention - Concluding observations: Bahrain;* May-June, 2011. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/BHR/CO/2-3&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/BHR/CO/2-3&Lang=En).
9. Government of Bahrain. *Law No. 36 of 2012 on the Promulgation of the Labor Law in the Private Sector,* No. 36, enacted August 2, 2012. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/91026/105342/F265276925/BHR91026%20Eng.pdf>.
10. ILO NATLEX National Labor Law Database. *Ministerial Order No. 23 of 2013 determining the cases, circumstances and any other conditions, governing the employment of minors, and determining the occupations, industries and dangerous and hazardous works in which minors may not be employed or which may be harmful to their health, safety or ethical behavior in accordance with the various age stages. ;* accessed April 4, 2014; [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home).
11. Government of Bahrain. *Law No. 1 of 2008 on Combating Trafficking in Persons,* No. 1, enacted 2008. [http://www.unodc.org/res/cld/document/bhr/draft\\_law\\_no\\_1\\_of\\_2008\\_with\\_respect\\_to\\_trafficking\\_in\\_persons\\_html/Bahrain\\_TIP-Law\\_2008-ArEn.pdf](http://www.unodc.org/res/cld/document/bhr/draft_law_no_1_of_2008_with_respect_to_trafficking_in_persons_html/Bahrain_TIP-Law_2008-ArEn.pdf).
12. Government of Bahrain *Law No. 37 of 2012 on the Promulgating the Child Law,* No. 37, enacted August 29, 2012. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=BHR&p\\_classification=04&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=BHR&p_classification=04&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).
13. Government of Bahrain. *Decree No. 15 of 1975 on the Promulgation of the Penal Code,* enacted 1976. <http://www.moj.gov.bh/en/default.asp?action=article&id=939>.
14. Government of Bahrain. *Law No. 32 of 2002 on the Promulgation of Bahrain’s Defense Force Act,* No. 32, enacted September 24, 2002.
15. Government of Bahrain. *Law No. 27 of 2005 on Education,* No. 27, enacted 2005. <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=2416#VlixS9LF-So>.
16. Government of Bahrain. *Constitution of the Kingdom of Bahrain,* enacted 2002. <http://www.servat.unibe.ch/icl/ba00000.html>.
17. U.S. Embassy- Manama. *reporting, May 6, 2015.*
18. U.S. Embassy- Manama official. E-mail communication to USDOL official. March 30, 2011.
19. U.S. Embassy- Manama. *reporting, January 20, 2014.*
20. U.S. Embassy- Manama. *reporting, December 9, 2014.*
21. U.S. Embassy- Manama official. E-mail communication to USDOL official. March 8, 2015.
22. U.S. Embassy- Manama. *reporting, February 5, 2015.*
23. Government of Bahrain. *The decision of the Minister of Labor No. 29 of 2013 on the organization of the labor inspection,* No. 29, enacted 2013. <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=30300#VOuM8tLF-So>.
24. U.S. Embassy- Manama official. E-mail communication to USDOL official. March 6, 2014.
25. Ministry of Social Development. *Child Protection Centre,* Kingdom of Bahrain, [online] August 11, 2014 [cited November 17, 2014]; <http://www.social.gov.bh/node/348>.

# Bangladesh

## MODERATE ADVANCEMENT

In 2014, Bangladesh made a moderate advancement in its efforts to eliminate the worst forms of child labor. The Government formed the National Child Labor Welfare Council to coordinate its efforts to eliminate child labor, including its worst forms, but the Council did not meet during the reporting period. The Ministry of Labor and Employment also hired 152 new labor inspectors and provided training to new and existing inspectors. However, children in Bangladesh are engaged in child labor, including in agriculture and domestic work. The legal framework does not protect children working in informal economic sectors, including small farms, street work, and domestic work, where child labor is most prevalent.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bangladesh are engaged in child labor, including in agriculture and domestic work.(1, 2) Table 1 provides key indicators on children’s work and education in Bangladesh.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	10.1 (3,717,540)
Attending School (%)	5-14 yrs.	81.2
Combining Work and School (%)	7-14 yrs.	6.8
Primary Completion Rate (%)		74.6

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(3)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Labor Force Survey, 2005 – 2006.(4)

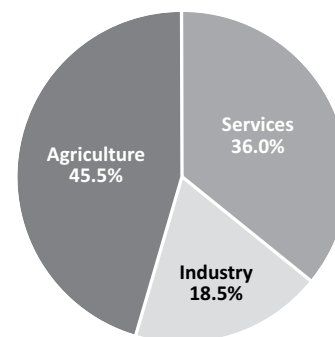
Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including gathering honey,* harvesting tea leaves,* and poultry farming (2, 5-8)
	Fishing* and drying fish (6, 7, 9)
	Harvesting and processing shrimp (2, 6, 10, 11)
	Mining salt† (5, 7)
Industry	Production of hand-rolled cigarettes ( <i>bidis</i> ),† bricks,† footwear,† garments, textiles, glass,† jute textiles, leather,† matches,† soap,† and steel furniture† (2, 5, 7, 12-18)
	Ship breaking† (2, 19, 20)
	Carpentry,* welding,*† and construction,* activities unknown (6, 7, 21)
	Domestic work (2, 5, 17)
Services	Pulling rickshaws* and street work, including garbage picking, recycling, vending, begging, and portering (2, 5, 6, 17)
	Working in hotels and restaurants* (2, 5, 21)
	Repairing automobiles*† (2, 5, 21)



**Figure 1. Working Children by Sector, Ages 5-14**



**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in the drying of fish and the production of bricks* (22-25)
	Forced begging* (26, 27)
	Used in drug dealing* (28)
	Commercial sexual exploitation,* sometimes as a result of human trafficking* (2, 29, 30)
	Street work and domestic work, each as a result of human trafficking* (27, 29)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Some children in Bangladesh work under forced labor conditions in the dried fish sector and in brick kilns to help pay off family debts to local moneylenders.(23, 31) Some Bangladeshi children are trafficked internally, and others are trafficked to India and Pakistan for commercial sexual exploitation. Bangladeshi children are also trafficked internally for street work and domestic work. (29) Gangs kidnap and force children to beg on the streets.(27)

By law, education is free and compulsory in Bangladesh through fifth grade, but several factors contribute to children not completing primary school, such as high student-teacher ratios and short school days of only 2 to 3 hours. The associated costs of teacher fees, books, and uniforms also prevent many children from attending school.(28)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bangladesh has ratified most key international conventions concerning child labor, including its worst forms (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Section 34 of the Bangladesh Labor Act (32)
Minimum Age for Hazardous Work	Yes	18	Sections 39 and 40 of the Bangladesh Labor Act (32)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section 40.3 of the Bangladesh Labor Act; Statutory Regulatory Order Number 65 (32, 33)
Prohibition of Forced Labor	Yes		Sections 370 and 374 of the Penal Code; Section 34 of the Constitution; Sections 2.15 and 9 of the Prevention and Suppression of Human Trafficking Act (34-36)
Prohibition of Child Trafficking	Yes		Section 12 of the Suppression of Violence Against Women and Children Act; Section 3 of the Prevention and Suppression of Human Trafficking Act (36, 37)



# Bangladesh

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 372 and 373 of the Penal Code; Section 12 of the Suppression of Immoral Traffic Act; Sections 5 and 6 of the Suppression of Violence Against Women and Children Act; Sections 78 and 80 of the Children's Act (34, 37-41)
Prohibition of Using Children in Illicit Activities	Yes		Sections 2.15 and 3 of the Prevention and Suppression of Human Trafficking Act; Section 79 of the Children's Act (36, 38, 40)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	16, 17	Air Force and Army regulation titles unknown (42, 43)
Compulsory Education Age	Yes	10	Section 2 of the Primary Education (Compulsory) Act (44)
Free Public Education	Yes		Article 17 of the Constitution (35)

\* No conscription (45)

The Bangladesh Labor Act excludes the informal economic sectors in which child labor is most prevalent, including domestic work, street work and small-scale agriculture.(32, 46)

The 2010 National Education Policy raised the age of compulsory education from grade 5 (age 10) to grade 8 (age 14); however, until the legal framework is amended to reflect the new compulsory education age, the policy is not enforceable.(2, 47-49)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Inspection for Factories and Establishments	Enforce labor laws, including those on child labor.(50)
Bangladesh Police	Enforce Penal Code provisions protecting children from forced labor and commercial sexual exploitation.(2, 46, 51)
Bangladesh Labor Court	Prosecute labor law cases, including child labor law violations. Impose fines or sanctions against employers that violate labor laws.(52)
Anti-Human Trafficking Police Unit	Investigate cases of human trafficking, forced labor, and commercial sexual exploitation, including those involving children. Enforce anti-trafficking provisions of the Prevention and Suppression of Human Trafficking Act.(2)
Child Protection Networks	Respond to a broad spectrum of violations against children, including child labor. Composed of officials from a variety of agencies with mandates to protect children, prosecute violations, monitor interventions, and develop referral mechanisms at the district and sub-district levels between law enforcement and social welfare services.(2, 6, 51)

Law enforcement agencies in Bangladesh took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Department of Inspection for Factories and Establishments (DIFE) hired 152 additional labor inspectors, bringing the total number of labor inspectors to 335, with 575 inspector positions authorized.(28) While the number of labor inspectors is insufficient for the size of Bangladesh's workforce, DIFE received approval to hire an additional 189 candidates.(53, 54) The Ministry of Labor and Employment (MOLE) provided labor law and inspection training to new and existing labor inspectors during the reporting period.(54) While labor inspectors received training on the Bangladesh Labor Act, which included child labor issues, inspectors did not receive training exclusively on child labor law enforcement.(52) The DIFE budget was increased from \$970,000 in 2013 to \$3 million for 2014 – 2015.(55)

During the reporting period, DIFE filed six cases of child labor violations with the Bangladesh Labor Court.(52) Information on the number of labor inspections and number of child labor law violations and penalties issued conducted is not available. DIFE conducts unannounced onsite inspections of factories and small businesses to investigate various labor issues, including child labor. (56) However, there are reports that inspections rarely occur at unregistered factories and establishments, where children are more likely to be employed.(10, 57)

Child labor complaints can be reported to the National Helpline Center for Violence Against Women and Children.(58) Research did not find information on the number of calls related to child labor. The penalty of a \$62 fine for a child labor law violation is an insufficient deterrent, and inspectors do not have the authority to directly issue citations or assess penalties.(6, 56) Research did not find whether a mechanism exists through which DIFE can refer children to a child protection network or refer cases involving child labor law violations to the Bangladesh Police.

In March 2014, MOLE, with support from the ILO, launched a publicly accessible database for labor inspections in all export factories in the ready-made garment sector. Currently the database includes synthesis reports from safety inspections conducted by the Alliance for Bangladesh Worker Safety, the Accord on Fire and Building Safety in Bangladesh, and the Bangladesh University of Engineering and Technology.(7)

### ***Criminal Law Enforcement***

In 2014, the Ministry of Home Affairs and UNICEF provided child interviewing training to 269 police officers, 267 Border Guard Bangladesh personnel, and 6 Coast Guard officers.(59) Information regarding the number of investigators responsible for enforcing laws against the worst forms of child labor is unavailable. Information on the number of investigations, the number of prosecutions, the number of convictions, and penalties implemented is unavailable. The anti-human trafficking police unit reportedly has insufficient funds and staff, and therefore lacks the resources to adequately address cases of child trafficking, forced child labor, and commercial sexual exploitation of children.(59)

The Bangladesh Police report that there were 592 cases of human trafficking and 8 convictions for crimes involving human trafficking during 2014. Disaggregated data for investigations and convictions involving child victims is not provided.(60) The police also report that 220 children were victims of human trafficking, and 156 children were recovered from human trafficking during 2014.(60) Information on the implementation of penalties for perpetrators of child human trafficking is not available for the reporting period.

The Bangladesh Police refer cases involving the worst forms of child labor to the District Magistrate to determine whether the case should be prosecuted. However, there is no formal mechanism by which the police refer children in the worst forms of child labor to the Child Protection Network or other child welfare service providers.(26) The Bangladesh Police may refer human trafficking victims to NGOs for protection and social services through informal mechanisms.(59)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
National Child Labor Welfare Council*	Coordinate efforts undertaken by various Government agencies to eliminate child labor, and advise on and assess the implementation of the National Child Labor Eradication Policy (NCLEP). Chaired by the Ministry of Labor and Employment, and composed of officials representing relevant Government ministries, international organizations, child advocacy groups, and employer and worker organizations.(61)
Counter-Trafficking National Coordination Committee, Ministry of Home Affairs (MHA)	Coordinate Government ministries involved in countering international and domestic trafficking in persons, including child trafficking.(62) Integrate the work of Government agencies and international and local NGOs on human trafficking through bimonthly coordination meetings. Oversee district counter-trafficking committees, which oversee anti-trafficking committees for sub-districts and for smaller administrative units.(26, 29, 62)

# Bangladesh

## MODERATE ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Rescue, Recovery, Repatriation, and Integration Task Force, MHA and UNICEF	Coordinate Bangladesh and India's efforts to rescue, recover, repatriate, and reintegrate trafficked persons, particularly children. Liaise with a variety of ministries, Government departments, NGOs, and international organizations that assist trafficked children.(26, 63)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In February 2014, the Government formally announced the formation of the National Child Labor Welfare Council; however, the Council did not meet during the reporting period.(64)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Bangladesh has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
NCLEP (2010 – 2015)	Guides law-making and policy-making to eliminate the worst forms of child labor through interventions that will remove children from the worst forms of child labor and provide them with viable work alternatives.(47, 50, 65)
Child Labor National Plan of Action (NPA) (2012 – 2016)	Identifies strategies for implementing and mainstreaming the NCLEP, including developing institutional capacity, increasing access to education and health services, raising social awareness, strengthening law enforcement, and creating prevention and reintegration programs.(66)
Sixth Five-Year Plan (2011 – 2015)	Includes the elimination of child labor as a Government priority and identifies the NCLEP and its NPA as the Government's central strategy to eliminate child labor.(67)
National Plan of Action to Combat Human Trafficking (2012 – 2014)	Establishes a consolidated framework for the national response to internal and cross-border human trafficking. Outlines a timeline for anti-human trafficking activities; specifies roles of different ministries and organizations to implement activities; sets out mechanisms for interagency coordination; and proposes a centralized system for monitoring, reporting, and evaluating.(62)
National Labor Policy	Includes provisions on the prohibition of child labor in the informal and formal employment sectors in urban and rural areas. States that the Government will take necessary actions to ensure that children do not engage in hazardous labor and aims to create opportunities for children to access primary education.(68)
National Education Policy*	Specifies the Government's education policy, including pre-primary, primary, secondary, vocational and technical, higher, and non-formal education policies. Increases the compulsory age for free education to grade 8 (age 14).(49)
National Plan of Action for Education for All (2003 – 2015)	Includes provisions that target child laborers for non-formal basic education programs.(69)
National Skills Development Policy	Outlines a skills development program for legally working-age children as a means of contributing to a workplace free from child labor.(70)
National Policy for Children	Aims to mitigate child labor by implementing steps set out in the NCLEP's strategies for eliminating child labor.(71)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In 2014, the Government drafted the National Corporate Social Responsibility Policy for Children, which will provide guidance to businesses in the formal and non-formal sector on how to respect and protect the rights of children.(28, 72) The Government is in the process of approving the Domestic Workers Protection and Welfare Policy, which was drafted in 2010. The policy would help protect the rights of child domestic workers and would make domestic work a hazardous occupation prohibited for children.(28, 73)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Bangladesh funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Eradication of Hazardous Child Labor, Phase III‡	Three-year Government program that targets 50,000 children between ages 10 and 14 for withdrawal from hazardous labor through non-formal education and skills development training.(47, 74)
Initiative to Eliminate Child Labor from Urban Slums and Rural Areas	UNICEF, the Ministry of Women and Children's Affairs, and the Ministry of Social Welfare (MSW) four-year project that provides conditional cash transfers and employment training, outreach and referral services, and social protection services for 500,000 children and 30,000 adolescents.(2)
Services for Children at Risk Project	MSW five-year program that provides integrated child protection services to children engaged in child labor, including its worst forms.(58)
Child Sensitive Social Protection Project	UNICEF-funded MSW program to reduce abuse, violence, and exploitation of children and youth by improving access to social protection services.(58)
Enabling Environment for Child Rights	Ministry of Women and Children's Affairs program, supported by UNICEF, that rehabilitates street children engaged in risky work.(28)
Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project†	USDOL-funded, capacity-building project implemented by the ILO in at least 10 countries to build local and national capacity of the Government to address child labor. Aims to improve legislation addressing child labor issues, including by bringing local or national laws into compliance with international standards; improve monitoring and enforcement of laws and policies related to child labor; develop, validate, adopt, and implement a National Action Plan on the elimination of child labor; and enhance the implementation of national and local policies and programs aimed at the reduction and prevention of child labor in Bangladesh.(75)
Global Action Program (GAP) on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. In Bangladesh, aims to improve the evidence base on child labor and forced labor through data collection and research.(76)
Expanding the Evidence Base and Reinforcing Policy Research for Scaling Up and Accelerating Action Against Child Labor	USDOL-funded, 3-year project implemented by the ILO-IPEC to provide technical assistance to develop a national child labor survey. The Bangladesh Bureau of Statistics collected data from January 1 to December 31, 2014, for a National Child Labor Survey as part of the Labor Force Survey.(77, 78)
Shelter Project‡	Nine shelters that provide services to women and children who have experienced violence, including human trafficking.(2)
National Helpline Center*	National Helpline Center for Violence Against Women and Children—operated 24/7, toll-free hotline. Provides support and guidance to children involved in violent and hazardous situations.(58)
Community-Based Working Child Protection Project‡	MHA project that aims to combat human trafficking in Dhaka. Objectives include enhancing preventive and protective measures, improving victim care, and strengthening the Government's capacity to prosecute human trafficking-related crimes.(40, 50, 79)
Actions for Combating Trafficking in Persons	USAID-funded and IOM-implemented project that aims to combat human trafficking, enhance preventive and protective measures, improve victim care, and strengthen the Government's capacity to prosecute human trafficking-related crimes.(2, 40, 50)
Employment Generation for the Ultra Poor, Phase II*‡	Government program, implemented by the Ministry of Disaster Management providing short-term employment for the rural poor.(80-82)
Vulnerable Group Development Program*‡	Government program that provides vulnerable families with food assistance and training in alternative income-generating opportunities.(50, 83, 84)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Bangladesh.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bangladesh (Table 9).





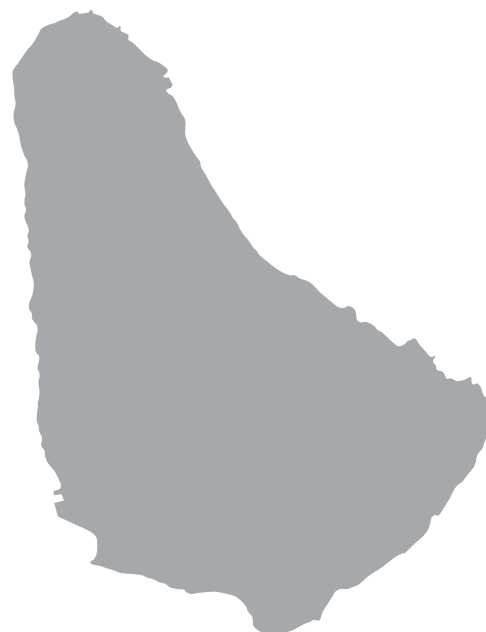
15. Human Rights Watch. *Toxic Tanneries: The Health Repercussions of Bangladesh's Hazaribagh Leather*. New York; October 2012. <http://www.hrw.org/sites/default/files/reports/bangladesh1012webcover.pdf>.
16. UCANEWS. "The Extremely Unhealthy Life of the Bangladesh Tannery Worker." [ucanews.com](http://www.ucanews.com) [online] March 5, 2014 [cited March 7, 2014]; <http://www.ucanews.com/news/the-extremely-unhealthy-life-of-the-bangladesh-tannery-worker/70421>.
17. International Research on Working Children. *The Worst Forms of Child Labour in Asia: Main Findings from Bangladesh and Nepal*. Leiden; 2010. <http://resourcecentre.savethechildren.se/sites/default/files/documents/3990.pdf>.
18. Bangladesh Institute of Labour Studies. *Health Hazards of Child Labour in Brick Kilns of Bangladesh*; 2014.
19. Alam, S. "Unsafe Ship Breaking: Sitakunda Yard, a Ticking Time-Bomb." *The Financial Express*, Dhaka, February 5, 2011; Saturday Feature. <http://recyclingships.blogspot.com/2011/02/unsafe-ship-breaking-sitakunda-yard.html>.
20. Federation for Human Rights. "Bangladesh Shipbreaking Still Dirty and Dangerous with at Least 20 Deaths in 2013." [fidh.org](http://www.fidh.org) [online] December 13, 2013 [cited March 7, 2014]; <http://www.fidh.org/en/asia/bangladesh/14395-bangladesh-shipbreaking-still-dirty-and-dangerous-with-at-least-20-deaths>.
21. Hossain, MA. "Socio-Economic Problems of Child Labor in Rajshahi City Corporation of Bangladesh: A Reality and Challenges." *Research on Humanities and Social Sciences*, 2(4):55-65 (2012); <http://www.iiste.org/Journals/index.php/RHSS/article/download/1796/1749>.
22. Bangladesh Bureau of Statistics. *Working Children in Dry Fish Industry in Bangladesh*. Dhaka; December 2011.
23. Jensen, KB. "Child Slavery and the Fish Processing Industry in Bangladesh." *Focus on Geography*, 56(no. 2)(2013);
24. U.S. Department of State. "Bangladesh," in *Trafficking in Persons Report-2014*. Washington, DC; 2014;
25. Manik, M. "Child Labour at Brick Crushing Factory in Bangladesh." January 7, 2014. <http://www.demotix.com/news/3625453/child-labour-brick-crushing-factory-bangladesh/all-media>.
26. U.S. Embassy- Dhaka. *reporting, March 3, 2014*.
27. Saad Hammadi, S, and Jason Burke. "Bangladesh Arrest Uncovers Evidence of Child Forced into Begging." *The Guardian*, London, January 9, 2011; World. <http://www.theguardian.com/world/2011/jan/09/bangladesh-arrest-forced-begging>.
28. U.S. Embassy Dhaka official. E-mail communication to USDOL official. April 13, 2015.
29. U.S. Department of State. "Bangladesh," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013;
30. Integrated Regional Information Networks. "More Data Needed on Abandoned Children, Trafficking." [IRINnews.org](http://www.irinnews.org) [online] September 6, 2012 [cited December 13, 2013]; [www.irinnews.org/printreport.aspx?reportid=96250](http://www.irinnews.org/printreport.aspx?reportid=96250).
31. U.S. Department of State. "Bangladesh," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226677.htm>.
32. Government of Bangladesh. *Labour Law*, enacted June 2, 2006.
33. Ministry of Labor and Employment-Child Labor Unit, Government of Bangladesh. *List of Worst Forms of Works for Children*. Dhaka; 2013.
34. Government of Bangladesh. *Penal Code*, Act No. XLV, enacted 1860.
35. Government of Bangladesh. *Constitution*, enacted March 26, 1971.
36. Government of Bangladesh. *The Prevention and Suppression of Human Trafficking Act*, enacted 2012.
37. Bangladesh. *The Suppression of Violence Against Women and Children*, enacted
38. Government of Bangladesh. *Children's Act*, No. 24, enacted June 20, 2013.
39. Government of Bangladesh. *Response of the Government of Bangladesh to the Questionnaire on Violence against Children*. Dhaka; 2010. [www2.ohchr.org/english/bodies/CRC/docs/study/responses/Bangladesh.pdf](http://www2.ohchr.org/english/bodies/CRC/docs/study/responses/Bangladesh.pdf).
40. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bangladesh (ratification:2000)* Published: 2010; accessed December 3, 2013; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO::>.
41. Bangladesh. *Suppression of Immoral Traffic Act*, enacted
42. Bangladesh Army. *Join Bangladesh Army*, Army Headquarters, AG's Branch, Personnel Administration Directorate, [online] [cited November 4, 2014]; <http://www.joinbangladesharmy.mil.bd/career-jobs>.
43. Bangladesh Air Force. *How to Apply: BAF Airman*, Bangladesh Air Force, [online] [cited November 11, 2014]; <http://www.baf.mil.bd/recruitment/howtoairman.html>.
44. Government of Bangladesh. *Primary Education (Compulsory) Act, 1990*, enacted 1990.
45. Government Bangladesh. *The Army Act, 1952*, enacted 1952. [http://bdlaws.minlaw.gov.bd/print\\_sections\\_all.php?id=248](http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=248).
46. Save the Children. *A Study on Child Rights Governance in Bangladesh* Dhaka; 2012. <http://www.scribd.com/doc/118626953/A-Study-on-Child-Rights-Governance-Situation-in-Bangladesh>.
47. ILO. *2012 Annual Review Under the Follow-up to the ILO 1998 Declaration Compilation of Baseline Tables*. Annual Review. Geneva; 2012. [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_091263.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_091263.pdf).
48. U.S. Embassy Dhaka official. E-mail communication to USDOL official. February 13, 2013.
49. Government of Bangladesh. *National Education Policy*. Dhaka; 2010.
50. Government of Bangladesh. *Written Communication*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 26, 2012) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; January 2013.
51. U.S. Embassy Dhaka official. E-mail communication to USDOL official. March 23, 2014.
52. Department of Inspection for Factories and Establishments, Government of Bangladesh. *Questions from U.S. Government*; February 24, 2015
53. ILO. *ILO Welcomes the Upgrading of the Bangladesh Labour Inspectorate*. Press Release. Dhaka; February 9, 2014. [http://www.ilo.org/dhaka/Informationresources/Publicinformation/Pressreleases/WCMS\\_235289/lang-en/index.htm](http://www.ilo.org/dhaka/Informationresources/Publicinformation/Pressreleases/WCMS_235289/lang-en/index.htm).
54. U.S. Embassy- Dhaka. *reporting, February 11, 2015*.
55. Department of Inspection for Factories and Establishments, Ministry of Labour and Employment, Government of Bangladesh. *Powerpoint Presentation*; November 2014.
56. USAID. *Bangladesh Labor Assessment*; April 2014. [source on file].
57. ICF International Inc. *Child Labor in the Informal Garment Production in Bangladesh*. Washington, DC; August 2012.
58. Government of Bangladesh. *U.S. Department of Labor Request for Information on Child Labor and Forced Labor*. Washington, DC; April 30, 2015.
59. U.S. Embassy- Dhaka. *reporting, February 17, 2015*.
60. Bangladesh Police Force. *Monthly Status of Human Trafficking Cases*, Government of Bangladesh, [online] [cited November 7, 2014]; <http://www.police.gov.bd/Human-Trafficking-Monthly.php?id=324>.
61. Ministry of Labor and Employment. *Circular: National Child Labor Welfare Committee* Government of Bangladesh; February 12, 2014.
62. Ministry of Home Affairs, Government of Bangladesh. *National Plan of Action for Combating Human Trafficking 2012-2014*. Dhaka; January 2012. <http://actbd.org/doc/NPA%20FINAL%20DRAFT%2026-01.pdf>.
63. Government of Bangladesh. *RRRI Task Force Cell*, [cited November 7, 2014] <http://antitraffickingcell.gov.bd/>.
64. U.S. Embassy- Dhaka official. E-mail communication to USDOL official. May 11, 2015.
65. Ministry of Labour and Employment. *National Child Labour Eradication Policy 2010*. Dhaka; March 2010.
66. Government of Bangladesh. *National Plan of Action for Implementing the National Child Labour Elimination Policy (2012-2016)*. Dhaka; 2013.
67. Government of Bangladesh. *Sixth Five Year Plan (FY2011-FY2015)*. Dhaka; 2011.
68. Ministry of Labor and Employment, Government of Bangladesh. *National Labor Policy*. Dhaka; 2012.

# Bangladesh

## MODERATE ADVANCEMENT

69. Government of the People's Republic of Bangladesh, Ministry of Primary and Mass Education. *National Plan of Action for Education for All 2003-2015 Components*. Dhaka; 2003. [http://www.mopme.gov.bd/index.php?option=com\\_content&task=view&id=456&Itemid=475](http://www.mopme.gov.bd/index.php?option=com_content&task=view&id=456&Itemid=475).
70. Ministry of Education, Government of Bangladesh. *National Skills Development Policy*. Dhaka; 2011. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms\\_113958.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_113958.pdf).
71. Ministry of Women and Children's Affairs, Government of Bangladesh. *National Children Policy*. Dhaka; February 2011. <http://www.mowca.gov.bd/wp-content/uploads/National-Child-Policy-2011.pdf>.
72. Global Business Coalition for Education. *Supporting the Right to Education in Bangladesh*, [cited May 14, 2015];
73. "Approval of Draft Domestic Worker Protection and Welfare Policy 2010." The Daily Star, Dhaka, December 28, 2013; Round Table. <http://www.thedailystar.net/round-table/approval-of-draft-domestic-worker-protection-and-welfare-policy-2010-4307>.
74. Ministry of Labour and Employment, Government of Bangladesh. *Selection of NGOs for Survey, Non-Formal Education, and Skills Development Training*. Dhaka; 2011.
75. ILO-IPEC. *Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project*. Technical Progress Report. Geneva; April 2014.
76. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2014.
77. ILO-IPEC. *Global SIMPOC*. Technical Progress Report. Geneva; October 2013.
78. ILO-IPEC. *Global SIMPOC*. Technical Progress Report. Geneva; April 2013.
79. Ministry of Labour and Employment. *Annual Review concerning Country Baseline Update under the ILO Declaration*. Dhaka; August 7, 2011.
80. Ahmad, R. "Safety Net Scheme Draws Global Focus." The Daily Star, Dhaka, October 4, 2011. <http://archive.thedailystar.net/newDesign/news-details.php?nid=205103>.
81. "Bangladesh Starts Employment Generation Program for Extreme Poor." China Daily USA, New York, January 21, 2010; Global General. [http://www.chinadaily.com.cn/world/2010-01/21/content\\_9358496.htm](http://www.chinadaily.com.cn/world/2010-01/21/content_9358496.htm).
82. Bangladesh Awami League. *Government's Successful Employment Scheme for the Ultra Poor*, [cited November 10 2014]; <http://www.albd.org/-parbonc/index.php/en/updates/news/1079-government-s-successful-employment-scheme-for-the-ultra-poor>.
83. Ministry of Women and Children Affairs, Government of Bangladesh. *Medium Term Expenditure*. Dhaka; 2011. [www.mof.gov.bd/en/budget/11\\_12/mtbf/en/30\\_Women.pdf](http://www.mof.gov.bd/en/budget/11_12/mtbf/en/30_Women.pdf).
84. *Vulnerable Group Development Program*, HEED Bangladesh, [online] August 27, 2011 [cited April 4, 2014]; [http://www.heed-bangladesh.com/index.php?option=com\\_content&view=article&id=74&Itemid=104](http://www.heed-bangladesh.com/index.php?option=com_content&view=article&id=74&Itemid=104).

*In 2014, Barbados made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government created the National Committee for Monitoring the Rights of the Child to protect the rights of children and to implement the UN CRC. The Government also supported and continued social programs that may help prevent child labor. However, although the problem does not appear to be widespread, children in Barbados are engaged in the worst forms of child labor, including in drug trafficking and in commercial sexual exploitation sometimes as a result of human trafficking. Important legislative gaps remain. For example, Barbados lacks a legally enforceable list of hazardous occupations prohibited for children. In addition, the Government does not have a comprehensive policy framework to address all relevant forms of child labor.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children are engaged in the worst forms of child labor, including in drug trafficking and in commercial sexual exploitation sometimes as a result of human trafficking, in Barbados.(1-7) Table 1 provides key indicators on children's work and education in Barbados. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.5 (1300)
Attending School (%)	5-14 yrs.	99.3
Combining Work and School (%)	7-14 yrs.	3.9
Primary Completion Rate (%)		104.0

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2015.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Used in illicit activities, including drug trafficking* (1-5, 10)
	Commercial sexual exploitation sometimes as a result of human trafficking* (3-5, 7, 10)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Older men reportedly engage children in commercial sexual exploitation in exchange for material goods.(7) The Government has acknowledged the need to conduct a national survey to assess the prevalence of the worst forms of child labor in Barbados.(11) However, it does not appear that the Government has undertaken such research.(2, 11, 12)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR




Barbados has ratified some key international conventions concerning child labor (Table 3).



# Barbados

## MINIMAL ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government of Barbados has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography or the Palermo Protocol on Trafficking in Persons.

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Articles 2, 10-12, and 14 of the Employment (Miscellaneous Provisions) Act; Article 5 of the Recruiting of Workers Act (13, 14)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 8 of the Employment (Miscellaneous Provisions) Act (13)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Articles 33-34 of the Offenses Against the Person Act (15, 16)
Prohibition of Child Trafficking	Yes		Articles 2, 8, and 10 of the Transnational Organized Crime (Prevention and Control) Act (17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 13 and 16-17 of the Sexual Offenses Act; Articles 2-3 of the Protection of Children Act (18, 19)
Prohibition of Using Children in Illicit Activities	Yes		Article 22 of the Drug Abuse (Prevention and Control) Act (20)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 19 of the Defence Act (21)
Compulsory Education Age	Yes	16	Articles 2, 41, 41A, and 43 of the Education Act (22)
Free Public Education	Yes		Articles 2 and 52 of the Education Act (22)

\* No conscription (23)

Part IV of the Employment Act sets the minimum age of employment at 16 for industrial undertakings, but not for all kinds of work.(13) The Recruiting of Workers Act specifies that children between the ages of 14 and 16 can be engaged in light work with parental or guardian consent.(14) However, a list of occupations constituting light work has not been established.(5, 24) The Employment Act prohibits the engagement of children below the age of 18 in night work and any occupation that is likely to harm their safety, health, or morals. This includes industrial undertakings such as mining and quarrying.(13) However, despite reports that the Ministry of Labor (MOL) has created a comprehensive list of hazardous occupations prohibited to all children under the age of 18, it does not appear that this list has been incorporated into law or regulation.(4, 11, 25)

The Defence Act sets the minimum age for voluntary enlistment at 18.(21) However, those who wish to enlist before age 18 can do so with parental consent if they are at least 17 years and 9 months old.(4, 23)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)	Conduct labor inspections and enforce child labor laws.(2, 4)
Royal Barbados Police Force (RBPF)	Make criminal arrests, in part through its Sex Crimes and Trafficking Unit, for infractions involving the trafficking and commercial sexual exploitation of children, as well as the use of children in illicit activities, including drug trafficking.(2, 4, 26)
Office of the Director of Public Prosecutions	Prosecute criminal offenses, including cases of commercial sexual exploitation and human trafficking.(27)

Law enforcement agencies in Barbados took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the MOL employed 16 labor inspectors to enforce labor laws, which is one less than the 17 labor inspectors it employed in 2013. Inspectors did not receive training on child labor issues during the reporting period.(6) Although information on the MOL's budget was not made publicly available, the Government reported that the level of funding was sufficient with regard to the scope of child labor in Barbados.(6)

Research could not determine the number of labor inspections conducted by the MOL's inspectors during the reporting period. Information was also not publicly available on the sectors or geographic areas in which these inspections were carried out.(6) The MOL reported that it did not conduct inspections specifically devoted to child labor, but checked for child labor during routine inspections. There were no reported violations of child labor laws during these inspections, and there were no complaints of child labor reported to the MOL or the Royal Barbados Police Force (RBPF).(6)

#### *Criminal Law Enforcement*

In 2014, the MOL's 16 inspectors also enforced criminal laws prohibiting the worst forms of child labor in conjunction with the RBPF.(6) Research did not identify the number of criminal investigators employed by the RBPF. Research could also not determine whether criminal investigators received training on the worst forms of child labor during the reporting period.(6) Although information on the level of funding for criminal investigations, including of the worst forms of child labor, was not publicly available, the Government reported that its resources were sufficient with respect to the scope of the problem.(6)

The MOL recognizes the existence of some of the worst forms of child labor in Barbados, including limited commercial sexual exploitation and drug trafficking. However, the MOL reported that there were no investigations of the worst forms of child labor conducted in 2014.(6) The RBPF reported that its Sex Crimes and Trafficking Unit investigated eight suspected cases of sex trafficking during the reporting period; only one case qualified for prosecution under trafficking legislation, and its investigation is ongoing. However, research could not determine whether any of these cases involved children.(27) In Barbados, victims of trafficking and related crimes are referred by law enforcement agencies to the Bureau of Gender Affairs, which coordinates further assistance with NGOs.(27)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Task Force for the Prevention of Human Trafficking	Train personnel to identify victims of trafficking among vulnerable populations and sensitize government officials to trafficking issues. Composed of representatives of 13 agencies, including several government ministries, law enforcement agencies, and NGOs. Initiated the Sex Crimes and Trafficking Unit within the Police force.(2, 6, 26, 28) Led by the Office of the Attorney General.(27)

# Barbados

## MINIMAL ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Child Labor Committee	Coordinate efforts to eliminate child labor among government agencies, law enforcement, NGOs, and other civil society organizations. Established by the MOL in 2004.(2, 10)
National Committee for Monitoring the Rights of the Child*	Advocate, advise, and make recommendations on issues and policies aimed at protecting and promoting the rights of children. Facilitate public outreach to sensitize communities and build partnerships with respect to the implementation of the Convention on the Rights of the Child, which includes protections against the commercial sexual exploitation of children and the use of children in illicit activities, such as drug trafficking.(29)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

It has been reported that the Child Labor Committee has not been active for several years due to a reported absence of child labor cases.(2, 4, 6)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Barbados has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Work Plan on Human Trafficking	Addresses human trafficking in Barbados, including of children, and contains specific measures with regard to the prosecution of violators, the protection of victims, and the prevention of trafficking.(4, 26)

In September 2014, Barbados hosted and participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued cooperation on labor issues throughout the Americas, including on the exchange of information on policies and programs that seek to formalize the informal sector. Specific discussions were held on strategies for the prevention and elimination of child labor.(30-32)

The Government does not have a comprehensive policy framework to address all worst forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Barbados funded programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Identification, Stabilization, Enablement, and Empowerment Bridge Program*‡	Ministry of Social Care, Constituency Empowerment, and Community Development program that aims to reduce poverty by addressing employment and education.(33, 34) Targets 30 families to work closely with social workers.(2, 4, 34, 35)
UNICEF Multi-Country Program for the Eastern Caribbean (2012 – 2016)*	Government of Barbados and UNICEF initiatives that address women's and children's issues. Includes the Health and Family Life Education Curriculum and the Schools Positive Behavior Management Program (formerly the Child Friendly School Initiative).(3, 36)
School Meal Subsidy*‡	Ministry of Education, Science, Technology and Innovation program that targets low-income families to encourage school attendance.(2, 4)
Child Labor Awareness Campaign	National Task Force for the Prevention of Human Trafficking campaign to raise public awareness of child labor. Aired over the radio.(6)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Barbados.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Barbados (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Ensure the minimum age for employment is 16 for all sectors of economic activity.	2009 – 2014
	Adopt a list of occupations or activities constituting light work permissible for children authorized to conduct light work.	2012 – 2014
	Officially incorporate into the legal framework and make publicly available a list of hazardous occupations prohibited for children.	2011 – 2014
Enforcement	Ensure that labor inspectors and criminal investigators receive training on child labor, including its worst forms.	2013 – 2014
	Publicly report on the number of labor inspections conducted, including for child labor, and report on the sectors and geographic areas in which inspections are carried out.	2013 – 2014
	Publicly report on the number of criminal investigators employed by the RBPF to investigate the worst forms of child labor.	2014
	Ensure that inspections are conducted to identify children in the worst forms of child labor, in particular the commercial sexual exploitation of children and the use of children in drug trafficking, and make their results publicly available.	2010 – 2014
Coordination	Reactivate the Child Labor Committee to coordinate government efforts to combat the worst forms of child labor.	2011 – 2014
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, including the commercial sexual exploitation of children and the use of children in drug trafficking.	2013 – 2014
Social Programs	Conduct a comprehensive study to assess the nature and extent of the worst forms of child labor, in particular the commercial sexual exploitation of children and the use of children in drug trafficking. Use the results of this study to develop policies and programs that address the worst forms of child labor.	2009 – 2014
	Assess the impact that the existing school meals and poverty reduction programs may have on addressing the worst forms of child labor, especially the commercial sexual exploitation of children and drug trafficking.	2010 – 2014

## REFERENCES

- Government of Barbados- Ministry of Labour. *FAQs about Child Labour*, [online] [cited November 5, 2014]; <https://labour.gov.bb/child-labour-faqs>.
- U.S. Embassy- Bridgetown. *reporting, February 6, 2013*.
- Gill, J. "Children Issues Must Be A Priority." BGIS Media, February 17, 2011. [http://gisbarbados.gov.bb/index.php?categoryid=3&tp2\\_articleid=5283](http://gisbarbados.gov.bb/index.php?categoryid=3&tp2_articleid=5283).
- U.S. Embassy- Bridgetown. *reporting, January 16, 2014*.
- U.S. Department of State. "Barbados," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220630.pdf>.
- U.S. Embassy- Bridgetown. *reporting, January 14, 2015*.
- U.S. Department of State. "Barbados," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Government of Barbados- Ministry of Labour. *What is Child Labour?*, [online] [cited November 5, 2014]; <https://labour.gov.bb/child-labour?highlight=child%20labour>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Barbados (ratification: 2000) Published: 2012*; accessed November 2, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:20010::>.
- Caribbean Press Release. "Fighting child labour: Government pledges to safeguard informal sector." September 20, 2014. <http://www.barbadostoday.bb/2014/09/20/fighting-child-labour/>.
- Government of Barbados. *Employment (Miscellaneous Provisions) Act*, enacted March 24, 1977. <http://www.caricomlaw.org/>.
- Government of Barbados. *Recruiting of Workers Act*, Chapter 354, enacted 1938.
- Government of Barbados. *Offences against the Person Act*, enacted 1994. <http://www.caricomlaw.org/docs/offences%20Against%20the%20Person.pdf>.
- Government of Barbados. *Constitution*, enacted November 22, 1966. <http://bit.ly/AkZ0G9>.
- Government of Barbados. *Transnational Organized Crime (Prevention and Control) Act*, enacted February 2011. <http://bit.ly/ys6wG0>.
- Government of Barbados. *Sexual Offences Act*, Chapter 154, enacted 1992. <http://www2.ohchr.org/english/bodies/hrc/docs/ngos/lgbti2.pdf>.



# Barbados

## MINIMAL ADVANCEMENT

19. Government of Barbados. *Protection of Children Act*, Chapter 146A, enacted 1991. <http://uni.cf/wa2G9w>.
20. Government of Barbados. *Drug Abuse (Prevention and Control) Act*, Chapter 131, enacted 1991. <http://bit.ly/yphjXB>.
21. Government of Barbados. *Defence Act 1979-25*, Chapter 159, enacted August 15, 1979. <http://barbadosparliament-laws.com/en/ShowPdf/159.pdf>.
22. Government of Barbados. *Barbados Education Act*, enacted 1997.
23. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
24. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Barbados (ratification: 2000) Published: 2010*; accessed November 2, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:20010::>.
25. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Barbados (ratification: 2000) Published: 2011*; accessed November 2, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:20010::>.
26. Ministry of Home Affairs/BGIS. "Statement on Human Trafficking." [gisbarbados.gov.bb](http://gisbarbados.gov.bb/index.php?categoryid=9&p2_articleid=11280) [online] September 18, 2013 [cited January 28, 2014]; [http://gisbarbados.gov.bb/index.php?categoryid=9&p2\\_articleid=11280](http://gisbarbados.gov.bb/index.php?categoryid=9&p2_articleid=11280).
27. U.S. Embassy- Bridgetown. *reporting, February 13, 2015*.
28. Caribbean Press Release. "Barbados: Task Force Set Up To Pre-Empt Human Trafficking." March 17, 2012. <http://www.caribbeanpressreleases.com/articles/9266/1/Barbados-Task-Force-Set-Up-To-Pre-Empt-Human-Trafficking-/Page1.html>.
29. Ramsay-Moore, K. "Committee To Monitor Child Rights Re-Launched." BGIS Media, July 22, 2014. [http://gisbarbados.gov.bb/index.php?categoryid=8&p2\\_articleid=12691](http://gisbarbados.gov.bb/index.php?categoryid=8&p2_articleid=12691).
30. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
31. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
32. Government of Barbados. "News - Conference to Discuss Regional Labour Concerns." [labour.gov.bb](http://labour.gov.bb) [online] September 18, 2014 [cited November 4, 2014]; <https://labour.gov.bb/news/144?printable=yes>.
33. Lightbourne, T. "Poverty Alleviation through ISEE Bridge Programme." The Barbados Advocate, Fontabelle, July 27, 2010; Local. <http://bit.ly/xOXpbE>.
34. U.S. Embassy Bridgetown official. E-mail communication to USDOL official. January 30, 2012.
35. Ministry of Social Care. *I.S.E.E Bridge Programme*. Bridgetown, Ministry of Social Care, Constituency, Empowerment, Urban and Rural Development; 2012.
36. UNICEF. *2012-16 Multi-Country Programme for the Eastern Caribbean*, UNICEF [online] [cited December 9, 2014]; <http://www.unicef.org/easterncaribbean/activities.html>.

*In 2014, Belize made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government provided training on child labor issues to law enforcement agencies, and developed a new program to train officials on its trafficking in persons and commercial sexual exploitation legislation, passed in 2013. However, children in Belize are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Important gaps in the country's legal framework remain. Belize does not set a minimum age of 14 for work for all sectors, and the country lacks a list of hazardous occupations that are prohibited for children. In addition, the Government does not appear to have programs that aim to reduce child labor in agriculture, a sector in which it remains prevalent.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Belize are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of trafficking.(1-4) The 2011 Multiple Indicator Cluster Survey, conducted by UNICEF in collaboration with the Government, found that child labor is more prominent in children ages 5 to 11 than in children ages 12 to 14, and that child labor was more prevalent in rural areas.(5, 6) Table 1 provides key indicators on children's work and education in Belize.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	8.3 (6,934)
Attending School (%)	5-14 yrs.	93.5
Combining Work and School (%)	7-14 yrs.	8.9
Primary Completion Rate (%)		116.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting bananas, citrus fruits, and sugarcane (2, 3, 6, 9-11)
Services	Street vending (10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1-4, 11, 12)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Agricultural work and street vending are reported to often take place in the company of parents.(3, 10, 11) Some reports indicate that some children working in the agricultural sector may be vulnerable to human trafficking or forced labor.(1, 4) Children's access to education is sometimes hindered when schools charge fees and where parents must pay for textbooks, uniforms, and meals.(12-14)




# Belize

## MINIMAL ADVANCEMENT

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Belize has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	12	Articles 54, 164, and 169 of the Labor Act; Articles 2-3 of the Shops Act (15, 16)
Minimum Age for Hazardous Work	Yes	14	Articles 2 and 7 of the Families and Children Act; Articles 2 and 164 of the Labor Act (15, 17)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Articles 157-158 of the Labor Act (15, 18)
Prohibition of Child Trafficking	Yes		Articles 11-14 of the Trafficking in Persons (Prohibition) Act, 2013; Article 9 of the Commercial Sexual Exploitation of Children (Prohibition) Act, 2013; Articles 49-51 of the Criminal Code (19-21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 2, 11, and 13-14 of the Trafficking in Persons (Prohibition) Act, 2013; Articles 2-9 of the Commercial Sexual Exploitation of Children (Prohibition) Act, 2013; Articles 49-51 of the Criminal Code (19-21)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 16 of the Defence Act (22)
Compulsory Education Age	Yes	14	Articles 2 and 59 of the Education and Training Act; Articles 2 and 34 of the Education Act (13, 23)
Free Public Education	Yes		Article 70 of the Education and Training Act; Article 45 of the Education Act (13, 23)

\* No conscription (24)

Article 169 of the Labor Act sets the general minimum age of employment at 12 years, which does not conform to international standards.(15, 25) However, Article 3(1) of the Shops Act, sets the minimum age at 14 for work in wholesale or retail trade or business.(16)

Belizean law is not consistent with international standards regarding hazardous work. Under Article 164 of the Labor Act, children under the age of 14 are prohibited from working in industrial undertakings.(15) Article 2 of the Labor Act defines industrial undertakings to include activities such as mining, manufacturing, and construction.(15) While Article 7 of the Families and Children Act prohibits children under the age of 18 from being employed or engaged in any activity that may be detrimental to

the child's health, education, or mental, physical, or moral development, Belizean law is silent on which activities these might be and this Article is subject to the Labor Act which explicitly permits children over the age of 14 to work in industrial undertakings. (17) Research therefore determined that Belizean law lacks a list of comprehensive activities prohibited to all children under 18.

The Commercial Sexual Exploitation of Children (Prohibition) Act and the Criminal Code prohibit all forms of child sexual exploitation, including child pornography.(20, 21) However, Article 3(2) of the Commercial Sexual Exploitation of Children (Prohibition) Act permits consensual sex with a child ages 16 and 17, where a person gives or promises remuneration, gifts, goods, food, or other benefits. This provision leaves these children vulnerable to the worst forms of child labor.(20, 26, 27)

In addition, research could not determine whether there are laws that prohibit the use of children in specific illicit activities, such as drug trafficking.(28) Although Article 70 of the Education and Training Act and Article 45 of the Education Act make primary and secondary education tuition-free in Belize, schools may charge fees with the approval of the Chief Education Officer.(13, 23)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Local Government, and Rural Development (MOL)	Enforce laws related to child labor and hazardous child labor through its Labor Department.(9, 11)
Ministry of Human Development and Social Transformation's Department of Human Services (DHS)	Receive referrals regarding child labor cases and train immigration officials, labor inspectors, and the Belize Police Department in making referrals.(3, 9) Provide welfare services for victims, including medical and social services.(29)
Belize Police Department (BPD)	Investigate cases of commercial sexual exploitation and human trafficking through its Sexual Offense and Family Violence Units.(3, 6, 9)
Office of the Director of Public Prosecution	Prosecute criminal offenses, including cases of commercial sexual exploitation and human trafficking.(30)

Law enforcement agencies in Belize took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Labor Department employed 26 labor inspectors, which was the same number of inspectors employed in 2013. These inspectors operated in 10 offices throughout the country.(3, 11) All of the inspectors received training on labor inspections, including on child labor issues, from the Labor Commissioner.(11) The budget allocation for the Labor Department for the reporting period was approximately \$765,000, although the exact amount dedicated to labor inspections was not publicly available.(29)

Labor inspectors conduct routine and complaint-driven labor inspections. Reports indicate that labor inspections in rural, agricultural areas were hampered by a lack of resources, including vehicles and fuel.(11) The Labor Department reported that approximately 1,800 labor inspections were conducted during the reporting period. However, information on the different sectors and geographic areas in which they were performed was not publicly available.(11, 31) The Labor Department did not report any child labor violations during the reporting period. As a result, it reported that there were no children removed from child labor, fines issued, or penalties assessed.(11)

#### *Criminal Law Enforcement*

In 2014, the Labor Department, including its 26 labor inspectors, enforced criminal laws on the worst forms of child labor in coordination with the Belize Police Department (BPD).(11) During the reporting period, the BPD increased the number of police officers it assigned to investigate human trafficking from one to three officers. The Office of the Director of Public Prosecution continued to employ nine criminal investigators, a number reported to be insufficient to effectively investigate all criminal offenses in the country, including the worst forms of child labor.(30)



# Belize

## MINIMAL ADVANCEMENT

During the reporting period, training on human trafficking issues was provided to 258 government officials, which included labor inspectors, immigration officials, and social workers.(30) In late 2014, the Ministry of Human Development and the National Committee for Families and Children initiated a program to train labor inspectors and other government officials on the Commercial Sexual Exploitation of Children (Prohibition) Act and the Trafficking in Persons (Prohibition) Act, both of which were passed in 2013. The training sessions, supported with funding from UNICEF, began in late 2014 and were scheduled to continue into 2015.(11, 29) Reports indicate that criminal investigators and police officers lacked sufficient resources, including a lack of vehicles, to effectively investigate for violations of criminal law, including the worst forms of child labor.(30)

During the reporting period, the Government reported that there were no investigations pursuant to criminal laws on child labor. The Government reported that there were five ongoing investigations into crimes of human trafficking, and one active prosecution; however, it is not known if any of these cases involved children.(11, 30)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Child Labor Committee (NCLC)	Coordinate efforts between Ministries to combat child labor and implement National Child Labor Policy. Led by the MOL and comprised of 14 government and civil society members.(6, 9, 25)
Anti-Trafficking in Persons Council (ATIP)	Identify and rescue trafficking victims, train law enforcement officials, and educate the public about the commercial sexual exploitation of children. Led by the Vice Minister of Human Development and Social Transformation and includes 12 other government agencies and civil society organizations.(4, 6, 9, 32)
National Committee for Families and Children (NCFC)	Promote, monitor, and evaluate Belize's compliance with its national and international commitments to children, including the UN CRC, which includes protections against the commercial sexual exploitation of children and the use of children in illicit activities, such as drug trafficking.(29)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Belize has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Child Labor Policy	Establishes a rights-based framework to eradicate child labor. Priority areas include strengthening current child labor laws, creating new legislation to address existing gaps, and providing educational assistance to children who have been or who are currently engaged in child labor.(6, 33) Promotes awareness and advocacy efforts, strengthening of government institutions and services, and training of labor officers to identify and provide care to children engaged in child labor.(6, 25, 33)
Anti-Trafficking in Persons Strategic Plan of Action (2013–2015)	Charts a human rights, victim-centered approach to human trafficking that focuses on prevention, protection, and prosecution. Developed in 2012 in cooperation with the IOM; defines the roles and responsibilities of the ATIP Council's constituent members.(4)
CARE Model	Coordinates protection, care, and monitoring of sexually exploited and trafficked children. Outlines the role of the DHS and the BPD in receiving allegations of commercial sexual exploitation of children, makes referrals to other agencies for services, and protects children from future exploitation.(9, 32)
National Plan of Action for Children and Adolescents (2004–2015)	Calls for the revision of child labor legislation and includes the following three aims: (1) establishing protocols to improve interagency coordination; (2) increasing institutional capacity to enforce legislation; and (3) strengthening child labor prevention programs, including the creation of awareness-raising campaigns. Prioritizes child labor issues, including the worst forms of child labor.(3-6, 34)
National Development Framework, Horizon 2030*	Promotes economic growth and national well-being. Recognizes education as a basic human right and ensures access to quality education through secondary school.(35, 36)
Ministry of Education's Early Childhood Development Policy	Promotes the rights of children, from conception to age 8, and provides support to all primary caregivers. Aims to develop innovative programs targeting families of child laborers, particularly those engaged in the worst forms of child labor, and ensure those children attend school.(37)
Ministry of Education's Belizean Education Sector Strategy (2011–2016)*	Aims to improve quality and accessibility of education by focusing on retention rates, years of attendance, and teacher training. Stems from collaboration between the Ministry of Education, the Caribbean Development Bank, and other educational stakeholders.(38)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In September 2014, Belize participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor, to foster continued cooperation on labor issues throughout the Americas, including on the exchange of information on policies and programs that seek to formalize the informal sector. Specific discussions were held on strategies for the prevention and elimination of child labor.(39, 40)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Belize funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Building Opportunities for Our Social Transformation (BOOST) program*‡	Government initiative to reduce poverty, funded in part by the World Bank, that provides monetary incentives for families who comply with program requirements.(6, 41) Families must ensure that children ages 5 to 17 maintain annual school attendance record of 85 percent.(6, 9, 41, 42) Program continued to expand in 2014.(11)
Primary School Completers Subsidy Program*‡	Government education program that increases school enrollment by providing families with cash subsidies contingent upon children completing primary education.(6, 11, 43)
Certification of Primary School Teachers Program*‡	Countrywide teacher training program that improves quality of instruction, school attendance, and completion rates.(6)
Enhancement of the Belize Teaching Force*	\$1.2 million project, financed by the IDB, that trains teachers to improve instruction and increase both school attendance and completion rates.(44)
Special Envoy for Women and Children Outreach Program‡	Special Envoy for Women and Children campaign that raises awareness of the commercial sexual exploitation of children; includes hosting conferences and producing public service messages.(3, 11)
Global Action Program on Child Labor Issues Project	USDOL project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to improve evidence base on child labor through data collection and research.(45)
UNICEF Country Program (2013–2016)*	UNICEF program to advance the rights of children by building institutional capacity to reduce disparities and inequalities, promote early childhood development, and increase educational opportunities. Geographic areas of focus include southern Belize and the south side of Belize City.(46)
“Make Your Child Count” Birth Registration Campaign*	UNICEF project that encourages parents to register children at birth to facilitate their access to education and health benefits.(11)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Belize.

Although the Government of Belize has a program to address the commercial sexual exploitation of children, research found no evidence that it has carried out programs to assist children working specifically in agriculture. The Government continues to face budgetary constraints for social programs that address child labor, and poverty remains high.(3)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Belize (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law prohibits commercial sexual exploitation with children ages 16 and 17.	2013 – 2014
	Ensure the minimum age for work is 14 in all sectors.	2013 – 2014
	Adopt a list of hazardous occupations and activities prohibited for children and ensure that all children under the age of 18 are prohibited from engaging in hazardous work.	2009 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit the use of children in specific illicit activities, such as drug trafficking.	2013 – 2014
Enforcement	Ensure that law enforcement agencies have sufficient resources to conduct labor inspections and criminal investigations.	2009, 2011 – 2014
	Make information publicly available on enforcement efforts to combat the worst forms of child labor, including the number of complaints, criminal investigations, convictions, and penalties.	2009 – 2014
	Ensure that law enforcement officers receive the scheduled training on the new laws on trafficking in persons and commercial sexual exploitation.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into national education and development policies.	2012 – 2014
Social Programs	Increase access to education by eliminating all fees as well as providing textbooks, uniforms, and meals.	2011 – 2014
	Develop new programs aimed at reducing the worst forms of child labor, including in agriculture.	2009 – 2014
	Assess the impact that current government programs that aim to increase access to secondary education, improve teacher training, and provide comprehensive early childhood education have on the worst forms of child labor.	2012 – 2014

### REFERENCES

- U.S. Department of State. "Belize," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- International Trade Union Confederation (ITUC). *Internationally Recognized Core Labour Standards In Belize: Report for the WTO General Council Review of the Trade Policies of Belize*. Brussels; 2010. [http://www.ituc-csi.org/IMG/pdf/Belize\\_final.pdf](http://www.ituc-csi.org/IMG/pdf/Belize_final.pdf).
- U.S. Embassy- Belmopan. *reporting, January 21, 2014*.
- UN Human Rights Council. *Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo*; June 11, 2014. <http://www.ohchr.org/EN/Issues/Trafficking/Pages/visits.aspx>.
- UNICEF. *Multiple Indicator Cluster Survey (MICS) Belize Final Report*. New York; November 2011. [http://www.childinfo.org/mics4\\_surveys.html](http://www.childinfo.org/mics4_surveys.html).
- U.S. Embassy- Belmopan. *reporting, February 27, 2013*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Belmopan. *reporting, January 27, 2012*.
- U.S. Department of State. "Belize," in *Country Reports on Human Rights Practices-2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Belmopan. *reporting, January 22, 2015*.
- UNICEF. *The Situation Analysis of Children and Women in Belize 2011: An Ecological Review*. Belize City; July 2011. [http://www.unicef.org/sitan/files/SitAn\\_Belize\\_July\\_2011.pdf](http://www.unicef.org/sitan/files/SitAn_Belize_July_2011.pdf).
- Government of Belize. *Education Act*, enacted December 31, 2000. <http://www.belizelaw.org/lawadmin/index2.html>.
- National Human Development Advisory Committee and Ministry of Economic Development, Commerce and Industry, Consumer Protection. *2009 Country Poverty Assessment*. Belmopan; August 2010. <http://www.belize.gov.bz/public/Attachment/131612504571.pdf>.
- Government of Belize. *Labour Act, Revised*, enacted December 31, 2000. <http://www.belizelaw.org/lawadmin/index2.html>.
- Government of Belize. *Shops Act, Chapter 287, Revised Edition 2000*, enacted December 31, 2000. <http://www.belizelaw.org/web/lawadmin/index2.html>.
- Government of Belize. *Families and Children Act, Revised Edition*, enacted December 31, 2000. <http://www.belizelaw.org/lawadmin/index2.html>.
- Government of Belize. *The Constitution of Belize, Revised Edition*, enacted December 31, 2000. <http://www.belizelaw.org/lawadmin/index2.html>.
- Government of Belize. *Trafficking in Persons (Prohibition) Act, 2013*, No. 2, enacted January 31, 2013.
- Government of Belize. *Commercial Sexual Exploitation of Children (Prohibition) Act, 2013*, No. 3, enacted January 31, 2013.
- Government of Belize. *Criminal Code*, enacted December 31, 2000. <http://www.belizelaw.org/lawadmin/index2.html>.
- Government of Belize. *Defence Act, Revised Edition*, enacted December 31, 2000. <http://www.belizelaw.org/lawadmin/index2.html>.
- Government of Belize. *Education and Training Act of 2010*, enacted April 14, 2010. <http://planipolis.iiep.unesco.org/upload/Belize/Belize-education-and-training-act-2010.pdf>.
- Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Belize (ratification: 2000) Adopted: 2014*; accessed April 14, 2015; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0:NO::>
- U.S. Department of State. "Belize," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210738.pdf>.
- U.S. Department of State. "Belize," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220631.pdf>.

28. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Belize (ratification: 2000) Adopted: 2014*; accessed April 14, 2015; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO::>
29. U.S. Embassy- Belmopan official. E-mail communication to USDOL official. April 29, 2015.
30. U.S. Embassy- Belmopan. *reporting, March 16, 2015*.
31. U.S. Embassy official. E-mail communication to USDOL official. April 29, 2015.
32. U.S. Department of State. *reporting, February 24, 2012*.
33. Government of Belize. *The National Child Labour Policy*. Belmopan, Ministry of Labor; 2009. <http://www.belize.gov.bz/ct.asp?xItem=1588&ctNode=633&mp=27>.
34. Government of Belize. *The National Plan of Action for Children and Adolescents in Belize 2004-2015*. Belize City; September 04, 2004. <http://www.humandevlopment.gov.bz/downloads/NPA.pdf>.
35. Government of Belize. *Final Report: Preparing Horizon 2030 - Long Term National Development Framework for Belize*. previously online. Belmopan, Barnett & Company Ltd.; June 10, 2011. [source on file].
36. *Horizon 2030*. Government of Belize, [previously online] [cited November 19, 2012]; [source on file].
37. Ministry of Education. *Early Childhood Development Policy for Belize*. Belmopan; May 2011. <http://bit.ly/z17meP>.
38. Government of Belize. *Education Sector Strategy 2011-2016: Improving access, quality and governance of education in Belize*. Belmopan; March 2012. [http://www.moe.gov.bz/index.php?option=com\\_content&view=article&id=189&Itemid=249](http://www.moe.gov.bz/index.php?option=com_content&view=article&id=189&Itemid=249).
39. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
40. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
41. World Bank. *Country Partnership Strategy (FY2012 - FY2015)*. Washington, DC; July 29, 2011. <http://bit.ly/z9bndT>.
42. World Bank. *Belize "Boosts" School Attendance and Access to Financial Services for the Poor*. Press Release. Belmopan; June 28, 2012. <http://www.worldbank.org/en/news/2012/06/28/belize-boosts-school-attendance-and-access-to-financial-services-for-the-poor>.
43. U.S. Embassy- Belmopan. *reporting, February 18, 2011*.
44. *BL-T1049: Enhancement of the Belize Teaching Force*, Inter-American Development Bank, [online] [cited November 20, 2012]; <http://www.iadb.org/en/projects/project.1303.html?id=BL-T1049>.
45. ILO-IPEC. *Global Action Program on Child Labour Issues [GAP 11]*. Technical Progress Report. Geneva; April 2014.
46. UNICEF. *Country Programme Document- 2013-2016 Belize*; September 14, 2012. <http://www.unicef.org/about/execboard/files/Belize-2013-2016-final-approved-English-14Sept2012.pdf>.



# Benin

## MODERATE ADVANCEMENT

*In 2014, Benin made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Policy for Child Protection and the Action Plan to Eradicate Child Exploitation in major national markets. The Government also increased the capacity of the Office for the Protection of Minors by extending its child protection services to 12 geographical departments of Benin where they did not previously exist. The Government continued to operate social advancement centers that provide social and reintegration services to children withdrawn from child trafficking and labor. However, children in Benin are engaged in child labor, including in agriculture, and particularly in the production of cotton, and in the worst forms of child labor, including in domestic work. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. The national action plan pertaining to the worst forms of child labor remains unfunded and social programs to combat child labor are insufficient to adequately address the extent of the problem.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Benin are engaged in child labor, including in agriculture, and particularly in the production of cotton.(1, 2) Children are also engaged in the worst forms of child labor, including in domestic work.(3, 4) Table 1 provides key indicators on children’s work and education in Benin.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	7-14 yrs.	20.9 (680,004)
Attending School (%)	5-14 yrs.	71.0
Combining Work and School (%)	7-14 yrs.	16.3
Primary Completion Rate (%)		70.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey (DHS), 2011-2012.(6)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cotton† and cashew nuts*† (2, 7-9)
	Capturing,* cleaning,* and descaling fish*† (1, 9-12)
	Raising livestock*† (11, 13)
Industry	Collecting,*† crushing,*† washing,*† and sieving stones*† for gold mining*† and gravel*† and granite quarrying† (1, 2, 13-16)
	Construction, including brick-making*† (1, 2, 12, 17)
Services	Domestic work† (1, 2, 4, 13, 17-21)
	Working as mechanics*† and in the transportation industry*† (1, 9, 14, 15, 20)
	Street vending,*† including gasoline* (1, 2, 9, 14)
	Dressmaking*† and carpentry*† (1, 11)
	Begging* (1, 2, 17)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced labor in domestic work, construction,* mining,* granite quarrying, and agriculture,* including in the production of cotton, each sometimes as a result of human trafficking* (1, 2, 4, 13, 16-19, 22-26)
	Forced begging by Koranic teachers* (2-4, 27, 28)
	Forced labor in fishing* (1, 9)
	Commercial sexual exploitation* sometimes as a result of human trafficking* (2-4, 13, 17)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

An ILO-IPEC study found 2,553 children working in 102 surveyed mines and quarries across Benin.(16) Children who work in quarries are subject to long working hours and to physical injuries and illnesses from dynamite explosions, falling rocks, collapsing quarry walls, and dust inhalation.(14, 16, 29) A UNICEF study of three markets in Benin revealed more than 7,800 children working in the markets, mainly as street vendors.(17, 30) Children working in markets are exposed to injuries and sexual and physical abuse.(30)

Through the system of *vidomegon*, girls as young as age 7 are sent to relatives or strangers to work as domestic workers in exchange for food, housing, and schooling. In practice, some of these girls receive care and an education, while many become domestic workers and are victims of labor exploitation and sexual abuse.(2, 17-19) In Northern Benin, some boys, placed in the care of Koranic teachers for the purpose of education, are forced by their teachers to beg on the street or to work in fields; they must then surrender the money they have earned to their teachers.(2, 17, 27, 28)







Benin is also a source, transit, and destination country for trafficked children. Children are trafficked within Benin and in West and Central Africa for the purposes of domestic work, commercial sexual exploitation, and to work in agriculture and stone quarries.(2, 18, 23, 24, 26) Research shows that these children endure sexual and physical abuse; malnourishment; and, in some cases, death.(1)

Although the Constitution guarantees free compulsory primary education by law, in practice, some parents are expected to pay school fees for registration, uniforms, books, and materials.(1, 3, 18, 31) These expenses may deter families from sending their children to school and may increase the risk of children engaging in child labor or of becoming victims of human trafficking.(17) Many children in Benin, particularly in rural areas, are not registered at birth. Unable to prove their citizenship, unregistered children may have difficulty accessing services such as education.(1, 17) In addition, evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment and the rape of students by teachers, prevent some children from remaining in school.(1, 17, 32)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Benin has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

# Benin

## MODERATE ADVANCEMENT

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 166 of the Labor Code (33)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Occupation List 2011-29 (34)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Hazardous Occupation List 2011-29 (34)
Prohibition of Forced Labor	Yes		Article 4 of the Law Relating to the Transportation and Trafficking of Minors 2006-04 (35)
Prohibition of Child Trafficking	Yes		Article 6 of the Law Relating to the Transportation and Trafficking of Minors 2006-04 (35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Law on the Prevention and Repression of Violence Against Women and Children 2011-26; Article 4 of the Law Relating to the Transportation and Trafficking of Minors 2006-04 (35, 36)
Prohibition of Using Children in Illicit Activities	Yes		Article 4 of the Law Relating to the Transportation and Trafficking of Minors 2006-04 (15, 35)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 06 of Law 2005-43 of June 26, 2006 (37)
Minimum Age for Voluntary Military Service	Yes	18	Article 06 of Law 2005-43 of June 26, 2006 (37)
Compulsory Education Age	Yes	11	Article 24 of Act No. 2003-17 of November 11, 2003 (38)
Free Public Education	Yes	Progressively Free*	Article 13 of the Constitution (39)

\* Progressive introduction of free education over a period of time.

Beninese law is not completely consistent with international standards regarding child labor. Article 4 of the Law Relating to the Transportation and Trafficking of Minors (2006-04) prohibits the use of children in pornography; however, the sale or possession of child pornography is not prohibited.<sup>(40)</sup> Also, article 22 of the Law Relating to the Transportation and Trafficking of Minors (2006-2014) prescribes penalties, six months to two years' imprisonment, or fines for human trafficking crimes involving labor exploitation; these punishments are neither sufficiently stringent nor commensurate with the punishments prescribed for other serious crimes, such as rape.<sup>(2, 35)</sup>

Benin's Child Code is 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.<sup>(17, 41)</sup> A revised Labor Code, which proposes to increase the penalties for child labor violations and to increase the minimum age of employment to age 15, has been developed but was not approved during the reporting period.<sup>(15)</sup>

Beninese children are only required to attend 6 years of primary school, through age 11.<sup>(42)</sup> Since the minimum age for children to work is 14, children ages 12 to 13 are particularly vulnerable to the worst forms of child labor, as they may have completed primary school but are not legally permitted to work.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Civil Service (MOLCS)	Enforce labor laws and investigate Labor Code infractions, including those related to child labor, in the formal sector.(1, 43)
The Ministry of Interior's Central Office for the Protection of Minors (OCPM), under the Criminal Police Department	Enforce laws related to the protection of minors, including the worst forms of child labor.(2, 17, 43)
Ministry of Family, Social Affairs, and National Solidarity (MFSN)	Provide support to victims of child labor and human trafficking.(17) Within MFSN, the Directorate of the Family, Children and Adolescence, is tasked with implementing assistance and social reinsertion programs for children in difficult situations.(2, 17)

Law enforcement agencies in Benin took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Civil Service (MOLCS) employed 15 labor administrators, 4 labor controllers, and 75 labor officers, 56 of whom are labor inspectors. These personnel are employed in 12 departments across Benin to ensure the application of labor laws, including those on child labor.(12) Given the prevalence of child labor in the country, the number of labor inspectors is inadequate. In August 2014, the National School of Administration and Magistrates updated the training curriculum for labor inspectors to bring it into compliance with international standards, including standards related to child labor.(41) Also, MOLCS inspectors, in conjunction with the ILO-IPEC, organized training workshops for government officials, labor unions, and other civil society groups on hazardous child labor.(44) Research did not reveal information about the number, type, and quality of labor inspections and child labor law violations found. Labor inspectors can impose sanctions and order payment for violations, which can be given to victims as compensation.(15) The Government refers children identified during labor inspections to shelters run by national and international organizations.(15) Research indicates that the labor inspectorate lacks adequate staff, material, and financial resources to effectively carry out inspections.(2) Moreover, the ILO CEACR notes that Benin's labor inspectors have conducted a steadily decreasing number of workplace inspections due to these inadequacies.(15, 45) In addition, UNICEF reports that child rights laws, including child labor laws, are often not enforced.(46)

### *Criminal Law Enforcement*

During 2014, the Government of Benin extended the Ministry of Interior's Central Office for the Protection of Minors (OCPM)'s child protection services to 12 geographical departments where they did not previously exist. The effort consists of creating additional local offices throughout the country and training police with regard to child abuse.(2, 41) During the reporting period, OCPM trained all 15 agents on child trafficking.(44, 47) OCPM investigated four child labor violations and reported 102 cases of child trafficking. OCPM also referred 19 suspected traffickers to court for child trafficking and labor charges.(48) The hotlines operated by OCPM function exclusively in Cotonou, which makes reporting cases involving child exploitation more difficult in rural areas, where hotlines are nonexistent. The number of calls related to child labor during 2014 is unknown.(17)

During 2014, OCPM worked with the Ministry of Family, Social Affairs, and National Solidarity (MFSN) to rescue and provide temporary shelter and reintegration services to 220 victims of human trafficking, including four victims of exploitative child labor.(2, 48) Shelters also provided legal, medical, and psychological services to child trafficking victims, including foreign child trafficking victims, before repatriating them to their home countries.(49) OCPM and MFSN held sessions to raise awareness of child trafficking laws in communities where human trafficking is prevalent.(2) Despite these efforts, OCPM remained understaffed, underfunded, and without adequate office supplies, transportation, and fuel to enforce laws effectively and provide victims with immediate assistance.(2, 17)

Research also did not uncover information about the number of prosecutions and convictions, or on whether appropriate penalties were applied related to the criminal enforcement of laws related to the worst forms of child labor. Local judges are not trained on child protection issues, nor are they sufficiently aware of international standards regarding the worst forms of child labor.(17)



## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Executive Committee to Combat Child Labor (CDN)	Elaborate policies; approve programs; and coordinate, monitor, and evaluate efforts to combat child labor in Benin.(17) Led by the Ministry of Labor and Civil Service. Comprises delegates from multiple Beninese ministries, UNICEF, ILO, trade unions, and NGOs.(15)
National Monitoring and Coordination Working Group for Child Protection (CNSCPE)	Implement, coordinate, and monitor government efforts on child protection. Chaired by MFSN and comprises five technical committees, including committees for human trafficking and labor exploitation.(15, 50) Each committee has an action plan and proposes activities to the CNSCPE.(43) Meets on a quarterly basis and includes 40 members from sector-based ministries, NGO networks, international technical and financial partners, and bilateral partners.(40, 43)
Departmental Monitoring and Coordination Working Group for Child Protection (CDSCPE)	Coordinate, monitor, and evaluate efforts on child protection at the departmental level. Comprises six departmental committees that identify child protection activities, and compile and analyze the data gathered to report it to the CNSCPE.(12, 44)
National Commission on Children's Rights	Coordinate and promote efforts on children's rights at the national level. Chaired by the Ministry of Justice and comprises delegates from multiple other ministries and representatives of civil society groups appointed by the Minister of Justice.(17)

In 2014, the National Executive Committee to Combat Child Labor (CDN) met regularly to coordinate and evaluate existing child labor programs in Benin. The National Monitoring and Coordination Working Group for Child Protection (CNSCPE) met twice during the year to monitor government efforts on child protection.(41) Research did not determine whether the Departmental Monitoring and Coordination Working Group for Child Protection (CDSCPE) and the National Commission on Children's Rights were active during the reporting period. A 2014 UN Human Rights Council report noted that the overlapping mandates for the CDN, CNSCPE, CDSCPE, and the National Commission on Children's Rights are a source of confusion. The lack of clarity among national coordination mechanisms affects work on the ground, as a multitude of committees and local commissions are made up of the same employees.(17, 46) In addition, although there is an information management system at the national level, data are rarely analyzed or used to affect implementation on the ground.(46)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Benin has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor in Benin (NAP) (2012-2015)	Aims to improve child labor by conducting awareness-raising campaigns; increasing access to education and training; reducing socioeconomic vulnerabilities through livelihood strategies; increasing enforcement efforts; strengthening protection and monitoring measures for victims of exploitive child labor; and harmonizing the legal sector by ensuring that judges, police officers, and labor inspectors have access to and understand pertinent laws related to child labor.(3) The Government publicized and disseminated the NAP and began work under the NAP to harmonize legislation related to the worst forms of child labor.(15, 51) The Ministries of Labor, Justice, and Family and National Solidarity conduct activities under the NAP that are also included in each Ministry's 2014 activity plans.(15, 51)
National Policy for Child Protection (2014-2025)†	Aims to improve child protection in Benin. Includes components to improve school feeding programs and to combat the worst forms of child labor, with a focus on child trafficking. MFSN is responsible for implementing this policy.(41, 52)
Education Sector Action Plan (2006-2015)*	Aims to reduce poverty and improve access to primary education, especially for girls.(50)
Action Plan to Eradicate Child Exploitation in Markets†	Aims to eliminate the worst forms of child labor in the major markets of Benin, including Dantokpa in Cotonou, Quando in Porto-Novo, and Arzèkè in Parakou. Will strengthen child labor laws, raise awareness of child labor in markets, and create social programs for children rescued from labor exploitation in the targeted markets.(41, 53)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Benin and Nigeria Joint Committee to Combat Child Trafficking	Aims to reinforce border security measures and repatriate victims of human trafficking between Benin and Nigeria.(54, 55) Child victims are not repatriated unless a safe reinsertion program—such as schooling, vocational training, or an apprenticeship—has been arranged in advance.(49, 56)
Anti-Trafficking Accord Between the Republic of Benin and the Republic of the Congo	Targets the identification, prevention, and rehabilitation of cross-border trafficked children between Benin and the Republic of the Congo. Includes components for monitoring and evaluation, and for conducting cross-border investigations.(49, 57, 58)
Bipartite Declaration to Combat Child Labor Between the Government of Benin and the Beninese Worker Associations	Pledges to promote efforts to reduce the worst forms of child labor and to collaborate at all levels with all parties concerned to combat child labor.(59)
PRSP (2011 -2015)*	Aims to improve free universal primary education, education quality, student retention rates, provision of social services, and vocational training and microfinance for youth and women.(54)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Despite efforts, the National Action Plan to Eliminate the Worst Forms of Child Labor in Benin remains unfunded.(41)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Benin funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
MFSN Social Promotion Centers‡	Provides social services to children, including child laborers; has nationwide coverage but vary in functionality.(15, 17, 46)
OCPM Transit Facility‡	Used as interim care facility for human trafficking survivors prior to their placement in a long-term shelter. Has the capacity to house 160 children (80 boys and 80 girls).(15, 56)
Awareness-raising campaigns‡	Government-implemented nationwide human trafficking and child labor awareness campaigns.(41, 43)
Ministry of Mines' Social Services*‡	Provides business management training to 125 families, particularly women, involved in mining and quarrying; also provides protection equipment, including boots and gloves, to mining craftsman in three cities.(15, 41)
Vocational School Program for Survivors of Child Trafficking‡	MFSN program, implemented in coordination with UNICEF. Maintains a vocational school program to train survivors of child trafficking in a trade.(15, 49)
Anti-Child Trafficking Legislation Publication‡	Ministry of Justice and Family training sessions on child trafficking laws to help educate the general population.(41, 49)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I and II	USDOL-funded regional project that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity-building support for all ECOWAS states.(60, 61) By the end of 2014, the project withdrew or prevented 1,507 children from the worst forms of child labor in mining and quarrying in Benin. Also provided educational services to 1,754 children and livelihood services to 1,125 families in Benin.(62)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labor (2012-2015)	Government of Ireland-funded, 3-year, \$760,883 project to combat child labor through social dialogue.(63)
Community Teacher Professional Training Program*	\$4.3 million, USAID-funded, 4-year project. Trains approximately 10,000 unlicensed teachers to enhance their competence so they can pass the teacher certification exam.(64)
Girls Education and Community Participation Project*	\$6.9 million, USAID-funded, 6-year project. Increases girls' access to education and improves community participation in school management.(64)
Second Chance Schools*	\$3.5 million, USAID-funded, 4-year project. Promotes alternative approaches to basic education, providing out-of-school children with basic literacy, numeracy, and life skills.(64, 65)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Benin.

# Benin

## MODERATE ADVANCEMENT

Although the Government of Benin has implemented programs to protect children from human 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 other worst forms of child labor, including in domestic work, commercial sexual exploitation, or agriculture.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Benin (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure laws prohibit the sale and possession of child pornography.	2010 – 2014
	Create meaningful penalties for human trafficking crimes involving labor exploitation.	2014
	Adopt the second volume of the Child Code to bring additional protection for children into force.	2009 – 2014
	Raise the compulsory education age to be equivalent to the minimum age for work.	2009 – 2014
	Adopt the draft Labor Code to increase penalties for child labor violations and to increase the minimum age of employment from 14 to 15 years of age.	2013 – 2014
Enforcement	Provide recurrent training on the worst forms of child labor to judiciary officials.	2013 – 2014
	Collect and make public information on the number, type, and quality of labor inspections; law violations; and penalties assessed related to child labor.	2009 – 2014
	Increase the resources and number of labor inspectors and criminal investigators responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce and provide immediate victim assistance.	2009 – 2014
	Make publicly available information on the number of criminal agents, prosecutions, and convictions and penalties assessed related to the worst forms of child labor	2009 – 2014
	Ensure offenders of laws related to the worst forms of child labor are appropriately penalized according to the law.	2010 – 2014
	Expand hotlines operated by OCPM to facilitate the reporting of child exploitation cases in areas beyond Cotonou, and make public the numbers of calls related to child labor.	2014
	Coordination	Ensure the CDSCPE and the National Commission on Children's Rights actively carry out responsibilities related to the worst forms of child labor.
Coordination	Take measures to coordinate efforts at the national level in order to eliminate duplicative activities, committees, and actors at the local level.	2013 – 2014
	Analyze the data received from national information management systems and disseminate results nationwide.	2013 – 2014
	Government Policies	Fund and implement the National Action Plan for the Elimination of the Worst Forms of Child Labor in Benin.
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2010 – 2014
	Social Programs	Conduct research to determine the activities carried out by children working in the production of fish and construction, to inform policies and programs.
Social Programs	Institute programs to address the worst forms of child labor, including in domestic work, commercial sexual exploitation, and agriculture, and monitor the progress of these programs.	2010 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Take measures to ensure children's safety in schools and prioritize resources to improve access to education by building additional schools, subsidizing or defraying the cost of schools, and providing access to free quality education for all children.	2010 – 2014
	Implement birth registration campaigns to increase children's access to education, especially in rural areas.	2010 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2011 – 2014

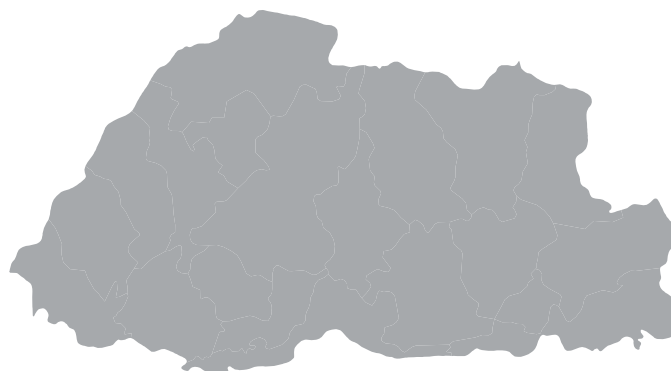
## REFERENCES

- U.S. Department of State. "Benin," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220082>.
- U.S. Department of State. "Benin," in *Trafficking in Persons Report-2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- Republique du Benin: Ministère de Travail et de la Fonction Publique. "Plan d'Action National pour l'Élimination des Pires Formes de Travail des Enfants au Bénin (2012-2015)." (2011);
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labor, 1999 (No. 182) Benin (ratification: 2001) Published: 2011*; accessed January 8, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2011-2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- World Vision. "Forced and Child Labor in the Cotton Industry-Fact Sheet." Benin 2012 [cited <http://campaign.worldvision.com.au/wp-content/uploads/2013/04/Forced-and-child-labour-in-the-cotton-industry-fact-sheet.pdf>].
- Guinebault, M. "Textile and apparel industries still using child labor." *fashionmag.com* [online] October 11, 2013 [cited January 22, 2015]; [http://us.fashionmag.com/news/Textile-and-apparel-industries-still-using-child-labor.360680.html#\\_VMFg79LF\\_Tp](http://us.fashionmag.com/news/Textile-and-apparel-industries-still-using-child-labor.360680.html#_VMFg79LF_Tp).
- I-Witness News. "Slavery in Africa today: Benin." *iwsv.org* [online] November 19, 2013 [cited January 22, 2015]; <http://www.iwsv.org/2013/11/19/slavery-in-africa-today-benin/#print>.
- Food and Agriculture Organization. *FAO Fisheries and Aquaculture Report*; 2010. <http://www.fao.org/docrep/013/i1813e/i1813e00.pdf>.
- L'Autre Fraternité. "Lutte contre le travail des enfants." *lautrefraternite.com* [online] September 24, 2012 [cited January 22, 2015]; <http://lautrefraternite.com/2012/09/24/lutte-contre-le-travail-des-enfants-un-changement-de-comportement-simpose/>.
- U.S. Embassy- Cotonou official. E-mail communication to USDOL official. February 17, 2015.
- International Trade Union Confederation (ITUC). *Internationally Recognized Core Labour Standards in Benin, Burkina Faso and Mali*. Brussels; 2010. [http://www.ituc-csi.org/IMG/pdf/BBFM\\_revised\\_final.pdf](http://www.ituc-csi.org/IMG/pdf/BBFM_revised_final.pdf).
- USDOL official. *In-Country Observations*; 2012 September.
- U.S. Embassy- Cotonou. *reporting, January 17, 2014*.
- ILO-IPEC. *Étude d'approfondissement des connaissances sur le travail des enfants dans les mines et carrières du Benin*; 2013 May.
- UN Human Rights Council. *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid, Mission to Benin*. Geneva; March 5, 2014. Report No. A/HRC/25/48/Add.3. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/118/26/PDF/G1411826.pdf?OpenElement>.
- Children's Rights Information Network. *Benin: Children's Rights in the Universal Periodic Review (Second Cycle)*. London; October 25, 2012. <http://www.crin.org/resources/infoDetail.asp?ID=29669>.
- Youngbee Dale. "Benin: Child Slavery is Endemic." *Washington Times*, December 16, 2011. <http://communities.washingtontimes.com/neighborhood/rights-so-divine/2011/dec/16/benin-child-slavery-endemic/>.
- The Daily Motion. *Enfants Esclaves du Bénin 2013*. [http://www.dailymotion.com/video/xeie4n\\_enfants-esclaves-du-benin-1er-parti\\_webcam](http://www.dailymotion.com/video/xeie4n_enfants-esclaves-du-benin-1er-parti_webcam) and [http://www.dailymotion.com/video/xeiezt\\_enfants-esclaves-du-benin-2eme-part\\_webcam](http://www.dailymotion.com/video/xeiezt_enfants-esclaves-du-benin-2eme-part_webcam).
- ILO-IPEC. *Ending child labour in domestic work and protecting young workers from abusive working conditions*. Geneva; June 12, 2013. <http://www.ilo.org/ipeinfo/product/download.do?type=document&id=21515>.
- Wolfe, C. *Child trafficking in Benin: Difficult choices and devastating consequences*, Dagbe, [online] May 3, 2013 [cited December 04, 2013]; <http://www.dagbe.org/?p=858>.
- UNICEF. "In Benin, Making Education a Priority," Youtube; April 13, 2012; 3 min., 19 sec., streaming video; [http://www.youtube.com/watch?v=Qo7i1s6po&feature=player\\_embedded#](http://www.youtube.com/watch?v=Qo7i1s6po&feature=player_embedded#)!
- Mark, M. "Benin's Poverty Pushes Youngsters into the Employ of Child Traffickers." *The Guardian*, November 27, 2012. <http://www.guardian.co.uk/global-development/2012/nov/27/benin-poverty-child-traffickers>.
- Sidi, A. *Le Travail Des Enfants Et L'éducation Au Bénin*, Varlyproject, [online] November 29, 2013 [cited December 04, 2013]; <http://varlyproject.wordpress.com/2013/11/29/le-travail-des-enfants-et-leducation-au-benin/>.
- International Labour Office. *Children in hazardous work: What we know, What we need to do*. Geneva, International Labour Organization; 2011. [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_155428.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_155428.pdf). While country-specific information on the dangers children face in street work is not available, research studies and other reports have documented the dangerous nature of tasks in street work and their accompanying occupational exposures, injuries and potential health consequences to children working in the sector.
- BCAT/LASDEL. *Le système Talibé à Malanville*; May 2011. <http://www.offebenin.org/documents/enquete/Etude%20sur%20les%20talibes%20au%20benin.pdf>.
- Thorson, D. "Children Begging for Qur'anic School Masters: Evidence from West and Central Africa." *UNICEF Briefing Paper No. 5*, (2012); <http://www.sussex.ac.uk/anthropology/people/peoplelists/person/118526>.
- "Lutte contre le travail des enfants dans le Mono-Couffo: Des carrières de graviers vers l'école." *Le Matin*, February 22, 2011.
- L'Institut National de la Statistique et de l'Analyse Économique (INSAE), and UNICEF. *Recensement des Enfants Travailleurs des Marchés Dantokpa, Ouando et Arzeke (REM)*. Cotonou; 2013. [http://www.google.com/url?sa=t&rc=1&q=&esr\\_c=s&frm=1&source=web&cd=1&ved=0CDOQFjAA&url=http%3A%2F%2Fw](http://www.google.com/url?sa=t&rc=1&q=&esr_c=s&frm=1&source=web&cd=1&ved=0CDOQFjAA&url=http%3A%2F%2Fw)



- [www.insac-bj.org%2F%3Ffile%3Dfiles%2Fenquetes-recensements%2Fautres%2FRecensement\\_Enfants\\_Marche\\_2013.pdf&ei=M7bZUqu1D5fLsQTfwoL4BQ&usg=AFQjCNHpsrj93DyltJlGIXwuxulxVdQw&sig2=\\_Zw\\_bwWz9ntXSDrNvnb8Q&bv=bv.59568121.d.cWc&cad=rja](http://www.insac-bj.org%2F%3Ffile%3Dfiles%2Fenquetes-recensements%2Fautres%2FRecensement_Enfants_Marche_2013.pdf&ei=M7bZUqu1D5fLsQTfwoL4BQ&usg=AFQjCNHpsrj93DyltJlGIXwuxulxVdQw&sig2=_Zw_bwWz9ntXSDrNvnb8Q&bv=bv.59568121.d.cWc&cad=rja).
31. Jakob Engel, Edmond Magloire Cossou, and Pauline Rose. *Benin's Progress in Education: Expanding Access and Narrowing the Gender Gap*. London, Overseas Development Institute; 2011. [http://www.developmentprogress.org/sites/default/files/benin\\_education\\_progress.pdf](http://www.developmentprogress.org/sites/default/files/benin_education_progress.pdf).
  32. Plan Benin. *Benin: Submission to inform the Committee on the Elimination of All Forms of Discrimination against Women on its consideration of the periodic report of Benin under the CEDAW Convention*. Benin; 2013.
  33. *Loi no 98-004 du 27 janvier 1998, portant code du travail*, enacted
  34. Government of Benin. *Decret N.2011-029 du 31 Janvier 2011: Liste des Travaux Dangereux Interdits aux Enfants en Republique du Benin*, enacted 2011.
  35. Benin. *Loi N.2006-04D du 10 Avril 2006 Portant Conditions de Déplacement des mineurs et Répression de la Traite d'Enfants en République du Bénin*, enacted 2006.
  36. Benin. *Loi N.2011-26 du 09 Janvier 2012 Portant prevention et repression des violences faites aux femmes*, enacted March 2012.
  37. Government of Benin. *Loi N.2005-43 du 26 Juin 2006 Portant statut général des personnels Militaires des Forces Armées Béninoises*, 2005-43, enacted 2006.
  38. Government of Benin. *Loi n° 2003-17 portant orientation de l'éducation nationale en république du Bénin*, enacted November 11, 2003. <http://www.axl.cefan.ulaval.ca/afrique/benin-loi-17-2003.htm>.
  39. *Constitution of the Republic of Benin*, enacted 1990. [http://www.google.com/url?sa=t&crct=j&q=&esrc=s&frm=1&source=web&cd=3&ved=0CEQQFjAC&url=http%3A%2F%2Fwww.kituoachakatiba.org%2Findex.php%3Foption%3Dcom\\_docman%26task%3Ddoc\\_download%26gid%3D121%26Itemid%3D36&ei=jMYbUc3VAo6L0QHguYD4Cw&usg=AFQjCNGISuMIRDn\\_upxxmto2klZr3mgQXQ&sig2=mUsC6Zevajb7eg-2Xyz\\_fw&bv=bv.42261806.d.dmQ](http://www.google.com/url?sa=t&crct=j&q=&esrc=s&frm=1&source=web&cd=3&ved=0CEQQFjAC&url=http%3A%2F%2Fwww.kituoachakatiba.org%2Findex.php%3Foption%3Dcom_docman%26task%3Ddoc_download%26gid%3D121%26Itemid%3D36&ei=jMYbUc3VAo6L0QHguYD4Cw&usg=AFQjCNGISuMIRDn_upxxmto2klZr3mgQXQ&sig2=mUsC6Zevajb7eg-2Xyz_fw&bv=bv.42261806.d.dmQ).
  40. U.S. Embassy- Cotonou. *reporting, January 27, 2012*.
  41. U.S. Embassy- Cotonou. *reporting, January 14, 2015*.
  42. UNESCO. *The Hidden Crisis: Armed Conflict and Education*. Paris; March 1, 2011. <http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2011-conflict/>.
  43. U.S. Embassy- Cotonou. *reporting, January 30, 2013*.
  44. U.S. Embassy- Cotonou. *reporting, February 17, 2015*.
  45. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Benin (ratification: 2001) Submitted: 2012*; accessed January 20, 2011; <http://www.ilo.org/ilolex/english/iloquery.htm>.
  46. Child Frontier, UNICEF, and Plan Benin. *Cartographie et Analyse du Système National de Protection de l'Enfance au Bénin* Porto Novo; 2011. <http://offebenin.org/?wpdmact=process&did=NDcuaG90bGluaw==>.
  47. U.S. Embassy- Cotonou. *reporting, March 11, 2015*.
  48. U.S. Embassy- Cotonou. *reporting, January 20, 2015*.
  49. U.S. Embassy- Cotonou. *reporting, February 14, 2014*.
  50. Government of Benin. *Plan Decennal de Développement du Secteur de l'Éducation 2006-2015*. Cotonou; 2006. [http://planipolis.iiep.unesco.org/upload/Benin/Benin\\_PDDE\\_T1\\_T2\\_CMEF.pdf](http://planipolis.iiep.unesco.org/upload/Benin/Benin_PDDE_T1_T2_CMEF.pdf).
  51. U.S. Embassy- Cotonou official. E-mail communication to USDOL official. January 30, 2014.
  52. ACotonou.com. "Bénin : adoption d'une politique nationale de protection de l'enfant." May 7, 2014 [cited January 26, 2015]; <http://news.acotonou.com/h/22863.html>.
  53. 24haubenin. "Bénin : Signature d'une charte contre l'exploitation des enfants." October 12, 2014 [cited January 26, 2015]; <http://www.24haubenin.info/?Benin-Signature-d-une-charte>.
  54. IMF, and World Bank. *Benin: Poverty Reduction Strategy Paper 2011-2015*. Washington, DC; October 2011. <http://www.imf.org>.
  55. Abeakuta, EN. "NAPTIP rescues 384 children in Ogun." *The Nation*, November 2, 2012. <http://www.thenationonline.net/2011/index.php/news/36431-naptip-rescues-384-children-...1/8/2013>.
  56. U.S. Embassy- Cotonou official. E-mail communication to USDOL official. February 20, 2013.
  57. Comité Contre L'esclavage Moderne. "Le Congo et le Bénin s'Unissent pour Lutter contre la Traite des Enfants." 2012. <http://www.esclavagemoderne.org/011-590-Le-Congo-et-le-Benin-contre-la-traite-des-enfants.html>.
  58. Gouvernement de la République de Benin, and Gouvernement de la République du Congo. *Accord de Coopération sur la Lutte Contre la Traite des Enfants*. Cotonou; 2011. <http://www.offebenin.org/documents/textesdelois/Accord%20de%20Cooperation%20Benin-TOGO%20sur%20la%20traite%20des%20enfants.pdf>.
  59. Conseil National du Patronat du Benin, and Obisacote. *Declaration bipartite sur le travail des enfants*. Cotonou; February 18, 2013.
  60. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 03, 2009.
  61. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS II*. Project Document. Geneva, December 20, 2010.
  62. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS II*. Geneva; 2014. <http://www.dol.gov/ilab/map/countries/benin.htm>.
  63. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
  64. USAID official. Letter to USDOL official. February 13, 2013.
  65. U.S. Department of State official. U.S. Department of Labor official. May 2014.

In 2014, Bhutan made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government and UNODC launched the Enhance Government and Civil Society Responses to Counter Trafficking in Persons program. The Government also worked with UNDAF to launch the Bhutan One Program, which includes initiatives to prevent and respond to violence, abuse, exploitation, and neglect of children. However, children in Bhutan are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in forced domestic work. Bhutan's minimum age for work is inconsistent with international standards and education is not compulsory. Law enforcement agencies did not provide any data on actions to combat child labor, including its worst forms.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bhutan are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in forced domestic work.(1) Table 1 provides key indicators on children's work and education in Bhutan.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.8 (6,338)
Attending School (%)	5-14 yrs.	84.7
Combining Work and School (%)	7-14 yrs.	3.3
Primary Completion Rate (%)		101.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(2)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS 4 Survey, 2010.(3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (1, 4-6)
Industry	Mining†* (4)
	Construction,†* activities unknown (1, 4)
Services	Domestic work (1, 4-7)
	Hotel* and restaurant service* (1, 4)
	Forced domestic work sometimes as a result of human trafficking* (1, 8, 9)
Categorical Worst Forms of Child Labor‡	Forced labor in karaoke bars* sometimes as a result of human trafficking* (8, 10)
	Commercial sexual exploitation* (4, 7)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

There is a lack of current data on child labor in Bhutan. To date, no national survey on child labor has been conducted. There is evidence that some children working and living in third party residences are not allowed to return home.(9) It is reported that young girls are subject to forced labor in karaoke bars. Evidence suggests that some girls are trafficked from rural areas to sing in karaoke bars, where they are subject to commercial sexual exploitation.(7)

# Bhutan







## MINIMAL ADVANCEMENT

The Government provides free education to all Bhutanese citizens; however, children living in remote villages face significant difficulties in accessing public schools, which may increase their vulnerability to labor exploitation.(11)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bhutan has ratified some key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	N/A
 ILO C. 182, Worst Forms of Child Labor	N/A
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	13	Section 171 of the Labor and Employment Act (12)
Minimum Age for Hazardous Work	Yes	18	Sections 170 and 171 of the Labor and Employment Act (12)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section 9 of the Regulation on Acceptable Forms of Child Labor (13)
Prohibition of Forced Labor	Yes		Section 9 of the Labor and Employment Act (12)
Prohibition of Child Trafficking	Yes		Section 225 of the Child Care and Protection Act; Sections 227, 379, and 280 of the Penal Code (14, 15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 9 of the Labor and Employment Act; Sections 223 and 224 of the Child Care and Protection Act; Sections 225, 379 and 280 of the Penal Code (12, 14, 15)
Prohibition of Using Children in Illicit Activities	Yes		Section 221 of the Child Care and Protection Act (15)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Legislative title unknown (16)
Compulsory Education Age	No		
Free Public Education	Yes		Article 9.16 of the Constitution of the Kingdom of Bhutan (17)

\*No conscription (17)

Bhutanese law is not completely consistent with international standards regarding child labor, as the Labor and Employment Act allows children to work under the age of 14.(12)

There is no compulsory age for education. The lack of standards in this area may increase the risk of children's involvement in child labor.

## III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Human Resources (MOLHR)	Investigate child labor complaints and ensure employers comply with child labor laws. Refer cases involving the worst forms of child labor to the police.(18)
Royal Bhutan Police	Investigate and enforce criminal laws relating to the worst forms of child labor.(19) Refer abused and exploited children to Child Welfare Officers and the National Commission for Women and Children (NCWC).(15, 20)
Women and Child Protection Unit	Enforce laws protecting women and children as a separate unit within the Royal Bhutan Police.(1, 21) Refer abused and exploited children to Child Welfare Officers and NCWC.(15, 20)
Child Welfare Officers	Protect and assist children in difficult circumstances, including children abused and exploited for illegal purposes.(15)
Royal Court of Justice	Adjudicate criminal and civil cases, including violations involving children.(22)

The Government provided no data showing that law enforcement agencies in Bhutan took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, labor inspections were carried out but no data were provided on the actions taken to enforce child labor laws.(19) In 2011, the most recent year for which information is available, there were four labor inspectors in Thimphu and two inspectors in each of Bhutan's two regional offices.(18) The Ministry of Labor and Human Resources (MOLHR) has reported that there is an insufficient number of trained labor officers to enforce the labor laws.(23) Information is not available on child labor law training and the funding level of MOLHR.

Information is not available on the number, type, frequency, location, and quality of labor inspections, as well as whether MOLHR received complaints of labor law violations.(19) Information is not available about whether a referral mechanism exists between the MOLHR and social welfare services, such as Child Welfare Officers or the National Commission for Women and Children (NCWC). Information is also not available on the incidents involving child labor law violations and how many penalties or citations were issued during the reporting period.(19)

### *Criminal Law Enforcement*

Information is not available on the number and training of investigators responsible for enforcing criminal laws on the worst forms of child labor.(19) No investigations; prosecutions; or convictions involving forced labor, human trafficking, and commercial sexual exploitation were reported by the Government.(19, 24)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established a coordination mechanism for protecting exploited children, research found no evidence of mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Commission for Women and Children	Coordinate the implementation of policies involving abused and exploited women and children. Advise the Government on legislation and policies for the protection of women and children.(25) Composed of a chairperson and commissioners who represent relevant government agencies and nongovernment sectors.(25)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Bhutan established policies related to child labor, including its worst forms (Table 7).



# Bhutan

## MINIMAL ADVANCEMENT

**Table 7. Policies Related to Child Labor**

Policy	Description
UNDAF Bhutan One Program (2014–2018) *†	Serves as a framework for supporting Bhutan's national development goals that target the poor and disadvantaged. Includes initiatives to prevent and respond to violence, abuse, exploitation, and neglect of children.(26)
National Plan of Action for Child Protection*	Sets out strategies for establishing a comprehensive child protection system, including passing new legislation, improving service delivery, increasing human resource capacity, instituting coordination mechanisms, increasing communication and advocacy, and collecting data and information.(27)
National Youth Policy*	Provides a framework for the promotion of youth development, including increased access to education, training, employment, and financial services. Targets out-of-school youth, domestic workers, and girls working in karaoke bars.(28)
National Education Policy*	Specifies the Government's education policy regarding curriculum, admission procedures, student health and safety, career counseling, and nonformal education.(29)
Eleventh 5-Year Plan (2013–2018)*	Establishes a strategic framework for increasing economic development, reducing of youth unemployment, improving the quality of education, and curbing corruption.(30)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Bhutan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Project Hope‡	NCWC program that provides residential shelters for children at risk of exploitative child labor. Targets children on the street and provides counseling, group therapy, and assistance to help children enroll in school.(18)
Trafficking Victims Shelter‡	Respect, Education, Nurture, and Empower Women (RENEW), a Thimphu-based NGO, receives government funding to provide shelter, counseling, and rehabilitation for women and child trafficking victims.(18)
Enhance Government and Civil Society Responses to Counter Trafficking in Persons†	UNODC and Government program that seeks to increase capacity to combat trafficking in persons. Includes six components: (1) anti-human trafficking laws; (2) train criminal law enforcement officers on victim identification, investigation, and prosecution; (3) formalize a Standard Operating Protocol for investigating trafficking cases; (4) train law enforcement on victim treatment and reintegration; (5) establish transit homes for human trafficking victims; and (6) raise public awareness of human trafficking issues.(24)
Advancing Economic Opportunities for Women and Girls*‡	NCWC program that provides economic opportunities to women and girls. Targets 960 youth to participate in apprenticeships and skills training for self-employment.(31, 32)
Child Protection System Strengthening*	UNICEF program that works to strengthen Bhutan's child protection system through capacity building trainings. Supports the implementation of a National Plan of Action for Child Protection.(33)
Improving Rural Children's Access to Basic Education with Focus on Primary Education*	WFP-funded, \$8.58 million program that provides financial support to rural primary schools. Aims to increase primary school enrollment, retention, and graduation through the provision of school breakfasts and lunches. Implemented in 232 schools across the country, reaches 37,000 children annually, and supports school construction and kitchen improvements.(18, 34)
Rural Economy Advancement Program*‡	Government program that develops sustainable livelihoods in Bhutan's 126 poorest villages by diversifying crop cultivation, providing skills development training, and forming self-help groups.(30)
National Rehabilitation Program*‡	Office of the Secretariat program that assists landless, socially and economically disadvantaged groups through the provision of land, shelter, and food support, health and education services, and capacity building for sustainable livelihoods.(30)

\* The impact of this program on child labor does not appear to have been studied.

† Policy was launched during the reporting period.

‡ Program is funded by the Government of Bhutan.

The Government of Bhutan has implemented programs that target children at risk for exploitative labor and child victims of human trafficking, but there is no data on specific sectors such as agriculture and domestic service. There is no data on social programs targeting children involved in the worst forms of child labor, including domestic servitude, forced labor in karaoke bars, and commercial sexual exploitation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bhutan (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons	2013 – 2014
	Ensure that the law complies with the international standard of the minimum age for work.	2010 – 2014
	Make primary education compulsory and harmonized with the minimum age for work.	2010 – 2014
Enforcement	Publish data on the number of labor inspections, number of child labor law violations, and number of citations issued and penalties assessed for child labor law violations.	2010 – 2014
	Ensure that MOLHR has the resources and training necessary to enforce labor laws and to combat child labor, including its worst forms.	2014
	Establish a mechanism for MOLHR to refer child employed in violation of labor laws to child welfare service providers.	2014
	Publish data on the number and training of investigators, investigations, and prosecutions and convictions of crimes, involving the worst forms of child labor.	2010 – 2014
Coordination	Establish a coordinating mechanism to combat child labor, including its worst forms.	2014
Government Policies	Integrate child labor elimination and prevention strategies into existing social protection policies.	2014
Social Programs	Conduct a national child labor survey.	2013 – 2014
	Implement programs to make education more accessible for children living in remote locations.	2014
	Assess the impact that existing social programs may have on child labor.	2010 – 2014
	Create social programs to target working children, particularly in agriculture and forced domestic work, and children engaged in the worst forms of child labor.	2009 – 2014

## REFERENCES

- U.S. Department of State. “Bhutan,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220601.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 4, 2013]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4, 2013. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UNICEF. *Situation of Child Labour in Bhutan*. New York; 2010. <http://www.nwc.org.bt/wp-content/uploads/2010/08/Revised-Child-Labour-final-report-8-July-2009.pdf>.
- Wangmo, L. *When Children Abandon Books to Earn a Living*, Business Bhutan, [online] January 18, 2010 [cited January 27, 2014]; <http://www.businessbhutan.bt/?p=776>
- BBS: The Bhutanese Expression. “Child Labour Exists in Bhutan: Lyonpo Dorji Wangdi.” bbs.bt [online] June 12, 2012 [cited January 27, 2014]; <http://www.bbs.bt/news/?p=14014&print=1>.
- U.S. Department of State. “Bhutan,” in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215402.htm>.
- U.S. Department of State. “Bhutan,” in *Trafficking in Persons Report- 2014*. Washington, DC; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- Chhetri, KK. *Child Labour in Bhutan: The Challenges of Implementing Child Rights in Bhutan* [Masters Thesis]: University of Gothenburg; May 29, 2011.
- U.S. Embassy- New Delhi. *reporting, March 6, 2013*.
- Tshering, N. *Advocating Girl-Friendly Boarding Schools in Bhutan: Toward Improving Quality Learning Opportunities and Outcomes For Bhutanese Girls*, Brookings, [cited <http://www.brookings.edu/blogs/education-plus-development/posts/2014/09/22-improving-quality-learning-bhutan-tshering>].
- Government of Bhutan. *Labour and Employment Act of Bhutan 2007*, enacted 2007. <http://www.molhr.gov.bt/labouract.pdf> [source on file].
- Government of Bhutan. *Regulation: Acceptable Forms of Child Labour*, enacted November 10, 2009. [http://www.molhr.gov.bt/molhrsite/wp-content/uploads/2012/07/regulation\\_working\\_condt.pdf](http://www.molhr.gov.bt/molhrsite/wp-content/uploads/2012/07/regulation_working_condt.pdf).
- Government of Bhutan., *Penal Code of Bhutan*, enacted August 11, 2004. <http://www.judiciary.gov.bt/html/act/PENAL%20CODE.pdf>.
- Government of Bhutan. *Child Care and Protection Act*, enacted 2011. <http://www.nwc.org.bt/wp-content/uploads/2011/06/CCPB-Final-as-on-14th-may-2010.pdf> [source on file].
- Child Soldiers International. *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London: 2012. [www.child-soldiers.org](http://www.child-soldiers.org).
- Government of Bhutan., *The Constitution of the Kingdom of Bhutan*, enacted July 18, 2008. [https://www.unodc.org/tldb/pdf/Bhutan\\_const\\_2008.pdf](https://www.unodc.org/tldb/pdf/Bhutan_const_2008.pdf).
- U.S. Embassy- New Delhi. *reporting, January 22, 2014*.

# Bhutan

## MINIMAL ADVANCEMENT

19. U.S. Embassy- New Delhi. *reporting, February 4, 2015.*
20. U.S. Department of State official. E-mail communication to USDOL official. July 5, 2013.
21. Royal Bhutan Police. *Woman and Child Protection Division*, Kingdom of Bhutan, [online ] 2013 [cited March 7, 2014]; <http://www.rbp.gov.bt/wcpu.php>.
22. Royal Court of Justice. *Court and Its Procedure* Kingdom of Bhutan, [online] [cited February 5, 2015]; <http://www.judiciary.gov.bt/html/court/registration.php>.
23. Ministry of Labour and Human Resources. *Activities*, Kingdom of Bhutan, [online ] 2013 [cited March 10, 2014]; [http://www.molhr.gov.bt/molhrsite/?page\\_id=721](http://www.molhr.gov.bt/molhrsite/?page_id=721).
24. U.S. Embassy- New Delhi. *reporting, March 5, 2015.*
25. Royal Government of Bhutan. *National Commission for Women and Children*, Kingdom of Bhutan, [online] [cited February 5, 2015]; [http://www.ncwc.org.bt/?page\\_id=11](http://www.ncwc.org.bt/?page_id=11).
26. UNDAF. *Bhutan One Programme, 2014-2018*; March 12, 2012. [http://www.unicef.org/about/execboard/files/BTN\\_One\\_Programme\\_2014-2018\\_MASTER\\_03-12-2012\\_-\\_CV.pdf](http://www.unicef.org/about/execboard/files/BTN_One_Programme_2014-2018_MASTER_03-12-2012_-_CV.pdf).
27. Youth Development Fund. *A Strategic Plan for the Child Protection and Care Services for Youth Development Fund*. Thimphu; 2014. <http://bhutanyouth.org/wp-content/uploads/2011/10/Strategic-plan-for-Child-Protection-and-Care-Services1.pdf>.
28. Government of Bhutan. *National Youth Policy*. Department of Youth and Sports MoE, 2011. [http://www.youthpolicy.org/national/Bhutan\\_2011\\_National\\_Youth\\_Policy.pdf](http://www.youthpolicy.org/national/Bhutan_2011_National_Youth_Policy.pdf).
29. Government of Bhutan, Policy and Planning Division, Ministry of Education. *30th Education Policy Guidelines and Instruction*; 2012.
30. Gross National Happiness Commission. *Eleventh Five Year Plan 2013-2018*. Thimphu; 2013. <http://www.gnhc.gov.bt/wp-content/uploads/2011/04/11-FiveYearPlan.pdf>.
31. National Commission for Women and Children. *TA 9155 (BHU) Advancing Economic Opportunities of Women and Girls*, [previously online] [cited January 27, 2014]; [http://www.ncwc.org.bt/?page\\_id=244](http://www.ncwc.org.bt/?page_id=244); [source on file].
32. Asian Development Bank. *44134-012: Advancing Economic Opportunities of Women and Girls*. Manila; March 22, 2013. <http://www.adb.org/projects/44134-012/main>.
33. UNICEF. *UNICEF Annual Report 2012 for Bhutan*. New York; 2012. [http://www.unicef.org/about/annualreport/files/Bhutan\\_COAR\\_2012.pdf](http://www.unicef.org/about/annualreport/files/Bhutan_COAR_2012.pdf).
34. World Food Program. *Development Project – Bhutan 200300*; 2013. [http://one.wfp.org/operations/current\\_operations/project\\_docs/200300.pdf](http://one.wfp.org/operations/current_operations/project_docs/200300.pdf).

In 2014, Bolivia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor increased its number of labor inspectors from 78 to 95, and dedicated 9 of these inspectors to investigating child labor in high-risk areas. The Government also published a national policy to combat human trafficking that aims to implement the Comprehensive Law against Human Trafficking and Smuggling. However, children in Bolivia are engaged in the worst forms of child labor, including in agriculture and in mining. Bolivia has received an assessment of minimal advancement because in July 2014, the Government passed a new Child and Adolescent Code that allows children as young as 10 years old to be self-employed under certain conditions. This action undermined the advancements made in eliminating child labor. In addition, the Offices of the Child Advocate, required by the new Code to authorize child work and assist victims of child labor, are absent or underfunded in many municipalities, leaving some children unprotected and vulnerable to the worst forms of child labor. The Government also lacks a comprehensive child labor policy.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bolivia are engaged in the worst forms of child labor, including in agriculture and in mining.(1, 2) Indigenous children are particularly vulnerable to the worst forms of child labor.(3, 4) Table 1 provides key indicators on children’s work and education in Bolivia.

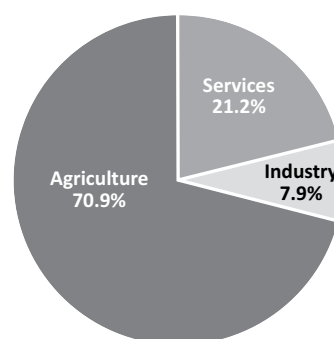
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	7-14 yrs.	20.2 (388,541)
Attending School (%)	7-14 yrs.	96.2
Combining Work and School (%)	7-14 yrs.	18.7
Primary Completion Rate (%)		92.3

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Encuesta Continua de Hogares Survey, 2009.(6)

**Figure 1. Working Children by Sector, Ages 7-14**



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting and harvesting corn, cotton,* and peanuts* (2, 3, 7-10)
	Production and harvesting of Brazil nuts/chestnuts† and sugarcane† (1-3, 10-15)
	Ranching and raising cattle*† (2, 3, 9)
	Plucking chickens* (15)



# Bolivia

## MINIMAL ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Mining† of gold, silver, tin, and zinc (1, 8, 14-17)
	Construction,† including heavy lifting and shoveling (12, 15, 18)
	Production of bricks† (8, 9, 15, 19)
Services	Street work, including vending, shoe shining, and working as transportation assistants (8-10, 12, 15, 20)
	Recycling garbage* (9)
	Domestic service† (3, 9, 15, 20)
Categorical Worst Forms of Child Labor‡	Forced labor in ranching* and in the production and harvesting of Brazil nuts and sugarcane (1, 3, 21, 22)
	Forced labor in mining and domestic service (10, 20, 22)
	Forced begging* (22)
	Commercial sexual exploitation sometimes as a result of human trafficking (10, 22, 23)
	Forced to commit illicit activities, including robbery* and producing drugs* (22)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children produce and harvest sugarcane and Brazil nuts principally in the departments of Beni, Pando, Santa Cruz, and Tarija, although recent efforts to combat this practice and other factors have reportedly reduced the prevalence of child labor in these sectors.(1, 2, 12, 17) Some indigenous Guaraní families live in debt bondage and work on ranches, including in raising cattle, in the Chaco region.(3, 7, 10, 12) Based on reports, this practice may have been reduced in recent years due in part to increased attention to the region and land tenure reform.(12) Indigenous children are particularly vulnerable to commercial sexual exploitation.(22) Bolivian children have also been trafficked to Argentina, where they are victims of forced labor in the production of textiles, grapes, and in the sugar industry.(3, 23, 24)




Research on child labor in Bolivia, particularly in the informal sector, is limited. The last national child labor survey was conducted in 2008 by the National Institute of Statistics of Bolivia (INE) in collaboration with the ILO-IPEC.(4) The new Child and Adolescent Code, promulgated on July 17, 2014, mandates that a national child labor survey be conducted by the INE as part of the creation of the new Program for the Prevention and Social Protection of Children and Adolescents. The law mandates that this Program be designed by July 2016, but does not require a specific time frame for the completion of the survey within this period. (25)

Bolivian law requires children to attend school up to age 17. However, attendance rates for secondary education are low, particularly in rural areas and often because children work.(4, 15, 26)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bolivia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14/12/10	Articles 8 and 58 of the General Labor Law; Article 129 of the Child and Adolescent Code (25, 27)
Minimum Age for Hazardous Work	Yes	18	Articles 58-59 of the General Labor Law; Articles 5 and 136 of the Child and Adolescent Code (25, 27)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 136 of the Child and Adolescent Code (25)
Prohibition of Forced Labor	Yes		Articles 15, 46, and 61 of the Constitution; Article 291 of the Penal Code; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling (28-30)
Prohibition of Child Trafficking	Yes		Article 15 of the Constitution; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling (28, 30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 34-35 of the Comprehensive Law against Human Trafficking and Smuggling (30)
Prohibition of Using Children in Illicit Activities	Yes		Article 56 of the Law on Coca and Controlled Substances (31)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 108 of the Constitution; Articles 11 and 36 of the Law of National Military Service (28, 32)
Minimum Age for Voluntary Military Service	Yes	16*	Articles 1 and 2 of the General Directive of Pre-Military Recruitment; Articles 2 and 7 of the Law of National Military Service (32, 33)
Compulsory Education Age	Yes	17	Article 81 of the Constitution; Articles 1, 9 and 11–14 of the Avelino Siñani-Elizardo Pérez Education Law (28, 34)
Free Public Education	Yes		Articles 17 and 81 of the Constitution; Article 1 of the Avelino Siñani-Elizardo Pérez Education Law; Article 115 of the Child and Adolescent Code (25, 28, 34)

\*The minimum age for combat is 18 per Article 36 of the Law of National Military Service.(32)

The 2014 Child and Adolescent Code specifies the conditions under which children may work in addition to providing a number of other protections.(25) While the regulations for this law have not yet been written, its provisions that define the minimum age for work do not conform to international standards.(35) Article 129(1) of the Child and Adolescent Code establishes the minimum age for work at 14 years, which is in harmony with Article 58 of the General Labor Law.(25, 27) However, Article 129(2) of the Child and Adolescent Code allows children as young as 10 years old to work in self-employment upon authorization by the municipal Offices of the Child Advocate, provided that this work does not adversely affect the child's health or education, and only upon consent of a parent or guardian and after successful medical and psychological evaluations.(25) Allowing children as young as 10 years old to work may affect their schooling, which in Bolivia is compulsory to age 17.(34, 35) The ILO Committee of Experts has called upon the Government to amend Article 129 of the Child and Adolescent Code to set the minimum age for work, including in self-employment, to at least 14 years.(35)

Article 129(2) of the Child and Adolescent Code also permits children as young as 12 years old to work for third parties following the same process of authorization.(25) While ILO C. 138 allows children as young as 12 years old to engage in light work under certain circumstances, Bolivian law does not specify a list of activities that are permissible for light work, or the number of hours children are permitted to work in these activities pursuant to ILO C. 138.

Apprenticeships in Bolivia are regulated by Articles 28-30 and article 58 of the General Labor Law, which ensure that apprentices attend school. However, the General Labor Law does not set a minimum age for participation in apprenticeships.(27, 36)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce child labor laws, in part through its Fundamental Rights Unit, which also addresses forced labor involving indigenous peoples.(37) Conduct labor inspections, including child labor-specific investigations, in areas of national priority that include the sugarcane-producing areas of Santa Cruz and Tarija, the Brazil nut-producing areas of Riberalta and Beni, and the mining areas of Potosí.(15) Assess fines for labor law infractions and refer cases to the Labor Courts for adjudication and remuneration of unpaid wages. Engage municipal Offices of the Child Advocate to ensure the protection of children’s rights and welfare.(15) Maintain a national registry to track employment agencies engaged in the illegal recruitment and trafficking of children.(38) Assist in the implementation of the Child and Adolescent Code, including in the authorization of children’s work for third parties from the age of 14.(15, 25)
Municipal Offices of the Child Advocate	Authorize children from the age of 10 to work in exceptional cases and register them in the Government’s Child and Adolescent Information System (SINNA), pursuant to the Child and Adolescent Code. Protect the rights and welfare of children, often in consultation with NGOs, as well as file criminal complaints on behalf of victims of child labor, including its worst forms.(15, 25) Accompany child labor inspectors in their investigations and refer children rescued from child labor for services.(15, 25)
Attorney General’s Office	Oversee all trafficking in persons investigations and prosecutions.(23) Oversee through its National Coordinator’s Office regional prosecutors who, in conjunction with the Bolivian National Police, pursue cases of human trafficking for sexual and labor exploitation. Maintain a database of cases of trafficking in persons through its Coordinator of Specialized Units for the Prosecution of Human Trafficking and Smuggling, Sexual Crimes, and Gender-Based Violence.(23)
Ministry of Justice	Oversee the implementation of the Child and Adolescent Code. Create and administer SINNA, in which municipal Offices of the Child Advocate register young workers who are authorized to engage in self-employment or work for third parties, as required by the Child and Adolescent Code.(25)
Bolivian National Police	Maintain the Special Force in the Fight against Crime (FELCC) which, through its Division of Trafficking and Smuggling of Persons, runs 15 specialized trafficking in persons units to investigate trafficking crimes and coordinate anti-trafficking efforts.(15, 39) Maintain the Police Unit for Migratory Control and Assistance to address trafficking issues through migratory control efforts, in part through the patrol of national borders.(39, 40) Victims of trafficking are referred by these units to departmental Social Service Agencies (SEDEGES) or municipal Offices of the Child Advocate.(41)
Bolivian Armed Forces	Support anti-trafficking efforts by collaborating with the Bolivian National Police to detect human trafficking and child labor issues in border-crossing areas, pursuant to article 38 of the Comprehensive Law against Human Trafficking and Smuggling.(30, 38)

The Child and Adolescent Code requires the municipal Offices of the Child Advocate to authorize children ages 10 to 18 to engage in self-employment, and children ages 12 to 14 to work for third parties, both under certain conditions to ensure the children’s protection. The Code further requires the municipal Offices of the Child Advocate to register young workers in the Government’s Child and Adolescent Information System (SINNA).(25) However, reports indicate that as many as 20 percent of municipalities in Bolivia lack an Office of the Child Advocate; many more are reported to lack adequate resources and the capacity to perform their mandate. This lack of institutional coverage may leave certain children particularly vulnerable to child labor, including its worst forms.(15)

Law enforcement agencies in Bolivia took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor (MOL) employed 95 inspectors nationwide, including 9 inspectors dedicated solely to conducting inspections of child labor and forced labor cases.(15) This is an increase from the total of 78 inspectors employed in 2013, which included 4 inspectors dedicated solely to inspections of child labor and forced labor cases.(38) The Government reported that this number of inspectors was insufficient to inspect for child labor nationwide.(15) During the reporting period, UNICEF provided funding to send the MOL’s labor inspectors to the Ministry of Education’s Plurinational Public School, where government officials receive training on child labor. In 2014, the MOL reported that its operating budget was approximately \$10,000; the amount of additional funding provided by multilateral organizations is not known.(15) The Government reported that this low level of funding was inadequate to fulfill its mandate with regard to child labor.(15)

During the reporting period, the MOL's nine child labor inspectors conducted 250 unprompted, child labor-specific inspections, with a particular focus on the departments of Beni, Potosí, Santa Cruz, and Tarija, where there is a high incidence of child labor in dangerous activities.<sup>(15)</sup> This number of inspections was higher than the 163 child labor-specific inspections conducted in 2013.<sup>(38)</sup> The exact breakdown of inspections by region and by sector for 2014 was not publicly available. The Government reports that the number of child labor-specific inspections during 2014 was inadequate to address the scope of the problem.<sup>(15)</sup> The number of general labor inspections conducted by the MOL, including whether these inspections were unprompted, was also not publicly available. All inspections were conducted with funding from UNICEF.<sup>(15)</sup>

The Government reports that children who are rescued from child labor are referred to the municipal Offices of the Child Advocate for services. However, information on the number of children rescued and whether they received services, particularly in cases where an Office of the Public Advocate did not exist, was not publicly available.<sup>(15)</sup> Research did not identify information on the number of child labor law violations or on the penalties and fines issued or paid during the reporting period.<sup>(15)</sup>

### *Criminal Law Enforcement*

In 2014, the Bolivian National Police's Special Force in the Fight against Crime (FELCC) maintained 15 trafficking in persons units that, in addition to addressing other crimes related to missing persons, address trafficking in persons for sexual and labor exploitation. Each TIP unit comprised three to four investigators.<sup>(15)</sup> The exact number of criminal investigators employed by the Government to investigate the worst forms of child labor is not known. The Government reported that criminal investigators did not receive training on the worst forms of child labor during the reporting period.<sup>(15)</sup>

Information on the amount of funding provided to criminal law enforcement agencies for the reporting period was not publicly available. Some Government agencies reported that funding levels were inadequate and that they sometimes lacked fuel to conduct investigations.<sup>(15)</sup> Although there is a penalty of imprisonment for child labor exploitation and trafficking, information on the number of investigations conducted during the reporting period, the number of children removed from the worst forms of child labor, or the number of convictions obtained for these crimes was not publicly available.<sup>(15)</sup> In 2014, the Government reported approximately 380 cases of human trafficking reported to the Bolivian National Police and 12 reported sentences issued for crimes of trafficking.<sup>(39)</sup> However, these statistics were not disaggregated to distinguish between adult and child victims, and reports could not confirm if all sentences were being carried out. There was also a lack of information on whether victims of the worst forms of child labor received services.<sup>(15)</sup>

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
National Commission for the Progressive Eradication of Child Labor (CNEPTI)	Coordinate national efforts to address child labor issues. Led by the MOL, and includes the Ministries of Justice, Education, and Planning, as well as several NGOs. <sup>(15)</sup> Goal is to create a national plan to combat child labor for 2014–2018. <sup>(38)</sup>
Steering Committee for Zero Child Labor in Sugarcane Production	Coordinate efforts to eliminate child labor in sugarcane production. Formed with support from the MOL and the participation of the regional government of Santa Cruz, Bolivian municipal governments, the Bolivian Foreign Trade Institute (IBCE), and various NGOs. <sup>(13)</sup>
Plurinational Council against Human Trafficking and Smuggling (Plurinational Council)	Serve as the highest national body to lead and coordinate anti-trafficking efforts. Implement the Comprehensive Law against Human Trafficking and Smuggling, in part through its Plurinational Policy to Combat Trafficking and Smuggling of Persons (2013–2017). <sup>(30, 39)</sup> Chaired by the Minister of Justice and composed of representatives from eight other ministries, the Public Advocate, and representatives from NGOs. <sup>(39)</sup>
Department-Level Councils against Human Trafficking	Coordinate efforts of the Plurinational Council in each of Bolivia's nine departments. Comprised of department-level officials from the FELCC, the Ministries of Labor, Migration, and Education, the Human Rights Ombudsman, and representatives from NGOs. <sup>(15, 30)</sup>
Directorate General for the Fight against Trafficking and Smuggling	Assist in the coordination of national policy on trafficking in persons. Established under the Ministry of Government's Vice Ministry for Citizen Security, pursuant to the Comprehensive Law against Human Trafficking and Smuggling. <sup>(30, 39)</sup>
Inter-Ministerial Team	Assist in the development of a National Labor Plan for 2014–2018. Created by MOL in 2013 with representation from the Ministries of Justice, Health, Education, and Government. <sup>(38)</sup>



# Bolivia

## MINIMAL ADVANCEMENT

In 2014, the Plurinational Council against Human Trafficking and Smuggling (Plurinational Council) met three times and published the Plurinational Policy to Combat Trafficking and Smuggling of Persons.(39) The Comprehensive Law against Human Trafficking and Smuggling mandates that the Plurinational Council include the participation of NGOs. However, reports indicate that NGOs have not been able to participate fully in the Plurinational Council despite their efforts for inclusion.(39)

The Comprehensive Law against Human Trafficking and Smuggling requires each of Bolivia's nine departments to create counter-trafficking councils composed of law enforcement, judicial, and civil society officials. As of April 2014, counter-trafficking councils had been established in all nine departments; however, some of these councils were reported to lack efficacy.(15)

The National Commission for the Progressive Eradication of Child Labor (CNEPTI), led by the MOL, has been increasingly inactive, and did not meet during the reporting period. Many Government agencies and NGOs agree that its central coordinating role and activities have lapsed.(15) Moreover, reports indicate that some of the MOL's departmental sub-commissions created to combat child labor have also lapsed in their function, due in part to a lack of resources.(15) In addition, some reports indicate that child labor coordination efforts between departmental sub-commissions and municipal agencies have been strained due to differences among political parties.(15)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Bolivia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Plurinational Policy to Combat Trafficking and Smuggling of Persons (2013–2017)†	Sets national priorities on combatting human trafficking and smuggling, including that of children, pursuant to the Comprehensive Law against Human Trafficking and Smuggling. Contains five core areas that set agendas for government efforts and programs, including the prevention of trafficking, the remediation and reintegration of survivors, the prosecution of criminal violations, the strengthening of national coordination mechanisms, and international cooperation.(42, 43) Published by the Plurinational Council in 2014.(43)
Ministry of Education's Strategic Institutional Plan (PEI) (2010–2014)*	Sets national priorities on developing and reforming the educational system. Contains five strategic objectives that include the promotion of universal access to, and participation in, an intercultural educational system.(44)
Patriotic Agenda 2025*	Sets national development priorities and objectives for 2025, including the eradication of extreme poverty, universal access to education, and multicultural integration.(45)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Bolivia at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(46–48)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Bolivia's national policy for addressing child labor, the National Plan for the Progressive Eradication of Child Labor (2000–2010), expired in 2010. The Plan identified mining, sugarcane harvesting, commercial sexual exploitation, and domestic service as priority areas in combating exploitative child labor.(49) A new plan was not established during the reporting period.(36)

In December 2014, the Ministry of Education and Bolivia's Child and Adolescent Workers Union (UNATSBO) participated in the "First Plurinational Meeting of Child and Adolescent Workers for Social Inclusion and Equality." At the meeting, an 18-point agreement was signed that, among other objectives, prioritizes access to the educational system, flexibility in the school day to accommodate work schedules, curricular reform to enable students who have fallen behind to catch up to their peers, and the need for a survey to determine the educational status and needs of children and adolescents who work.(26)

In September 2014, Bolivia participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued cooperation on labor issues throughout the Americas, including on the exchange of information on policies and programs that seek to formalize the informal sector. Specific discussions were held on strategies for the prevention and elimination of child labor.(50, 51)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Bolivia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Juancito Pinto Subsidy Program*‡	Government program that provides a conditional cash transfer to all primary school students to increase school attendance and reduce the dropout rate.(41, 52) Limited evidence suggests the program contributed to increased school attendance and reduced dropout rates.(15, 41, 52) Provides students with a yearly subsidy of approximately \$28 if the student maintains an attendance rate of at least 75 percent.(15, 41) In 2014, assisted 2,600,000 students, or nearly 92 percent of public school population, an increase from the 2,350,000 students assisted the previous year.(15)
Ñaupajman Puriy Kereimba (ÑPK): Combating Exploitive Child Labor in Bolivia: Phase II (2010–2014)	\$6-million USDOL-funded, 4-year project, implemented by Desarrollo y Autogestión (DyA) that worked to reduce the worst forms of child labor by improving educational and livelihood opportunities for families in the departments of Chuquisaca, La Paz, and Santa Cruz.(9) Assisted 3,100 children and 1,300 households in both urban and rural areas. Collaborated with the Ministry of Education to expand the Leveling Program. Closed in early 2015.(9)
Leveling Program	Ministry of Education directive that requires all public schools to offer an accelerated education “leveling” program so that children who are falling behind in school because they work can catch up.(53, 54) With DyA assistance, municipalities and district education departments of Camiri, El Alto, Mojocoya, Pailon, and San Julian have plans of action, timetables and the resources to operate the leveling, multi-grade, after-school, and technical high school programs. Implementation started in January 2013 and continued to expand in 2014.(55)
Bolivian Foreign Trade Institute’s (IBCE) Triple Seal Initiative (El Instituto Boliviano de Comercio Exterior Triple Sello)	MOL collaboration with the Bolivian Institute of Standardization and Quality (IBNORCA), UNICEF, and the ILO to develop a voluntary certification program to recognize companies that comply with Bolivian law and ILO conventions regarding child labor, forced labor, and worker discrimination in the production of their goods. (13, 15, 41, 56) In Santa Cruz, Triple Seal Alliance works to diminish child labor under the joint UNICEF and Departmental Government of Santa Cruz Let’s Team Up (Hagamos Equipo) Campaign.(57) Implements the Triple Seal certification program that recognizes sugarcane producers who do not use child labor. In 2014, one sugarcane company, accounting for approximately 40 percent of the sugar market, was operating with the certification; three more companies were working toward their certification.(15)
Regional Action Group for the Americas (Grupo de Acción Regional para las Américas)	Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(58-60)
Ministry of Education/ Plurinational Public Management School (Escuela de Gestión Pública Plurinacional, EGPP)	EGPP training program required for public officials, including from the MOL and the Ministry of Education, that prepares them for public service. Contains a child labor module developed in 2013 in collaboration with the ÑPK project, which is a permanent part of the program.(55, 61) In 2014, MOL inspectors were trained by the EGPP with funding from UNICEF.(15)
UNICEF Bolivia Country Program (2013–2017)	Seeks to ensure the equitable provision of social services to children and protect children’s rights, including increased access to and completion of education. Aims to provide special attention to indigenous children, including the development of strategic policies, and educational and professional programs in indigenous languages.(62, 63)
Program to Protect the Rights of Children and Adolescents*	Government collaboration with UNICEF in 17 Bolivian chestnut and sugarcane-producing municipalities to provide education assistance, with funding from the Government of Italy and the Swiss Cooperation Agency. Program seeks to improve living conditions of 2,300 families and reintegrate 3,400 children in school.(62)
Human Rights of Children and Adolescents in Sugarcane Harvesting, Brazil Nut Processing, and Mining‡	Human Rights Ombudsman’s Office program to combat worst forms of child labor that promotes effective, sustainable policies and actions for the gradual elimination of the worst forms of child labor, along with labor and social protection for working adolescents between ages 14 and 17. Launched in April 2013 in Bermejo (Tarija), Cerro Rico (Potosí), and Riberalta (Beni).(64) DyA project participated in preparatory meetings and provided guidance for the design. In 2014, in the Department of Santa Cruz, a commission consisting of a representative from the departmental Government, a representative from the Office of the Child Advocate, and a representative from the Hagamos Equipo departmental anti-child labor NGO network inspected 583 of the approximately 4,000 existing sugarcane production plantations. Inspections found that more than 80 percent of the audited plantations no longer use child labor.(65)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Child Trafficking Awareness-Raising Campaigns	Government program in collaboration with the Bolivian Network for the Fight against Human Trafficking and Smuggling to conduct public awareness and education campaigns to educate the public, including youth and children, about the Comprehensive Law against Human Trafficking and Smuggling. Targeted more than 3,000 professionals including judicial administrators, members of the Public Ministry, public defenders, departmental SEDEGES officials, and civil society organizations.(24) Under the program, the Plurinational Council partnered with UNICEF to publish a guide for children, youth, and adults explaining the new anti-TIP law. The partnership also created a children's cell phone game to teach children about the dangers of trafficking.(24)
Student Documentation Program†	Government's General Service of Personal Identification's Civil Registration Service program to provide documentation to 1.7 million undocumented students.(23)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Bolivia.

Although Bolivia has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem, particularly in the production of Brazil nuts and sugarcane, ranching and cattle raising, mining, domestic work and street work, and commercial sexual exploitation. While the Juancito Pinto subsidy program continues to expand, reports indicate that the \$28 subsidy is insufficient to meaningfully cover costs associated with attending school, such as transportation and school supplies. For example, reports indicate that costs associated with attending school in rural Sucre may reach \$141 per year, while costs in La Paz's sister city, El Alto, may reach as high as \$410 per year.(15)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bolivia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections are extended to all children under 14 years, including in self-employment, and establish a list of occupations constituting light work, as well as the number of hours permitted in light work, for children ages 12 to 14.	2014
	Ensure the law prohibits children under the age of 14 from participating in apprenticeships.	2010 – 2014
Enforcement	Ensure that there is an Office of the Child Advocate with sufficient resources in every municipality to ensure that legal protections are extended to all children who are permitted to work, and coordinate the provision of services to children who are rescued from child labor, including its worst forms.	2014
	Provide sufficient funding and training to increase the capacity of the MOL and the Bolivian National Police to ensure effective enforcement of child labor laws.	2013 – 2014
	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce, and ensure the number of labor inspections is adequate.	2013 – 2014
	Ensure that general labor inspectors conduct unprompted inspections in all sectors and geographical areas.	2011 – 2014
	Collect and make publicly available statistics on child labor for all regions, including the number of inspections, number of children found in child labor as a result of inspections, prosecutions, sentences, and penalties applied.	2009 – 2014
Enforcement	Collect and make publicly available information about the number of investigators responsible for enforcing criminal laws on the worst forms of child labor, the number of investigations, prosecutions, convictions, and the penalties applied.	2013 – 2014
	Collect and make publicly available statistics on trafficking cases disaggregated by adults and children.	2011 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that NGOs participate in the Plurinational Council against Human Trafficking and Smuggling, as required by the Comprehensive Law against Human Trafficking and Smuggling.	2014
	Ensure that all department-level Councils against Human Trafficking are fully operational as required by the Comprehensive Law against Human Trafficking and Smuggling.	2014
	Reconvene the CNEPTI and develop concrete mechanisms to improve coordination among participating agencies and organizations.	2009 – 2014
	Ensure that all the MOL's departmental sub-commissions designed to combat child labor convene and receive sufficient resources to carry out their function.	2014
Government Policies	Establish and implement a new National Plan for the Progressive Eradication of Child Labor.	2010 – 2014
	Integrate child labor elimination and prevention strategies into the national educational and development plans.	2013 – 2014
Social Programs	Conduct the national child labor survey mandated by the Child and Adolescent Code (Law 548) to inform policies and programs to eliminate child labor.	2014
	Expand national programs to increase secondary school attendance and support the implementation of the Avelino Siñani-Elizardo Pérez Education Law, which guarantees equal educational opportunities for all children, including those who fall behind in school because they work.	2010 – 2014
	Assess the impact that the Juancito Pinto subsidy program and the Program to Protect the Rights of Children and Adolescents may have on child labor.	2010 – 2014
	Increase the amount of the Juancito Pinto subsidy provided to school children to ensure they are able to cover the costs associated with attending school.	2014
	Expand social programs to address the worst forms of child labor in areas where hazardous child labor exists, particularly in the production of Brazil nuts and sugarcane, ranching and cattle raising, mining, domestic work and street work, and commercial sexual exploitation.	2009 – 2014

## REFERENCES

- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivia (ratification: 2003) Submitted: 2012*; accessed January 18, 2015; [http://www.ilo.org/dyn/normlex/en/?p=NOR\\_MLEX PUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2700546:NO](http://www.ilo.org/dyn/normlex/en/?p=NOR_MLEX PUB:13100:0::NO:13100:P13100_COMMENT_ID:2700546:NO).
- Verite. *Research on Indicators of Forced Labor in the Supply Chains of Brazil-Nuts, Cattle, Corn, and Peanuts in Bolivia*; 2013. [http://www.verite.org/sites/default/files/images/Research%20on%20Indicators%20of%20Forced%20Labor%20in%20the%20Bolivia%20Brazil-nut%2C%20Cattle%2C%20Corn%2C%20and%20Peanut%20Sectors\\_9.19.pdf](http://www.verite.org/sites/default/files/images/Research%20on%20Indicators%20of%20Forced%20Labor%20in%20the%20Bolivia%20Brazil-nut%2C%20Cattle%2C%20Corn%2C%20and%20Peanut%20Sectors_9.19.pdf).
- "Niñez Indígena en América Latina: Situación y Perspectivas (Compilación de documentos de trabajo)," in Trabajo Infantil-Encuentro Latinoamericano Pueblos Indígenas y Gobiernos-De la Declaración a la Acción 2010; Cartagena; [http://white.oit.org.pe/ipecl/documentos/publi\\_encuentro\\_final.pdf](http://white.oit.org.pe/ipecl/documentos/publi_encuentro_final.pdf).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivia (ratification: 2003) Published 2015*; accessed March 4, 2015; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3186211:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186211:NO).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta Continua de Hogares, 2009. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Ministry of Labor official. Interview with USDOL official. February 14, 2011.
- Ministry of Education official. Interview with USDOL official. February 15, 2011.
- Desarrollo y Autogestión. *Combating Exploitive Child Labor through Education in Bolivia (Phase II): Project Document*. Santa Cruz; January 2011.
- U.S. Department of State. "Bolivia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- UNICEF. *Trabajo Infantil en Bolivia*, UNICEF, [online] 2011 [cited April 17, 2014]; [http://www.unicef.org/bolivia/proteccion\\_17111.htm](http://www.unicef.org/bolivia/proteccion_17111.htm).
- Desarrollo y Autogestión. Interview with USDOL official. February 3, 2012.
- ILO-IPEC. *Project to Combat the Worst Forms of Child Labor through Horizontal Cooperation in South America*. Technical Progress Report. Geneva; October 2011.
- Friedman Rudovsky, N. "German's story: Swapping Sugar Cane Fields for School in Bolivia." unicef.org [online] June 10, 2011 [cited April 17, 2014]; [http://www.unicef.org/infobycountry/bolivia\\_58846.html](http://www.unicef.org/infobycountry/bolivia_58846.html).
- U.S. Embassy- La Paz. *reporting, February 12, 2015*.
- Shahriari, S. "Photos: a life in Bolivia's mines." globalpost.com [online] March 22, 2010 [cited April 17, 2014]; <http://www.globalpost.com/dispatch/bolivia/100316/bolivia-children-mines>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivia (ratification: 2003) Published: 2015*; accessed January 18, 2015; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3186215:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186215:NO).
- CIES International. *Estudio sobre la situación laboral de adolescentes trabajadores*; January 2012.



19. Filomeno, M. "Trabajo Niños ladrilleros trabajan en la noche y la madrugada en La Paz." Pagina Siete, La Paz, October 11, 2012; Sociedad.
20. U.S. Department of State. "Bolivia," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dclid=204430>.
21. Government of Bolivia, Empleo Ministerio de Trabajo y Previsión Social. *Sin Tiempo para soñar: Situación de los niños, niñas, adolescentes y sus familias en la zafra y el beneficiado de la castaña*. La Paz; 2009.
22. U.S. Department of State. "Bolivia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226845.pdf>.
23. U.S. Embassy- La Paz. *reporting, March 6, 2014*.
24. U.S. Embassy- La Paz. *reporting, February 14, 2014*.
25. Government of Bolivia. *Código Niño, Niña y Adolescente*, Ley No. 548, enacted July 17, 2014. <http://www.gacetaoficialdebolivia.gob.bo/>.
26. La Razón. "Acceso a la educación." *la-razon.com* [online] December 18, 2014 [cited March 9, 2015]; [http://www.la-razon.com/opinion/editorial/Acceso-educacion\\_0\\_2181981919.html](http://www.la-razon.com/opinion/editorial/Acceso-educacion_0_2181981919.html).
27. Government of Bolivia. *Ley General del Trabajo*, enacted December 8, 1942. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/46218/65057/S92BOL01.htm#t4c6>.
28. Government of Bolivia. *Nueva Constitución Política del Estado*, enacted February 9, 2009. <http://pdba.georgetown.edu/Constitutions/Bolivia/constitucion2009.pdf>.
29. Government of Bolivia. *Código Penal y Código de Procedimiento Penal*, enacted 2010. [https://www.unodc.org/res/cld/document/bol/codigo-penal\\_html/Bolivia\\_Codigo\\_Penal.pdf](https://www.unodc.org/res/cld/document/bol/codigo-penal_html/Bolivia_Codigo_Penal.pdf).
30. Government of Bolivia. *Ley Integral Contra la Trata y Tráfico de Personas*, Ley No. 263, enacted July 31, 2012. <http://bolivia.infoeyes.com/shownorm.php?id=3946>.
31. Government of Bolivia. *Ley del Régimen de la Coca y Sustancias Controladas*, 1008, enacted July 19, 1988. <http://www.iadb.org/Research/legislacionindigena/leyn/docs/Bol-Ley1008-88-Coca.doc>.
32. Government of Bolivia. *Ley del Servicio Nacional de Defensa*, enacted August 1, 1966. <http://www.resdal.org/Archivo/bolivia-ley-servicio-nacional-defensa.htm>.
33. Government of Bolivia. *Directiva General de Reclutamiento para el Servicio Premilitar No. 12/13 Categoría 2013-2014*, enacted [http://www.mindef.gob.bo/mindef/sites/default/files/Servicio\\_Premilitar.htm](http://www.mindef.gob.bo/mindef/sites/default/files/Servicio_Premilitar.htm).
34. Government of Bolivia. *Ley de Educación Avelino Siñani-Elizardo Pérez*, No. 070, enacted November 8, 2010. <http://www.oei.es/quipu/bolivia/Leydla%20.pdf>.
35. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Bolivia (ratification: 1997); Published 2015*; accessed March 5, 2015; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3186134:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186134:NO).
36. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Bolivia (ratification: 1997) Published 2015*; accessed March 4, 2015; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3186134:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186134:NO).
37. Ministerio de Trabajo Empleo y Previsión Social - Unidad de Derechos Fundamentales. "Contribución a la Erradicación Progresiva del Trabajo Infantil." [www.mintrabajo.gob.bo](http://www.mintrabajo.gob.bo) [online] n.d. [cited January 18, 2015]; [http://www.mintrabajo.gob.bo/Descargas/UDF/CONTRIBUCION\\_A\\_LA\\_ERRADICACION\\_PROGRESIVA\\_DEL\\_TRABAJO\\_INFANTIL.pdf](http://www.mintrabajo.gob.bo/Descargas/UDF/CONTRIBUCION_A_LA_ERRADICACION_PROGRESIVA_DEL_TRABAJO_INFANTIL.pdf).
38. U.S. Embassy- La Paz. *reporting, February 3, 2014*.
39. U.S. Embassy- La Paz. *reporting, March 6, 2015*.
40. Government of Bolivia. "Unidad Policial de Apoyo al Control Migratorio UPACOM." [migracion.gob.bo](http://migracion.gob.bo) [online] n.d. [cited March 7, 2015]; <http://www.migracion.gob.bo/web/upacom.html>.
41. U.S. Embassy- La Paz. *reporting, January 31, 2013*.
42. Ministerio de Justicia. "Presentan Política Plurinacional de Lucha Contra la Trata y Tráfico de Personas ante el cuerpo diplomático." [justicia.gob.bo](http://www.justicia.gob.bo) [online] June 4, 2014 [cited March 6, 2015]; <http://www.justicia.gob.bo/index.php/noticias/notas-de-prensa/1328-presentan-politica-plurinacional-de-lucha-contra-la-trata-y-trafico-de-personas-ante-el-cuerpo-diplomatico>.
43. Government of Bolivia - Consejo Plurinacional Contra la Trata y Tráfico de Personas. "Política Plurinacional de Lucha Contra la Trata y Tráfico de Personas 2013 - 2017." [online] 2014 [cited March 6, 2015]; <http://saludpublica.bvsp.org.bo/cc/b040.1/documentos/588.pdf>.
44. Government of Bolivia - Ministerio de Educación. "Plan Estratégico Institucional 2010-2014." [online] 2010 [cited March 9, 2015]; [http://www.cienciaytecnologia.gob.bo/uploads/plan\\_estrategico\\_institucional.pdf](http://www.cienciaytecnologia.gob.bo/uploads/plan_estrategico_institucional.pdf).
45. Government of Bolivia. "13 Pilares de la Bolivia Digna y Soberana - Agenda Patriótica del Bicentenario 2025." [comunicacion.presidencia.gov.bo](http://comunicacion.presidencia.gov.bo) [online] 2013 [cited March 9, 2015]; <http://comunicacion.presidencia.gov.bo/docprensa/pdf/20130123-11-36-55.pdf>.
46. *Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas, October 14, 2014*. Lima, Peru. [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
47. ILO. "18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour." October 17, 2014. [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
48. UN News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." October 15, 2014. <http://www.un.org/apps/news/printnews.asp?nid=49082>.
49. Inter-Institutional Commission for the Eradication of Child Labor. *Plan de erradicación progresiva del trabajo infantil: 2000-2010*. La Paz, Ministry of Labor; November 2001. <http://white.oit.org.pe/ipecc/documentos/planbo.pdf>.
50. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
51. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
52. U.S. Embassy- La Paz. *reporting, February 1, 2010*.
53. Desarrollo y Autogestión. *Combating Exploitive Child Labor through Education in Bolivia (Phase II)*. Technical Progress Report. Santa Cruz; October 2011.
54. Government of Bolivia, Ministry of Education. *Instructivo VER/DGES 004/2011*. La Paz; July 27, 2011.
55. Desarrollo y Autogestión. *Combating Exploitive Child Labor through Education in Bolivia (Phase II)*. Technical Progress Report. Santa Cruz; October 2013.
56. IBCE. *Triple Sello - Asesoramiento*, IBCE, [online] [cited April 17, 2014]; <http://www.rsebolivia.org/asesorias.asp>.
57. IBCE - Instituto Boliviano de Comercio Exterior. *Trabajo Infantil: Del Compromiso a la Acción*. La Paz; 2013.
58. Mercosur. *Reunión de la Comisión Permanente para la Coordinación e Implementación de las Acciones Relativas a la Iniciativa Niñ@ Sur para la Protección y Promoción de los Derechos de los Niños y Niñas y Adolescentes*. Buenos Aires; March 27, 2012. Report No. 443.
59. Grupo de Acción Regional de las Américas. *Países Participantes, Grupo de Acción Regional de las Américas*. Buenos Aires; March 27, 2010. [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=article&id=52%3Aquienes-somos&catid=38&Itemid=73&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=article&id=52%3Aquienes-somos&catid=38&Itemid=73&lang=es).
60. Grupo de Acción Regional. *Grupo de Acción Regional de las Américas, Quienes Somos*, [online] 2010 [cited January 24, 2013]; [source on file].
61. USDOL official. E-mail communication to USDOL official. February 6, 2014.
62. UNICEF. *Plan de Acción de Programa País 2013 - 2017*. La Paz; April 2013. [http://www.unicef.org/bolivia/PlanAccionProg\\_2013\\_2017.pdf](http://www.unicef.org/bolivia/PlanAccionProg_2013_2017.pdf).
63. UNICEF. "Bolivia Country Programme Document, 2013-2017." unicef.org [online] 2015 [cited March 9,]; [http://www.unicef.org/about/execboard/files/Bolivia-2013-2017-final\\_approved-English-14Sept2012.pdf](http://www.unicef.org/about/execboard/files/Bolivia-2013-2017-final_approved-English-14Sept2012.pdf).
64. Government of Bolivia - Defensoría del Pueblo. *Informe de avance del proyecto 'Derechos humanos de NNA en la actividad de zafra, beneficiadora de castaña y minería'*; 2013. <http://www.defensoria.gob.bo/archivos/Verificaciones%20defensoriales%202013%20zafra%20casta%20C3%B1a%20y%20miner%C3%ADa%20NyA.pdf>.
65. U.S. Embassy- La Paz official. E-mail communication to USDOL official. June 9, 2014.

*In 2014, Bosnia and Herzegovina (BiH) made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government strengthened human trafficking victim identification efforts, tripling the number of victims identified from the previous year. In addition to allocating \$1.8 million for implementation of the Decade of Roma Inclusion Action Plan, the Ministry of Human Rights and Refugees (MHRR) also continued collaborating with NGOs on a project aimed at registering Romani people for citizenship. However, children in BiH are engaged in the worst forms of child labor, including in begging and commercial sexual exploitation, each as a result of human trafficking. The Government does not have a comprehensive list of hazardous occupations and activities prohibited for children. Additionally, the Federation of Bosnia and Herzegovina (FBiH) Government has yet to pass an anti-human trafficking amendment that would harmonize its criminal code with state-level legislation and ensure the prohibition of all forms of human trafficking across the entire country.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bosnia and Herzegovina (BiH) are engaged in the worst forms of child labor, including in begging and commercial sexual exploitation, each as a result of human trafficking. (1, 2) Table 1 provides key indicators on children’s work and education in BiH. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	8.9 (44,017)
Attending School (%)	5-14 yrs.	83.7
Combining Work and School (%)	7-14 yrs.	10.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(3)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(4)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Services	Street work, including begging, vending,* washing car windows,* and scavenging for scrap metal* (5-9)
	Forced begging and forced domestic work, each sometimes as a result of human trafficking (1, 2, 10-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (1, 12, 13)
	Used for pickpocketing* (6, 7)
	Used in the production of pornography* (8, 14, 15)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

# Bosnia and Herzegovina

## MODERATE ADVANCEMENT




Children in Bosnia and Herzegovina (BiH) are predominantly involved in begging on the streets, often at busy intersections or near tourist attractions and religious institutions. Children are sometimes used by their parents or guardians to beg.(5, 7, 16) Organized groups also exist that traffic groups of children to lucrative locations and force them to beg.(1, 7, 17) Evidence suggests that children from the Roma community, the largest minority group in BiH, are particularly vulnerable to involvement in the worst forms of child labor.(5-7, 9) The Roma custom of paid and arranged marriages between families has resulted in the exploitation of some Roma girls as domestic workers.(2, 11, 12) BiH lacks recent, comprehensive data on the extent and nature of the worst forms of child labor in the country.(5)

Many Roma children are not enrolled in school, which increases their vulnerability to involvement in the worst forms of child labor.(10, 17, 18) Sources indicate that obstacles to accessing education include discrimination by teachers and peers, long traveling distance to schools, and inability to afford appropriate clothing and food to eat during school hours.(15, 19-21) Although the Government of BiH, in collaboration with the UN Refugee Agency (UNHCR) and local NGO Vasa Prava, has made significant efforts to register undocumented individuals for citizenship. The UNHCR estimates that there are still approximately 100 people at risk of statelessness in the country.(13) Children who lack identity documents may face barriers to accessing public education. (17, 20, 22)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bosnia and Herzegovina (BiH) has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The State of Bosnia and Herzegovina (BiH) consists of two entities—the Federation of Bosnia and Herzegovina (FBiH) and the Republika Srpska (RS)—and the self-governing Brčko District (BD).(23) Criminal laws at the state, entity, and district levels regulate issues related to the worst forms of child labor. The entities and the district are responsible for regulating labor issues.(24) The State of BiH has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Related Entity	Yes/No	Age	Related Legislation
Minimum Age for Work	Federation of Bosnia and Herzegovina (FBiH)	Yes	15	Article 15 of the Labor Law of the Federation of Bosnia and Herzegovina (25)
	Republika Srpska (RS)	Yes	15	Article 14 of the Labor Law of Republika Srpska (26)
	Brčko District (BD)	Yes	15	Article 10 of the Labor Law of Brčko District (27)
Minimum Age for Hazardous Work	FBiH	Yes	18	Article 51 of the Labor Law of the Federation of Bosnia and Herzegovina (25)
	RS	Yes	18	Article 69 of the Labor Law of Republika Srpska (26)
	BD	Yes	18	Article 41 of the Labor Law of Brčko District (27)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Related Entity	Yes/No	Age	Related Legislation
Prohibition of Hazardous Occupations or Activities for Children	FBiH	Yes		Articles 36, 51, and 140 of the Labor Law of the Federation of Bosnia and Herzegovina (25)
	RS	Yes		Articles 42, 45–46, 69, and 150 of the Labor Law of Republika Srpska (26)
	BD	Yes		Articles 28, 41, and 111 of the Labor Law of Brčko District (27)
Prohibition of Forced Labor	FBiH	Yes		Article II of the Constitution of Bosnia and Herzegovina (24)
	RS	Yes		Article II of the Constitution of Bosnia and Herzegovina (24)
	BD	Yes		Article II of the Constitution of Bosnia and Herzegovina (24)
Prohibition of Child Trafficking	Bosnia and Herzegovina (BiH)	Yes		Articles 185–186 of the Criminal Code of Bosnia and Herzegovina (28)
	FBiH	No		
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (29)
	BD	Yes		Article 207a of the Criminal Code of Brčko District (30)
Prohibition of Commercial Sexual Exploitation of Children	BiH	Yes		Article 187 of the Criminal Code of Bosnia and Herzegovina (28)
	FBiH	Yes		Articles 210–211 of the Criminal Code of the Federation of Bosnia and Herzegovina (31)
	RS	Yes		Articles 198–200 of the Criminal Code of Republika Srpska (32)
	BD	Yes		Articles 186 and 207–209 of the Criminal Code of Brčko District (33)
Prohibition of Using Children in Illicit Activities	BiH	Yes		
	FBiH	Yes		Article 219 of the Criminal Code of the Federation of Bosnia and Herzegovina (31)
	RS	Yes		Articles 198b and 224 of the Criminal Code of Republika Srpska (29, 32)
	BD	Yes		Article 216 of the Criminal Code of Brčko District (33)
	BiH	N/A*		
	FBiH	N/A*		
Minimum Age for Compulsory Military Recruitment	RS	N/A*		
	BD	N/A*		
Minimum Age for Voluntary Military Service	BiH	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (34, 35)
	FBiH	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (34, 35)
	RS	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (34, 35)
	BD	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (34, 35)
Compulsory Education Age	FBiH	Yes	15	Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (36)
	RS	Yes	15	Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (36)
	BD	Yes	15	Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (36)



# Bosnia and Herzegovina

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Related Entity	Yes/No	Age	Related Legislation
Free Public Education	FBiH	Yes		Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (36)
	RS	Yes		Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (36)
	BD	Yes		Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (36)

\* No conscription (35)

The entities of Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS) and the Brčko District (BD) all prohibit the employment of minors in activities that may be harmful to their health and moral development, including work underwater, underground, and at night, with certain exceptions.(25-27) However, neither of the entities nor BD have enacted legislation that defines the types of hazardous occupations and activities prohibited for children in a manner that is comprehensive and specific enough to facilitate effective implementation of penalties for hazardous work violations and the removal of children from these situations.

BiH law prohibits both domestic and international trafficking in persons. However, the Governments of BiH, the entities, and BD agreed in 2011 that BiH law would be used in cases of international human trafficking, but that entity and BD laws should be adopted to cover domestic human trafficking.(28, 37) In the previous reporting period, both RS and BD adopted amendments to their Criminal Codes to prohibit all forms of human trafficking, thereby harmonizing RS and BD laws with BiH law. However, in 2014, FBiH parliament rejected a law that would criminalize human trafficking and bring the FBiH legal framework into accord with the others.(12) As a result, BiH lacks fully harmonized subnational and state laws that clearly and comprehensively prohibit trafficking in persons at all levels.(10, 12)

The Criminal Codes of BiH, FBiH, RS, and BD prohibit the commercial sexual exploitation of children through legal provisions that forbid incitement to prostitution, forced prostitution, and turning a person over to a third party for the purpose of prostitution. Despite these protections, the FBiH Law on Public Peace and Order considers prostitution a misdemeanor, which may result in minors engaged in commercial sexual exploitation being charged with a crime.(38, 39) The anti-trafficking amendment to the Criminal Code of BD penalizes the use of services provided by a child trafficked for the purpose of commercial sexual exploitation, and the amended Criminal Code of RS penalizes the same offense if the perpetrator is aware that the child is a victim of human trafficking. Currently, the Criminal Code of FBiH lacks similar provisions.(28, 29, 31-33)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
FBiH Ministry of Labor and Social Policy's Federal Inspection Agency and Cantonal-Level Labor Inspectorates	Enforce labor laws, including those on child labor, in FBiH.(12, 40)
RS Ministry of Labor and Veterans' Labor Inspectorate	Enforce labor laws, including those on child labor, in RS.(12, 40)
BD Administrative Support Department	Enforce labor laws, including those on child labor, in BD.(12)
Entity and Cantonal-Level Police	Enforce criminal laws against trafficking, forced labor, prostitution, and begging.(37)
Ministry of Security (MoS)	Enforce national policy to prevent the worst forms of child labor. Collect data on human trafficking.(12) Ensure that victims are placed in government-approved shelters.(12)
State Investigative and Protection Agency (SIPA) and State Border Police (SBP)	Investigate human trafficking crimes and enforce anti-trafficking laws across the entire country (SIPA).(12, 37, 38) Identify trafficking victims at the border (SBP).(38)
State, Entity, and FBiH Cantonal-Level Prosecutors' Offices	Prosecute trafficking, forced labor, prostitution, and begging cases at their respective levels, based on applicable laws.(12, 37, 38)

Law enforcement agencies in Bosnia and Herzegovina (BiH) took actions to combat child labor, including its worst forms.

## ***Labor Law Enforcement***

There are approximately 113 inspectors across the Federation of Bosnia and Herzegovina (FBiH), Republika Srpska (RS), and Brčko District (BD).(41) Officials in RS and BD indicated that these numbers are adequate and that the inspectorates have sufficient resources to carry out inspections. The FBiH Government noted that while resources are sufficient at the federation level, cantonal-level inspectorates lack financial and human resources.(12, 42) In 2014, labor inspectors did not receive training on general child labor issues, but did participate in anti-human trafficking training sessions initiated by the State Coordinator for Combatting Trafficking in Persons.(12)

All three labor inspectorates have the authority to visit any formal sector inspection site without prior supervisory approval, and typically 30 percent of these inspections are unannounced.(12) Inspectorates carry out both routine and complaint-driven visits.(40) If the inspectorates discover violations of child labor law, they have the power to assess administrative penalties or issue fines up to \$623 (1,000 Bosnia-Herzegovina KM).(12) Authorities confirmed that they did not find any cases of child labor in 2014, but noted that the labor inspectorate does not have the authority to inspect the informal sector, including the street, where most child labor is known to occur.(42) Consequently, no penalties or citations were issued.(12)

During the reporting period, Centers for Social Welfare located throughout the country made efforts to identify children working on the street and to provide them with social services. In Sarajevo, an institutionalized Mobile Team, with a staff of three individuals, engaged in daily outreach to children on the streets and to families in vulnerable communities. Additionally, in December 2014, the State Coordinator finalized a process to incorporate labor inspectors into the National Referral Mechanism for victims of human trafficking.(13) In cases in which a child is engaged in exploitative labor that is not as a result of human trafficking, the Government lacks a specific referral mechanism between agencies responsible for labor law enforcement and the Center for Social Welfare.(12)

## ***Criminal Law Enforcement***

In 2014, police and prosecutors at various levels of the Government were responsible for investigating human trafficking crimes and compiling information about them through the multiagency Strike Force for Combatting Trafficking in Persons and Organized Illegal Migration (Anti-Trafficking Strike Force).(12) Approximately 60 investigators, police inspectors, prosecutors, and judges received some training on child labor trafficking through two workshops organized by the U.S. Embassy's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), with assistance from the Department of the State Coordinator for Combating Trafficking in Persons (State Coordinator).(12, 13) During the reporting period, the State Coordinator worked to institutionalize basic courses on preventing and combating human trafficking into the training regime at all three of the country's police academies.(13) A government official acknowledged that while judges and prosecutors receive some basic training on human trafficking through the Agency for Education and Training, more training is needed, especially regarding how to properly prosecute cases involving child begging as a result of human trafficking.(13, 43)

Criminal investigations and prosecutions of human trafficking cases were carried out at both the subnational and national levels. In BD, the Prosecutor's Office investigated one potential human trafficking violation involving six suspects, but information is not available on the outcome of the investigation.(12) RS law enforcement also investigated one case of child trafficking, which resulted in the conviction and sentencing of an individual under entity-level law.(12) Although FBiH law does not include anti-trafficking provisions, eight suspects were brought before the court under charges of Enticement to Prostitution. Of the eight, the court acquitted two, convicted two with suspended sentences, and convicted and sentenced four to prison terms of 1 to 2 years.(12) At the national level, state law enforcement officials and the State Prosecutor's Office filed a total of nine criminal reports against 14 trafficking-in-persons suspects, but none of the alleged perpetrators were convicted during the reporting period.(12) The Government acknowledged that it does not collect and publish data indicating which of these crimes involved children.(43)

The Government made a significant improvement in victim identification during the reporting period, reporting 37 child trafficking victims in 2014 as opposed to 9 in 2013.(41) Of the total child trafficking victims identified, 24 girls were subject to commercial sexual exploitation, forced marriage, or forced begging. All the male child victims identified were engaged in forced

# Bosnia and Herzegovina

## MODERATE ADVANCEMENT

begging.(12, 41) Through the National Referral Mechanism, these child victims were referred to government-funded shelters and assistance programs.(12, 37) The National Referral Mechanism is monitored by four multidisciplinary regional monitoring teams in Banja Luka, Mostar, Sarajevo, and Tuzla, which are responsible for ensuring quality victim protection.(8, 12) In December 2014, the State Coordinator finalized a process to incorporate labor inspectors into the National Referral Mechanism.(13) However, it is also not clear what impact this will have on assisting child victims of labor exploitation, as child labor occurs almost exclusively in the informal sector, which is outside their inspection mandate.

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Department of the State Coordinator for Combatting Trafficking in Persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Department of the State Coordinator for Combatting Trafficking in Persons within the Ministry of Security (MOS)	Coordinate human trafficking victim protection efforts among relevant ministries at the entity level, as well as prosecutors at the state, entity, and local levels.(6, 38) Oversee the trafficking in persons database, which includes data from NGOs, the State Investigative and Protection Agency (SIPA), the State Border Police (SBP), and police agencies and Prosecutors' Offices at all levels.(37) Oversee shelter management and monitor NGOs' compliance with the agreed-upon provisions on victims' assistance.(37)
Strike Force for Combatting Trafficking in Persons and Organized Illegal Migration (Anti-Trafficking Strike Force)	Coordinate human trafficking investigations across government agencies.(13) Convene once a month, with additional meetings scheduled as needed.(43) Chaired by the Chief State Prosecutor and includes the following agencies: BiH Prosecutor's Office, State Coordinator for Combating Trafficking in Persons, Federation Prosecutor's Office, RS Prosecutor's Office, BD Prosecutor's Office, Federation Ministry of Interior, RS Ministry of Interior, SIPA, BD Police, SBP, and Federation and RS Tax Administrations.(12)
Inter-Ministerial Working Group (Monitoring Team)	Monitor implementation of the Strategy to Counter Trafficking in Human Beings and the Action Plan.(38) Comprises appointed representatives from the state and entity governments, as well as elected representatives from NGOs active in anti-human trafficking.(8)

In an effort to improve in interagency coordination on combating trafficking in persons, in 2014, the Anti-Trafficking Strike Force adopted a rulebook and work plan for 2015–2017. The goals of the work plan include raising awareness on human trafficking, and increasing cooperation among internal government agencies and with the governments of neighboring countries.(13)

The Government of BiH also maintains the Council for Children, which is responsible for coordinating children's issues among state-level agencies and institutions under the Action Plan for Children of Bosnia and Herzegovina. Although the Council may address issues related to the worst forms of child labor, research did not find evidence that it functions as a mechanism to specifically coordinate efforts to prevent and eliminate child labor in BiH.(44, 45)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Bosnia and Herzegovina (BiH) has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Decade of Roma Inclusion (2005–2015) and Action Plan (2013–2016)*	Aims to improve the socioeconomic status and social inclusion of Roma. Joint initiative of 12 European countries, with BiH serving its rotation as Decade President in 2014.(6, 19, 37) In 2014, the Government allocated \$1.75 million to implement activities set forth in its revised Decade Action Plan for 2013–2016, including housing, education, employment, and health care initiatives for Roma.(37, 38, 46)
Action Plan for Children of Bosnia and Herzegovina (2011–2014)*	Seeks to enhance institutional capacity, cross-sectoral cooperation, and coordination at all government levels to create favorable conditions for children and families, as well as to promote social inclusion of children and their general well-being.(2, 5)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Strategy to Counter Trafficking in Human Beings and Action Plan (2013–2015)	Focuses on comprehensive support, prevention, victim protection and assistance, criminal prosecution, and international cooperation. Follows international standards set by the Council of Europe Convention on Actions Against Trafficking in Human Beings and the Palermo Protocol on Trafficking in Persons.(38, 47) Implemented and monitored by a team of representatives from the Ministry of Security, Ministry of Justice, Ministry for Human Rights and Refugees, Ministry of Civil Affairs, High Judicial and Prosecutorial Council, and NGOs.(6, 37)
Action Plan for Child Protection and Prevention of Violence against Children through Information-Communications Technologies (2014–2015)†	Aims to develop efficient mechanisms to protect children from exploitation in child pornography and other forms of sexual exploitation through information and communications technology.(13) Includes 40 activities in the categories of legislation, institutional capacities and cooperation, and prevention.(48) Developed as part of BiH's commitments under the Global Alliance Against Child Sexual Abuse Online initiative.(8)
Policy for the Protection of Children Deprived of Parental Care and Families at Risk of Separation in FBiH (2006–2016) and Action Plan (2013–2016)*	Calls for the development of social protection systems to provide sufficient protection to children without parental care and children separated from their parents.(2)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Although some progress has been made toward improving conditions for the Roma population through the Decade of Roma Inclusion, sources indicate that the Government has not allocated adequate financial resources for effective implementation of inclusive education initiatives.(21, 49-51)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Bosnia and Herzegovina (BiH) funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Ministry of Human Rights and Refugees (MHRR) Funding*‡	\$2.1 million Roma assistance project funded by the Ministry of Human Rights and Refugees (MHRR) and various donors and implemented by MHRR and 23 NGOs.(6) Aims to address issues related to housing, health care, and employment for Roma people.(41)
Registration Project*	UN Refugee Agency-funded project implemented by MHRR and NGO Vasa Prava that promotes registration of Roma people to increase their access to social benefits and to enable Roma children to enroll in schools.(12, 52) Since its initiation in July 2009, has helped 1,300 Roma individuals to register for citizenship and has enabled 19,000 individuals to apply for social inclusion programs.(41, 44)
Daily Centers and Crisis Centers‡	Center for Social Welfare-supported and NGO-operated long- and short-term day care centers for vulnerable children, especially those who live or work on the street.(38, 44) Provide direct assistance for children, including educational activities, counseling, food, and hygiene.(7, 18) Daily Centers operate in nine locations across the country. In four locations, NGOs also maintain Crisis Centers to provide protection to children found in exploitative labor situations who need emergency access to accommodation and social services.(16) In 2014, the Sarajevo Daily Center assisted 178 at-risk children and 21 potential child trafficking victims.(7, 41)
Enhancing the Social Protection and Inclusion System for Children in BiH (2008–2015)‡	EU-funded program implemented by UNICEF, government ministries, and NGOs, that seeks to improve social protection systems at all levels of Government, strengthen the capacity of government agencies to provide for social protection and inclusion of children, and enhance coordination and communication between providers of social services and the responsible authorities at the local level.(53)
Assistance for Trafficking Victims‡	Government program that allocates small grants to local NGOs for the provision of shelter and social services to victims of human trafficking. In 2014, MHRR distributed \$34,000 (60,000 KM) to assist domestic victims, while the Ministry of Security (MOS) distributed \$68,000 (120,000 KM) to assist foreign victims.(13) Services include counseling, educational assistance, and job training for domestic victims, as well as visa provision and legal services for foreign victims of human trafficking.(13) In 2014, 14 potential child trafficking victims accessed services in shelters.(41)



# Bosnia and Herzegovina

MODERATE ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Implementation of the Strategy to Counter Trafficking in Human Beings (2013–2015)‡	\$409,630 USAID and Government-funded project to implement the new Strategy to Counter Trafficking in Human Beings. Activities include conducting research to estimate the extent of trafficking in the country, strengthening the capacity of institutions to investigate and prosecute cases of human trafficking and to assist victims, and raising public awareness of human trafficking issues within the framework of the Strategy.(37, 54) In 2014, the State Coordinator signed an agreement with USAID to receive \$285,000 for the Strategy's implementation.(13)
Fight Against Trafficking in Human Beings and Organized Crime—Phase 2 (2014–2017)†	EU-funded project implemented by the International Center for Migration Policy Development in six countries, including BiH. Aims to build the capacity of participating governments to prevent transnational organized crime, particularly trafficking in persons, by providing policy, legal, and technical assistance.(55) Focuses on improving victim identification, increasing prosecution of traffickers, and strengthening coordination among EU and non-EU stakeholders.(55)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of BiH.

As labor inspectors do not have a mandate to inspect the streets, staff from Daily Centers are often the first to identify children engaged in hazardous street work. In Sarajevo, an institutionalized Mobile Team with a staff of 3 individuals engages in daily outreach to children on the streets and to families in vulnerable communities.(9) However, Mobile Team staff stated that they lack sufficient resources for their work, especially in terms of reliable transportation.(7) Government support for outreach to street children in areas outside of Sarajevo varies significantly depending on the location. While the majority of Daily Centers collaborate with local Centers for Social Welfare, most Daily Centers are not institutionalized, and therefore lack consistent government financial and technical support.(16) This may limit the ability of Daily Centers to identify and assist children working on the streets. Research also found that although the Government provides some social services for low-income families through the Center for Social Welfare, many families do not receive enough assistance to reduce their reliance on child labor, especially begging, as a source of income.(7)

Government officials noted that although the number of domestic human trafficking victims identified in BiH is significantly higher than the number of foreign human trafficking victims identified, Government funding is disproportionately allocated to assisting foreigners. As a result, some organizations providing services to victims of domestic trafficking may lack adequate financial resources.(8, 45)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bosnia and Herzegovina (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws exist in all entities that clearly and comprehensively describe the hazardous occupations and activities prohibited for children.	2009 – 2014
	Adopt the proposed amendment to harmonize the State and Federation of Bosnia and Herzegovina criminal laws to explicitly prohibit all forms of human trafficking.	2011 – 2014
	Ensure that children engaged in commercial sexual exploitation are treated as victims rather than criminals under FBiH law.	2013 – 2014
	Ensure that FBiH law penalizes the use of services provided by a child victim of commercial sexual exploitation.	2013 – 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor at the FBiH cantonal-level and increase funding for cantonal-level inspectorates in order to provide adequate coverage of the workforce.	2014
	Ensure that all children identified as engaged in child labor are referred to appropriate social services.	2013 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase training for prosecutors and judges on how to properly apply criminal law in cases of child labor trafficking to ensure protection of the child victim and sanctioning of the perpetrator.	2014
	Collect and publish data on the number of individuals prosecuted, convicted, and sentenced for crimes related to human trafficking and commercial sexual exploitation, disaggregated by age and sex of the victim.	2013 – 2014
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2014
Government Policies	Integrate child labor prevention and elimination strategies into existing policies.	2010 – 2014
	Provide sufficient funding to address commitments under the Decade of Roma Inclusion, especially initiatives that support access to education for Roma children.	2014
Social Programs	Collect data on children involved in the worst forms of child labor in order to enhance policymakers' ability to identify problems more accurately and to address them more effectively.	2009 – 2014
	Promote inclusive education for minority children by expanding efforts to reduce discrimination in schools, to mitigate the costs associated with education, and to assist Roma and other families at risk of statelessness to register for citizenship documentation that entitles their children to access to school.	2011 – 2014
	Assess the impact that existing programs have on child labor.	2013 – 2014
	Institutionalize and provide sufficient funding for Daily Centers to ensure that they have the resources and technical support necessary to assist children involved in child labor and those who are at risk of involvement.	2014
	Strengthen social protection programs that provide support to economically vulnerable families in order to reduce their reliance on child labor.	2014
	Ensure that funding for the assistance of human trafficking victims is distributed to more adequately meet the needs of domestic victims.	2014

## REFERENCES

- U. S. Department of State. "Bosnia and Herzegovina," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- UN Committee on the Rights of the Child *Concluding observations on the consolidated second to fourth periodic reports of Bosnia and Herzegovina, adopted by the Committee at its sixty-first session (17 September–5 October 2012)*. Geneva November 29, 2012. <http://tb.ohchr.org/default.aspx>
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 3, 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UN Committee on the Rights of the Child. *Implementation of the Convention on the Rights of the Child: List of issues concerning additional and updated information related to the second, third and fourth combined periodic report of Bosnia and Herzegovina (CRC/C/BIH/2-4)*. Geneva; July 13, 2012. <http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.BIH.Q.2-4.Add.1.pdf>.
- U.S. Embassy- Sarajevo reporting, January 14, 2014.
- Center for Social Welfare officials. Interview with USDOL official. April 23, 2015.
- Department of the State Coordinator for Combatting Trafficking in Persons official. Interview with USDOL official. April 24, 2015.
- Save the Children. *Report on Conducted Action Research: Young Roma in Action*. Sarajevo; March 2014. <https://nwb.savethechildren.net/news/lyra-%E2%80%93-young-roma-action>.
- U.S. Department of State. "Bosnia and Herzegovina," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Rights for All. *Report On Domestic Violence Against Roma Women In Bosnia and Herzegovina*. Sarajevo; 2010. <http://www.rightsforall.ba/publikacije-bs.html>.
- U.S. Embassy- Sarajevo. reporting, December 22, 2014.
- U.S. Embassy- Sarajevo. reporting, February 17, 2015.
- USA Today. "Bosnian police seize 2 million child porn photos." USA Today, McLean, VA, March 21, 2011; World. [http://www.usatoday.com/news/world/2011-03-21-bosnia-child-pornography\\_N.htm](http://www.usatoday.com/news/world/2011-03-21-bosnia-child-pornography_N.htm).
- NGO Roundtable on the Worst Forms of Child Labor. Travel notes from USDOL official. April 24, 2015.
- Save the Children officials. Interview with USDOL official. April 24, 2015.
- European Commission. *Commission Staff Working Document: Bosnia and Herzegovina 2013 Progress Report, Accompanying the Document, "Communication from the Commission to the European Parliament and the Council, Enlargement Strategy and Main Challenges 2013-2014"*. Brussels; October 16, 2013. [http://ec.europa.eu/enlargement/pdf/key\\_documents/2013/package/ba\\_rapport\\_2013.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/ba_rapport_2013.pdf).
- ILO Committee of Experts. *Individual Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No.182) Bosnia and Herzegovina (ratification: 2001) Submitted: 2014* accessed January 11, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>
- Council of Europe. *Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, Following his visit to Bosnia and Herzegovina on 27-30 November 2010*, Council of Europe, [online] March 29, 2011 [cited April 29, 2014]; <http://www.unhcr.org/refworld/docid/4eca83842.html>.

# Bosnia and Herzegovina

## MODERATE ADVANCEMENT

20. UNICEF. *Realizing the rights of Roma children and women in Bosnia and Herzegovina, the former Yugoslave Republic of Macedonia, and Serbia*. Geneva; 2014. [http://www.unicef.org/serbia/Realizing\\_the\\_rights\\_of\\_Roma\\_Children\\_and\\_women.pdf](http://www.unicef.org/serbia/Realizing_the_rights_of_Roma_Children_and_women.pdf).
21. Kali Sara-Romani Information Center official. Interview with USDOL official. April 27, 2015.
22. Council of Europe. *Advisory Committee on the Framework Convention for the Protection of National Minorities: Third Opinion on Bosnia and Herzegovina*. Strasbourg; April 7, 2014. [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNDdocs/PDF\\_3rd\\_OP\\_BiH\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNDdocs/PDF_3rd_OP_BiH_en.pdf).
23. Central Intelligence Agency (CIA). *The World Factbook*, CIA, [online] February 20, 2013 [cited February 28, 2013]; <https://www.cia.gov/index.html>.
24. Government of Bosnia and Herzegovina. *Constitution of Bosnia and Herzegovina*, enacted December 14, 1995. [http://www.ohr.int/print?content\\_id=372](http://www.ohr.int/print?content_id=372).
25. Government of Bosnia and Herzegovina. *Labor Law of the Federation of Bosnia and Herzegovina*, enacted 2003. <http://www.minoritycentre.org/library/labour-law-federation-bosnia-and-herzegovina>.
26. Government of Bosnia and Herzegovina. *Labor Law of the Republika Srpska*, enacted 2003. [source on file].
27. Government of Bosnia and Herzegovina. *Labor Law of the Brcko District*, Articles 10, 28, 41, enacted 2005. [source on file].
28. Government of Bosnia and Herzegovina. *Criminal Code of Bosnia and Herzegovina 03/03 (Consolidated)*, enacted 2003. <http://www.lexadin.nl/wlg/legis/notif/eur/kwebhe.htm>.
29. *Criminal Code of Republika Srpska, as amended (Official Gazette No 67/13)*, enacted 2013. [source on file].
30. *Criminal Code of Brcko District (BDBiH 47/11- official consolidated version, (52/11) )*, unofficial translation, enacted 2013. [source on file].
31. Government of Bosnia and Herzegovina. *Criminal Code of the Federation of Bosnia and Herzegovina*, enacted August 1, 2003. [source on file].
32. Government of Bosnia and Herzegovina. *Criminal Code of Republika Srpska*, enacted 2003. [http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content\\_id=5129](http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content_id=5129).
33. Government of Bosnia and Herzegovina. *Criminal Code of the Brcko District*, enacted May 28, 2003. [https://www.unodc.org/tldb/pdf/Bosnia\\_and\\_Herzegovina\\_Criminal\\_Code\\_of\\_the\\_BRCKO\\_District\\_Full\\_text.pdf](https://www.unodc.org/tldb/pdf/Bosnia_and_Herzegovina_Criminal_Code_of_the_BRCKO_District_Full_text.pdf).
34. Ministry of Defense of Bosnia and Herzegovina. *Laws: Law on the Services in the AF BiH*, Ministry of Defense of Bosnia and Herzegovina, [online] [cited March 18, 2014]; <http://www.mod.gov.ba/dokumenti/zakoni/default.aspx?id=21739>.
35. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
36. Government of Bosnia and Herzegovina *Framework Law On Primary and Secondary Education in Bosnia and Herzegovina*, No. 18/03, enacted 2003. <http://www.oscebih.org/Download.aspx?id=166>.
37. U.S. Embassy- Sarajevo. *reporting, February 13, 2014*.
38. U.S. Department of State official. E-mail communication to USDOL official. May 9, 2014.
39. U.S. Department of State official E-mail communication to USDOL official. June 16, 2014.
40. International Labor Organization. *Bosnia and Herzegovina- Labour Inspection Structure and Organization*, ILO, [online] March 4, 2013 [cited November 7, 2014]; [http://www.ilo.org/labadmin/info/WCMS\\_209351/lang-en/index.htm](http://www.ilo.org/labadmin/info/WCMS_209351/lang-en/index.htm).
41. U.S. Department of State official. E-mail communication to USDOL official. May 8, 2015.
42. Inspectorate official. Interview with USDOL official. April 23, 2015.
43. Federation Prosecutor and Anti-Trafficking Strike Force official. Interview with USDOL official. April 27, 2015.
44. U.S. Embassy- Sarajevo. E-mail communication to USDOL official. March 27, 2014.
45. Ministry of Human Rights and Refugees official. Interview with USDOL official. April 27, 2015.
46. Ministry for Human Rights and Refugees. *Revidirani Akcioni Plan Bosne i Hercegovine za Rjesavanje Problema Roma u Oblastima Zaposljavanja, Stambenog Zbrinjavanja i Zdravstvene Zastite 2013-2016*. Sarajevo, December 13, 2013. <http://www.mhrr.gov.ba/PDF/LjudskaPrava/bos-rom-eng.pdf>.
47. Government of Bosnia and Herzegovina. *Strategy to Counter Trafficking in Human Beings in Bosnia and Herzegovina and Action Plan*, enacted 2013-2015. [www.legislationline.org/documents/id/18684](http://www.legislationline.org/documents/id/18684).
48. Government of Bosnia and Herzegovina. *Action Plan for child protection and prevention of violence against children through information-communications technologies in Bosnia and Herzegovina*, enacted 2015-2015. [http://msb.gov.ba/PDF/140605\\_Nasilje\\_engleski\\_SG\\_ver2.pdf](http://msb.gov.ba/PDF/140605_Nasilje_engleski_SG_ver2.pdf).
49. Kali Sara- Romani Information Center. *Report on the implementation of the Bosnia and Herzegovina Action Plan for addressing issues faced by the Roma in the fields of employment, housing and healthcare, Decade of Roma inclusion 2005-2015*. Sarajevo; February 13, 2013. [http://www.romadecade.org/20092011\\_decade\\_watch\\_report\\_for\\_bosnia\\_and\\_herzegovina\\_2011](http://www.romadecade.org/20092011_decade_watch_report_for_bosnia_and_herzegovina_2011).
50. Decade of Roma Inclusion Secretariat Foundation. *Bosnia and Herzegovina Progress Report 2013*. Budapest; 2013. [http://www.romadecade.org/cms/upload/file/9762\\_file3\\_bih-2013.pdf](http://www.romadecade.org/cms/upload/file/9762_file3_bih-2013.pdf).
51. Tihomir Knežević, Nedžad Jusić, Boris Pupić, and Anamarija Mirascić. *Civil Society Monitoring on the Implementation of the National Roma Integration Strategy and Decade Action Plan in Bosnia and Herzegovina in 2012 and 2013* Decade of Roma Inclusion Secretariat Foundation; 2014. [http://www.romadecade.org/cms/upload/file/9773\\_file2\\_bh\\_civil-society-monitoring-report-en-1.pdf](http://www.romadecade.org/cms/upload/file/9773_file2_bh_civil-society-monitoring-report-en-1.pdf).
52. U.S. Embassy- Sarajevo. E-mail communication to USDOL official. March 3, 2013.
53. UNICEF. *Enhancing the Social Protection and Inclusion System for Children: Program Summary (III Phase)*, UNICEF, [online] [cited March 19, 2015]; [http://www.unicef.org/bih/protection\\_inclusion\\_18306.html](http://www.unicef.org/bih/protection_inclusion_18306.html).
54. USAID. *Implementation of the Strategy to Fight Trafficking in Persons in Bosnia and Herzegovina*, USAID, [online] October 15, 2014 [cited November 10, 2014]; <http://www.usaid.gov/news-information/fact-sheets/implementation-strategy-fight-trafficking-persons-bosnia-and-herzegovina>.
55. International Center for Migration Policy Development. *Fight against Trafficking in Human Beings-Phase 2*, ICMPD, [online] [cited May 6, 2015]; <http://www.icmpd.org/Ongoing-Projects.1636.0.html>.

In 2014, Botswana made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government passed the Anti-Human Trafficking Bill which criminalizes and penalizes perpetrators that engage in trafficking of children. The Government continued its Stay-in-School Program which trains teachers and social workers on how to talk to parents about the importance of education. However, children in Botswana continue to engage in child labor in cattle herding in rural areas and domestic service in urban centers. Key gaps remain in the country's legal framework against child labor, and enforcement of existing laws is insufficient.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Botswana are engaged in child labor, including in cattle herding. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-4) Table 1 provides key indicators on children's work and education in Botswana. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	5-14 yrs.	Unavailable
Primary Completion Rate (%)		94.7

Source for primary completion rate: Data from 2009, published by UNESCO Institute for Statistics, 2014.(5)  
Data were unavailable from Understanding Children's Work Project's analysis, 2014.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming activities, including cattle herding* (1-4)
Services	Street work,* including vending* (7)
	Domestic work* (1-4, 8)
Categorical Worst Forms of Child Labor‡	Forced labor on farms and cattle posts* sometimes as a result of human trafficking* (4, 9)
	Commercial sexual exploitation* sometimes as a result of human trafficking* (4, 9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Truck drivers are among those who exploit children in commercial sexual exploitation in bars and along major highways in Botswana.(4, 9)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR




Botswana has ratified all key international conventions concerning child labor, including its worst forms (Table 3).



# Botswana

## MINIMAL ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Articles 2 and 107 of the Employment Act (10)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (10)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 2 and 108 of the Employment Act (10)
Prohibition of Forced Labor	Yes		Articles 2 and 71 of the Employment Act; Article 262 of the Penal Code (10, 11)
Prohibition of Child Trafficking	Yes		Article 175 of the Penal Code; Section 114 of the Children's Act (11, 12)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 25 and 57-59 of the Children's Act (12)
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (12)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 17 of the Botswana Defense Force Act (13)
Compulsory Education Age	No		
Free Public Education	Yes		Revised National Policy in Education, White Paper No: 12 of 1994(7)

\*No conscription (14)

In 2014, the Government passed comprehensive anti-human trafficking legislation, the Anti-Human Trafficking Bill, that criminalizes trafficking of children.(15) The Employment Act establishes the minimum age for employment at 15 and allows children age 14 to engage in light work.(10, 16) The minimum age protections in the Employment Act do not apply to children who work without a contract, and therefore do not apply to children doing domestic work. Although the Employment Act prohibits hazardous underground work for children less than 18 years, the law fails to prohibit hazardous work in other child labor prevalent sectors such as in agriculture. (10)However, limited evidence suggests that the Government has made efforts to compile a comprehensive list of hazardous occupations in recent years, but it has yet to be approved.(17-19) Although Section 60 of the Children's Act prohibits the use of children in the production and trafficking of drugs it does not prohibit the use of children in other illicit activities such as gang related activities. Research found no laws making education compulsory but the Government reported to UNESCO that education is compulsory for children up to age 16.(4, 20) Although primary school education is free, secondary school costs between \$38 and \$43 per year.(21) The law provides that children from poor families are exempted from paying school fees and shall receive free meals, toiletries, and school uniforms.(1, 4, 21) There is no compulsory age for education. The lack of standards in this area may increase the risk of children's involvement in child labor.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Home Affairs' (MOLHA) Department of Labor	Enforce child labor laws and policies. In the case of the Commissioner of Labor, authorized to end employment relationships involving children.(1, 4, 10, 17, 22) In the case of the Labor Inspection Unit under the Commissioner of Labor's Office, enforce the Employment Act by performing labor inspections in workplaces that are suspected of violating child labor laws.(1, 4, 10, 17, 22)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local levels.(1, 17, 23)
Ministry of Defense, Justice, and Security (MDJS)	Monitor suspected human trafficking cases.(24)

Law enforcement agencies in Botswana took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Home Affairs (MOLHA) employed 55 labor inspectors but they received no child labor trainings during the year.(15) Also, the MOLHA has stated that it does not have enough labor inspectors to address child labor in rural areas.(1, 17, 23) Labor inspectors are authorized to issue penalties for labor violations; the penalty is \$150 or 12 months in prison or both. (15) The MOLHA allocated \$55,555 for allowances to support labor inspector needs outside of salaries. The District Councils were also allocated a discretionary fund for specific district needs that allowed for the allocation of funds to labor inspectors to acquire necessary resources, such as a vehicle, to facilitate inspections. (15) The Government reported that it conducted 1,378 labor inspections, including child labor inspections, during the year. However, research did not find information on the number of unannounced visits conducted during the year. (15)

#### *Criminal Law Enforcement*

In 2014, research did not find information on the number of child labor criminal investigators, number of investigations conducted, or the number of prosecutions and convictions.(15) Despite significant efforts in past years including increases in training to address trafficking in Botswana, it has been reported that deficiencies in the way police handle cases of violence against women and children (e.g., targeting women in prostitution but not procurers or accomplices, as well as a lack of centralized referral systems and sufficient sensitization and investigative skills) constrain their ability to identify, prosecute, and prevent trafficking. (18, 23, 24)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Human Trafficking (Prohibition) Committee	Establish a reporting and referral mechanism for children subject to trafficking. Created by the Anti-Human Trafficking Bill (2014). (15)
Advisory Committee on Child Labor	Coordinate efforts to address child labor. Include representatives from government agencies, various NGOs, worker federations, and employer organizations.(2, 4, 17)
Child Labor Committees	Identify child laborers at the village level. Include social workers, local school teachers, members of the Village Development Committees, which are local government structures; labor inspectors and community leaders, including chiefs and local priests.(3, 21)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Botswana has established policies related to child labor, including its worst forms (Table 7).

# Botswana

## MINIMAL ADVANCEMENT

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan on the Elimination of the Worst Kinds of Child Labor	Outlines the Government's plan to address legislation and policy gaps by raising awareness, developing programs to address child labor, and providing training on child labor and the worst forms of child labor to relevant stakeholders and implementers.(15)
National Plan of Action for Orphans and Vulnerable Children (OVC)*	Outlines the Government's response to challenges faced by orphans and vulnerable children by developing and implementing strategic policy plans, including Vision 2016, the 2010 National Development Plan (NDP 10), and the Second National Strategic Framework (NSF II). Facilitates operational planning and encourages the development of communication tools among key players. Provides long-term planning objectives for child protection and facilitates the implementation of the Children's Act and other regulations related to the needs of orphans and vulnerable children. (25)
Presidential Task Group on Long-Term Vision for Botswana's Vision 2016 Strategy*	Acknowledges that parents sometimes intentionally choose not to send their children to school. Works to provide universal access to school and help improve families' socioeconomic conditions so that children in poor and rural areas are no longer viewed as essential sources of labor and income. (26)
UN Development Assistance Framework (2010-2016)	Includes the goal of reducing child labor to help create a protective and supportive environment for children. (27) Supports reducing child labor to help create a protective and supportive environment for children.(27)
Botswana National Youth Policy and National Action Plan for Youth*	Addresses issues affecting youth, such as abuse and access to education. Includes Government funded programs and nationwide seminars to encourage youth entrepreneurship. (21, 28, 29)
MOLHA Sustainability Plan	Aims to improve the daily operations of labor inspectors, to include child labor inspections. The plan mostly includes local leaders and volunteers who identify and refer cases of child labor to social workers.(30) Charges schools with monitoring school attendance to promote retention.(30)
Ministry and Department Action Plans	Outlines plans to increase efforts to address child labor by the Ministry of Education, the Department of Social Services, and the Police.(31) Includes implementation strategies by the Ministry of Gender and Child Welfare that include safety and protection of children and identify and helping vulnerable children in need.(31)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Botswana funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Decent Work Country Program (DWCP) (2011-2015)	ILO DWCP for Southern Africa that focuses on employment creation, social protection, tripartism, social dialogue, and workers' rights. Addresses HIV/AIDS and child labor issues through addressing socioeconomic issues.(31, 32)
Stay-in-School Program*‡	Government program that trains teachers and social workers to communicate with parents about the importance of education.(1, 17)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Botswana.

Although Botswana has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in domestic work and livestock herding.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Botswana (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure prohibitions on hazardous occupations for children under 18 years in all relevant sectors.	2009 – 2014
	Prohibit the use of children in all illicit activities such as gang related activities.	2011 – 2014
	Ensure that the law's minimum age protections apply to children working without a contract.	2010 – 2014
	Ensure free education for all children and make education compulsory until at least the minimum age of employment.	2010 – 2014
Enforcement	Make information publicly available on the funding levels, number of investigations and outcomes of cases, and ensure that adequate resources are available to enforce child labor laws throughout the whole country.	2012 – 2014
	Ensure police officers are adequately trained to identify perpetrators of violations of anti-human trafficking laws to facilitate prosecution and conviction of those who violate anti-human trafficking laws.	2011 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the 1996 Botswana National Youth Policy (NYP) and 2001 National Action Plan for Youth, and other policies on child labor.	2011 – 2014
Social Programs	Develop programs to address child labor in domestic work and cattle herding.	2012 – 2014
	Conduct research on child labor, including its worst forms, to inform policies and programs.	2013 – 2014
	Assess the impact that existing social programs, such as the Stay-in- School Program, have on child labor.	2014

## REFERENCES

- U.S. Embassy- Gaborone. *reporting, January 17, 2014.*
- International Trade Union Confederation. *Internationally Recognized Core Labour Standards in Botswana, Lesotho, Namibia, South Africa and Swaziland: Report for the WTO General Council Review of the Trade Policies of Botswana, Lesotho, Namibia, South Africa and Swaziland.* Geneva; November 4-6, 2009. [http://www.ituc-csi.org/IMG/pdf/20091103101840-Microsoft\\_Word\\_-\\_SACU-final\\_.pdf](http://www.ituc-csi.org/IMG/pdf/20091103101840-Microsoft_Word_-_SACU-final_.pdf).
- Childline. *Final Output Report TECL II.* Gaborone; April 12, 2012. [source on file].
- U.S. Department of State. "Botswana," in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&clid=220084>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary.* Total. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy Gaborone official. E-mail communication to USDOL official. April 13, 2015.
- The Protection Project. *Human Rights Report.* Project Document. Washington, DC, The Paul H. Nitze School of Advanced International Studies (SAIS) at The Johns Hopkins University; June 30, 2010. <http://www.protectionproject.org/wp-content/uploads/2010/09/Botswana2.pdf>.
- U.S. Department of State. "Botswana," in *Trafficking in Persons Report- 2013.* Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210738.pdf>.
- Government of Botswana. *Employment Act,* enacted 1982. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/842/64792/E82BWA01.htm>.
- Government of Botswana. *Penal Code,* enacted 1964. [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=238601](http://www.wipo.int/wipolex/en/text.jsp?file_id=238601).
- Government of Botswana. *Children's Act,* 8, enacted 2009. <http://www.santac.org/eng/Media/Files/Botswana-Children%27s-Act-2009>.
- Government of Botswana. *Botswana Defence Force,* 23, enacted 1977. <http://www.elaws.gov.bw/law.php?id=883>.
- Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers.* London; 2012; [http://www.child-soldiers.org/user\\_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf](http://www.child-soldiers.org/user_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf).
- U.S. Embassy- Gaborone. *reporting, January 21, 2015.*
- ILO Committee of Experts. *Direct Request (CEACR) - adopted 2014, published 104th ILC session (2015) Minimum Age Convention, 1973 (No. 138) - Botswana (Ratification: 1997);* accessed June 25, 2015; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3180120:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3180120:NO).
- U.S. Embassy- Gaborone. *reporting, January 31, 2013.*
- U.S. Embassy Gaborone official. E-mail communication to USDOL official. March 21, 2013.
- ILO Committee of Experts. *Observation (CEACR) - adopted 2014, published 104th ILC session (2015) Worst Forms of Child Labour Convention, 1999 (No. 182) - Botswana (Ratification: 2000);* accessed June 19, 2015; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3180142:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3180142:NO).
- UNESCO. *Beyond 20/20 Web Data System: Table 1: Education Systems.* 2012. <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx>.
- U.S. Department of State official. E-mail communication to USDOL official. May 28, 2013.
- ILO. *Botswana: Labour Inspection Structure and Organization;* accessed February 22, 2010; [http://www.ilo.org/labadmin/info/WCMS\\_114934/lang-en/index.htm](http://www.ilo.org/labadmin/info/WCMS_114934/lang-en/index.htm).
- U.S. Embassy- Gaborone. *reporting, February 15, 2013.*
- U.S. Embassy- Gaborone. *reporting, February 21, 2012.*
- National AIDS Coordinating Agency. *Botswana 2012 Global AIDS Response Report.* Progress Report of the National Response to the 2011 Declaration of Commitments on HIV and AIDS. Geneva; March 31, 2012. [http://www.unaids.org/en/dataanalysis/knowyourresponse/countryprogressreports/2012countries/ce\\_BW\\_Narrative\\_Report\[1\].pdf](http://www.unaids.org/en/dataanalysis/knowyourresponse/countryprogressreports/2012countries/ce_BW_Narrative_Report[1].pdf).



# Botswana

## MINIMAL ADVANCEMENT

26. Government of Botswana. *Vision 2016 Booklet: A Framework for a Long Term Vision for Botswana*. Gaborone; March 7, 2011. <http://www.vision2016.co.bw/vision-publications.php?flag=pub>.
27. Government of Botswana and the United Nations System in Botswana. *United Nations Development Assistance Framework 2010-2016 Botswana*. Gaborone; March 2009. [http://botswana.unfpa.org/drive/BotswanaUNDAF\(2010-2016\).pdf](http://botswana.unfpa.org/drive/BotswanaUNDAF(2010-2016).pdf).
28. Government of Botswana, Ministry of Labour and Home Affairs. *National Youth Policy*. Gaborone; February 1996. [http://www.ub.bw/ip/documents/1996\\_National%20Youth%20Policy.pdf](http://www.ub.bw/ip/documents/1996_National%20Youth%20Policy.pdf).
29. U.S. Department of State official. E-mail communication to USDOL official. May 7, 2012.
30. ILO-IPEC. *Technical Progress Report Botswana, Namibia and South Africa (TECL II) April 2012*. Geneva; 2012.
31. ILO-IPEC. *TECL- (Phase II) TPR-October 2011*. Technical Progress Report. Geneva; 2011.
32. Government of Botswana. *Decent Work Country Programme for Botswana 2011 to 2015*. Gaborone; February 2011. <http://www.ilo.org/public/english/bureau/program/dwcp/download/botswana.pdf>.

*In 2014, Brazil made a significant advancement in efforts to eliminate the worst forms of child labor. The Government created mobile inspection units to coordinate child labor law enforcement efforts between regional Ministry of Labor and other local inspectors. Law 12.978 was signed; it specifies penalties in the Penal Code for the commercial sexual exploitation of children. Inspectors carried out inspections targeting child labor in 165 commercial establishments in the state of Bahia during Brazil's Carnival season in February, and in many tourist sites during the World Cup in June. The National Education Plan was also signed, and an additional 9 million schools participated in the More Education (Mais Educação) program. However, children are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Some local governments lack adequate resources to fully implement national programs to combat child labor, including programs to combat child trafficking.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Brazil are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking.(1-5)

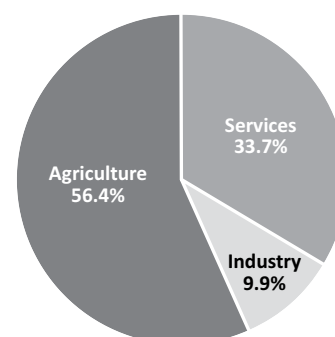
In 2014, the 2012–2013 National Household Survey results indicated that there were 486,000 child laborers (ages 5 to 17) in Brazil. This figure represents a 15 percent reduction in child labor, providing the lowest estimate of child labor in Brazil's history. (54) Results also indicate that 96 percent of working children attended school.(6) More than 258,000 children ages 10 to 17 work in domestic service in third-party homes.(5) However, National Household Survey results exclude many vulnerable populations. The Government has not conducted in-depth research on hard-to-reach populations, such as children engaged in domestic work, drug trafficking, commercial sexual exploitation, or labor in indigenous communities. In 2014, the Federal Highway Police, the NGO Childhood Brazil, and the ILO mapped out 1,969 risk points for the commercial sexual exploitation of children in Brazil. The southeastern and northeastern regions of Brazil were identified as having the most risk points.(7, 8) Table 1 provides key indicators on children's work and education in Brazil.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.5 (1,116,499)
Attending School (%)	5-14 yrs.	97.2
Combining Work and School (%)	7-14 yrs.	4.0
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(9) Source for all other data: Understanding Children's Work Project's analysis of statistics from PNAD Survey, 2011.(10)

**Figure 1. Working Children by Sector, Ages 5-14**



# Brazil

## SIGNIFICANT ADVANCEMENT

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of apples,*† Palm used to produce oil (babassu),*† beans,*† cashews,† citrus,*† coffee,*† corn,*† cocoa,*† cotton,† manioc,† mate tea,*† pineapple,† rice,† sisal,† sugarcane,*† tobacco,† tomatoes,*† charcoal,† and strawberries*† (11-39)
	Cattle ranching† and animal slaughter,† including for beef production† (11, 40, 41)
	Mollusk harvesting*† (24, 42)
Industry	Production of ceramic† and brick† (43-45)
	Production of garments,*† footwear,† and leather*† (25, 31, 38, 45-47)
	Work in quarries*† (48, 49)
Services	Street work,† including vending, and begging (5, 50)
	Garbage scavenging† (23, 50)
	Automobile washing and repair† (25, 38, 51)
	Work in markets,*† hauling fruits and vegetables (25, 51)
	Artistic work and playing in soccer clubs* (52-54)
Categorical Worst Forms of Child Labor‡	Domestic work† (5, 55)
	Commercial sexual exploitation sometimes as a result of human trafficking (1-4)
	Domestic work, begging, and playing in soccer clubs as a result of human trafficking*† (1, 56, 57)
	Used in illicit activities, including drug trafficking,*† sometimes as a result of human trafficking (1, 5)
	Forced labor in the production of manioc*† (14)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In Brazil, human trafficking is a problem in border areas. Brazilian and Paraguayan indigenous children are trafficked for domestic service; Paraguayan indigenous children are trafficked for the purpose of begging; adolescents, including some from Haiti and South Korea, are trafficked to play in soccer clubs.(1, 56)



While there are no overall statistics available, the commercial sexual exploitation of children is a large problem throughout Brazil, especially in tourist areas in the cities of Fortaleza, Manaus, Rio de Janeiro, and in the slums (*favelas*) of Rio de Janeiro.(58) Highway stops are areas for the commercial sexual exploitation of children. Young girls are victims of commercial sexual exploitation at rest-stop bars in Caracará, a highway stop on the route from Manaus, Brazil to Venezuela.(4)

Reports indicate that every day, on average, eight primary and secondary schools close in rural areas. In 2013, approximately 3,300 schools had closed because of high costs and infrastructure problems.(59, 60) In the last 5 years, at least 13,000 schools have closed for the same reason.(61)


## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Brazil has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓

**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 7, Title II of the Constitution; Article 403 of the Labor Code (62, 63)
Minimum Age for Hazardous Work	Yes	18	Article 7, Title II of the Constitution; Article 2 of Decree 6.481 of 2008 (62, 64)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Decree 6.481 of 2008 (64)
Prohibition of Forced Labor	Yes		Article 149 of the Penal Code (65)
Prohibition of Child Trafficking	Yes		Article 231-A of the Penal Code (65, 66)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 218-B and 227–228 of the Penal Code; Articles 240–244A of the Statute of the Child and Adolescent (65, 67)
Prohibition of Using Children in Illicit Activities	Yes		Article 4 of Decree No. 6.481 of 2008; Articles 33–40, Chapter II of Law 11.343 of 2006 (64, 68)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 5 of Law 4.375 of 1964 (69)
Minimum Age for Voluntary Military Service	Yes	17	Article 5 of Law 4.375 of 1964 (69)
Compulsory Education Age	Yes	17	Article 208 of the Constitution (62)
Free Public Education	Yes		Article 208 of the Constitution (62)

Although Brazil's legal minimum age for work is higher than the international standard, it includes an exemption for apprenticeships to begin at age 14. As of 2013, the labor justice system has sole authority to grant work permits, which includes authorizations for children ages 14 and 15 to work in apprenticeships.(70, 71) In 2014, the courts and the Public Ministry in the state of São Paulo issued recommendations to judges regarding granting work authorizations for children under 16.(72)

Brazil's definition of forced labor, which is broader than that of the ILO Conventions, includes strenuous work and unacceptable or degrading working conditions as a form of forced labor. However, the Penal Code's definition of trafficking in persons does not cover human trafficking for the purposes of labor, and only penalizes human trafficking cases in which the victim has been moved.(65, 66) Resolution 93 of 2010 allows officials to grant permanent visa status to foreign victims of human trafficking or labor exploitation, including of commercial sexual exploitation, forced labor, and indentured labor.(73) A new amendment to the Constitution, Amendment 81, which was approved on June 5 of 2014, permits the confiscation of urban or rural properties in which forced or slave labor is found, but it requires regulations in order to be implemented.(74)

On May 21, 2014, Law 12.978 was signed, changing the legal title of Article 218-B of the Penal Code to further specify that children and adolescents are protected as vulnerable people from commercial sexual exploitation. The penalty for this crime is 4 to 10 years in prison and the crime cannot be expunged from the perpetrator's record.(75) On August 4, 2014, Law 6742/2014 was passed in Rio de Janeiro, specifying the City Government's plan for eradicating the commercial sexual exploitation of children and adolescents, which entails the creation of public policies and interagency coordination, research, and awareness-raising campaigns, as well as increasing victim protection rights.(76)

On December 1, 2014, the Government signed Decree 13.046, which alters Law No. 8.069 (the Child Statute), stipulating that all public and private entities who work in child care must have trained professionals who can identify and report suspected situations of abuse of children and adolescents.(77)

# Brazil

## SIGNIFICANT ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Employment (MTE)	Conduct labor inspections, enforce child and forced labor laws, and monitor child and forced labor cases.(25) Labor inspections are planned by regional offices based on MTE's goals, analyses of labor market data, and available human and financial resources.(78) Has special units composed of labor inspectors, the Federal Police, and federal labor prosecutors, to conduct forced labor inspections.(25) Work with the Ministry of Justice and other government agencies when they find foreign workers who have been trafficked and work under forced labor conditions.(79) In 2014, created the Mobile Inspection Group to Combat Child Labor, which promotes initial connections and coordinates with child protection networks about activities against child labor and the worst forms of child labor, along with regional MTE representatives, and also with the MTE, the State Prosecutor, Child Protection councils, and City Halls.(57)
Federal Labor Prosecutor's Office (MPT)	Prosecute child labor violations by working with 24 prosecutors from the National Committee to Combat Child and Adolescent Labor, (COORDINFÂNCIA), an in-house body that directs the MPT's efforts to combat child labor.(80, 81) Carry out awareness-raising campaigns. Monitor whether child labor policies are implemented and whether municipalities budget the required 5 percent for initiatives to protect children's rights.(25, 81, 82)
Federal Police	Investigate some cases of forced labor, human trafficking, and commercial sexual exploitation of children.(25)
Federal Public Ministry (MPF)	Investigate and prosecute cases of forced labor and human trafficking.(23)
Ministry of Justice (MOJ)	Lead efforts to combat human trafficking. Oversees state-run centers (núcleos) for addressing local anti-trafficking strategies in 16 states.(83)
Office of the President's Secretariat of Human Rights (SDH)	Coordinate efforts to protect human rights, including combating forced labor and commercial sexual exploitation. Sponsor Dial 100, a human rights violation hotline which directs complaints to appropriate institutions for follow-up.(25)
Office of the President's Secretariat for Women's Policies	Operate Dial 180, a hotline that receives complaints about violence against women.(7, 84)
Federal Highway Police	Collaborate with the MPF and MTE mobile inspection units in identifying risk points for forced labor and commercial sexual exploitation, with a focus on the highway system.(85, 86)
Advanced Posts and Nucleus (Núcleos)	Refer human trafficking victims to services. Also, as of January 2014, these interagency units assisting possible human trafficking victims, at transit points now produce and publish quarterly progress reports.(83)

\* Agency responsible for child labor enforcement was created during the reporting period.

Law enforcement agencies in Brazil took actions to combat child labor, including its worst forms.

#### ***Labor Law Enforcement***

In 2014, the Ministry of Labor and Employment (MTE) had 2,711 labor inspectors who worked in all 26 states. The MTE's budget reached \$29.8 billion, a \$2 billion increase over its 2013 budget.(83) Reports indicate that while funding is sufficient for inspections, the number of labor inspectors is too low.(83)

During the reporting period, the MTE carried out 9,798 child labor inspections, an increase from 8,339 child labor inspections in 2013. Of the 9,798 child labor inspections, 3,241 inspections involved the worst forms of child labor.(83) No information is available on how many inspections had occurred as a result of complaints.(57) The majority of the inspections were carried out in the states of Bahia, Goiás, Minas Gerais, Pernambuco, and Rio de Janeiro. Inspectors are able to make unannounced visits and inspections take place within a large range of economic activities in both the formal and informal sectors.(83) However, inspectors are not permitted to enter private homes and family farms where child labor may be found.(83)

Prior to the start of the FIFA (soccer) World Cup in Brazil, the Government and different civil society members launched many awareness-raising campaigns about preventing the commercial sexual exploitation of children. The Office of the President's Secretariat of Human Rights (SDH) allocated approximately \$3.4 million in funding for projects to fight the commercial



sexual exploitation of children.(7, 87) Targeted child labor inspections also took place in the state of Bahia in 165 commercial establishments during Brazil's Carnival season, from February 24 to 26, and in many tourist sites during the FIFA World Cup, from June 12 to June 17.(88, 89) During the 2014 FIFA World Cup season, Dial 100 received 726 complaint calls related to child labor.(57) In addition, states have established mechanisms to receive child labor complaints. For example, the Secretariat for Social Development in the state of Minas Gerais receives such complaints through its human rights hotline.(83, 90)

In 2014, the MTE removed 5,522 children from child labor and removed 1,509 individuals from forced and exploitative labor conditions. No information is available on how many children were rescued from forced and exploitative labor.(83, 91) Between January and September 2014, the Pernambuco Regional Office removed 843 children and adolescents from conditions of child labor, resulting in the highest number of children found and rescued from child labor in any one state in Brazil.(92) In 2014, in two separate cases, individuals were convicted for violating child labor laws. Total fines issued for these cases were \$223,474.(57) Research did not uncover how many children were referred to social services.

### ***Criminal Law Enforcement***

For 2014, no information is available on the number of investigators responsible for enforcing criminal laws related to the worst forms of child labor. Research did not uncover how many investigations on the worst forms of child labor were carried out during the reporting period.

The Secretariat for Women's Policies Dial 180 hotline (renamed *Disque-Denúncia* in March 2014) received 485,105 calls in 2014, 140 of which were human trafficking complaints, compared with 263 complaints during the same period in 2013.(93, 94) State nucleuses reported having identified 170 victims of sex trafficking and 2,145 victims of human trafficking for the purpose of labor exploitation; many of the latter had been identified by the MTE.(7, 57) The Government does not distinguish between adult trafficking and child trafficking cases in its public reporting, so it is difficult to discern how many of these victims were children.

The Government did not report comprehensive data on human trafficking prosecutions and convictions in Brazil. However, as part of the Second National Plan to Combat Trafficking in Persons, there are concentrated efforts on data collection.(7) In 2014, Brazil's National Council of Justice created 15 Judicial State Committees to Combat Trafficking in Persons which aim to coordinate data sharing among the courts.(7)

There is no central database to record violations of the laws against the commercial sexual exploitation of children, including in child prostitution and pornography.(83) The Government did not report the number of children identified or rescued from commercial sexual exploitation in 2014.(57) Safernet Brazil, a partnership between the Government and an NGO, receives online complaints about human rights violations, including about child pornography and human trafficking. Safernet Brazil hosts a helpline to provide counseling support and a one-stop Web site with information about cybercrimes in Brazil.(95, 96) In 2014, Safernet received more than 189,211 complaints, 51,553 of which pertained to child pornography.(97)

Brazil faces challenges in collecting comprehensive data on human trafficking because of the lack of legislation that covers all forms of human trafficking.(98) Furthermore, most local governments lack adequate resources to combat human trafficking and assist human trafficking victims, including victims of commercial sexual exploitation.(23)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
National Council for the Rights of Children and Adolescents (CONANDA)	Monitor policies to protect children's rights, including the rights of working children. Includes 28 sitting council members, 14 of whom are representatives from the Executive Branch and 14 are NGO representatives.(99, 100)

# Brazil

## SIGNIFICANT ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Interagency Committee to Implement Strategies to Ensure the Protection of Children's and Adolescents' Rights	Coordinate the implementation of policies to protect children's and adolescents' rights, including the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. Composed of nine government entities, including the National Council of the Federal Public Ministry and the Labor Justice Commission, and led by the SDH.(101)
National Committee for the Eradication of Child Labor (CONAETI)	Lead the implementation of the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. Coordinated by the MTE; includes 17 government agencies, as well as representatives from trade unions, business associations, and civil society organizations.(102, 103)
Intersectoral Committee to Combat Sexual Violence Against Children and Adolescents	Monitor the implementation of the National Plan to Combat Sexual Violence Against Children. Led by the SDH.(104)
National Commission to Combat Human Trafficking	Coordinate the implementation of the Second National Plan to Combat Human Trafficking. Chaired by the MOJ.(7)
Labor Justice Commission for the Eradication of Child Labor and the Protection of Adolescent Decent Work	Direct efforts led by the Labor Courts ( <i>Justiça do Trabalho</i> ) to eradicate child labor.(105)
Anti-Trafficking Interagency Coordination Centers (Núcleos)	Coordinate activities carried out by local, state, and federal agencies to combat human trafficking. There are currently 16 states with coordination centers.(23)

A source indicates that state-level coordinating committees on trafficking in persons have faced challenges due to a lack of funding. The state of Pernambuco's Committee on Combating Trafficking in Persons stopped meeting in the first quarter of 2014; it officially dissolved during the reporting period due to financial and administrative setbacks.(7)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Brazil has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents (2011–2015)	Guides the Government of Brazil's efforts to combat child labor, including its worst forms.(106, 107)
National Plan to Combat Sexual Violence Against Children and Adolescents (2011–2020)	Lays out a set of strategies to prevent sexual violence, protect children's rights, and assist child victims of sexual violence, as well as their families. Discussed throughout Brazil, harmonized with other child-related policies.(108)
National Plan for Children and Adolescents (2011–2020)	Outlines the policy framework to promote children's rights. Aims to expand and coordinate policies and actions to address child labor.(109) In January 2014, the National Council for the Rights of Children and Adolescents established guidelines for states and municipalities to develop 10-year plans for children and adolescents based on the goals and objectives of the National Plan.(110)
Second Plan to Combat Forced Labor (2012–2016)	Establishes the policy framework to address forced labor, including forced child labor.(108, 111)
Second Plan to Combat Trafficking in Persons (2012–2016)	Guides efforts to combat human trafficking, including child trafficking.(112) Focuses on prevention, assistance to victims, and suppression of criminal activity.(83)
Decent Work National Plan and the Decent Work Agenda for Youth	Outlines policies to provide decent work opportunities and increase access to education and vocational training.(113, 114)
National Educational Plan (2014–2024)†	Aims to expand access to education and improve the quality of education. Has 20 goals, including universal basic education; an end to illiteracy; and conversion of 50 percent of public schools into full-time schools, extending the number of school hours to 7 or more per day. Under the Plan, 10 percent of Brazil's GDP will be allocated to education.(115–117)
4-Year Development Plan (2012–2015)	Seeks to achieve sustainable development that reaches all regions and promotes social equality through access to quality education, technological innovation, and environmental sustainability. Aims to lift 16 million people out of extreme poverty, and build 2 million houses for low-income families.(118)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Brazil at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(119-121)

† Policy was approved during the reporting period.

In September 2014, Brazil participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(122)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Brazil funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
National Plan to Eradicate Child Labor ( <i>Programa de Erradicação do Trabalho Infantil [PETI]</i> )‡	Ministry of Social Development and the Fight Against Hunger (MDS) conditional cash transfer program that combats child labor by working with families who commit to keep their children in school and out of work. Beneficiaries receive tailored social services based on their needs and vulnerability.(107, 123, 124) Implemented in more than 3,500 municipalities and more than 820,000 children benefit from the program. Tracks project beneficiaries through a national monitoring system.(107, 124)
Family Grant ( <i>Bolsa Família</i> )‡	MDS anti-poverty program that supplements family income, targeting rural and urban areas where child labor is prevalent. One condition for family participation is that children under age 18 attend school regularly.(125, 126) In 2014, 14 million families participated, and funding for families has increased by 44 percent in the past 3 years.(127) In 2014, the budget was \$8.7 billion.(83) To address noncompliance with the school attendance requirements, the Ministry of Education, the MDS, and local and state governments track school attendance every 2 months. Beginning in December 2014, the municipality of São Paulo expanded the program to include foreign recipients residing in the municipality.(128)
Caring Brazil Program ( <i>Brasil Carinhoso</i> )*‡	MDS program to combat extreme poverty among participants of Bolsa Familia, whose monthly income per capita is less than \$137. Brasil Carinhoso targets families with children ages 0 to 15, and benefits 16.4 million people.(129, 130)
Brazil Without Extreme Poverty ( <i>Brasil sem Miséria</i> )‡	MDS program that aims to lift more than 16 million people out of extreme poverty by expanding access to social protection programs, improving productivity and providing access to basic services.(131) The budget was extended into 2015 with a 4.4 percent increase in funding.(83)
National Program on Job Training and Employment ( <i>Programa Nacional de Acesso ao Ensino Técnico e Emprego [PRONATEC]</i> )*‡	Ministry of Education job training and employment program for youth older than age 16. Program goal for 2014 was \$5 billion, providing 8 million openings for professional courses.(132, 133) Program also included PRONATEC Cup, a special training course for the 2014 World Cup held in Brazil, which included training courses for 240,000 students, and courses for 32,000 students in sign language and in English and Spanish.(133)
More Education Program ( <i>Mais Educação</i> )‡	Ministry of Education educational services program. Offers after-school activities and remedial activities to reduce dropout rates and grade repetition, as well as to combat child labor. In 2014, 58,000 schools participated in the program, an increase from 49,000 schools in 2013.(127, 134, 135)
National Household Survey‡	Government-funded annual national household survey that includes child labor.(136)
South-South Cooperation Project‡	A \$461,862 Government of Brazil-funded projects to combat child labor, implemented by the ILO-IPEC to promote South-South cooperation.(137) In most of the project countries in 2014, an awareness-raising campaign named Pinwheel Caravan—Africa Free of Child Labor was conducted.(142)
Global Action Program on Child Labor Issues Project (2011–2016)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by The Hague Global Child Labor Conference in 2010. In Brazil, aims to improve the evidence base on child labor and the worst forms of child labor through data collection and research.(138)

# Brazil

## SIGNIFICANT ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Project to Consolidate Efforts to Combat Forced Labor in Brazil and Peru (2012–2016)	A \$6 million, USDOL-funded, 4-year project implemented by the ILO to combat forced labor, including forced child labor in Brazil and Peru, and to share Brazil's good practices with the Government of Peru and Peruvian stakeholders. In 2014, began to develop a monitoring tool to track the implementation of the National Plan to Combat Forced Labor, and it supported activities to promote the exchange of good practices among State Commissions to Combat Forced Labor.(139-141) Also carried out an exchange activity between the Brazilian and Peruvian Commissions to Combat Forced Labor to share good practices and develop an agenda for further information-sharing activities. In the state of Mato Grosso, will provide livelihood services to 650 victims of forced labor.(141)
Protect Brazil Smartphone Application ( <i>Proteja Brasil</i> )‡	Government- and UNICEF-sponsored smartphone and tablet application to report child labor abuses. Launched in 2014.(142)
Social Assistance Reference Centers	MDS and SDH program that provides vulnerable populations, including victims of child labor and human trafficking victims of commercial sexual exploitation, with psychological, social, and legal services. In 2014, there were 2,440 centers, an increase from 2,316 in 2013.(83, 143) Funding also increased to \$15.2 billion in 2014 from \$13.7 billion in 2013.(83) Only 557 centers were certified to assist trafficking in persons victims.(57)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Brazil.

Although the National Plan to Eradicate Child Labor (PETI) and Family Grant (*Bolsa Familia*) have reduced child labor in Brazil, challenges remain.(106, 144) Some PETI beneficiaries are not fully complying with program requirements; reports claim that some children do not attend school, while others combine school and work.(145, 146) Because of decentralization of PETI and *Bolsa Familia*, local communities are responsible for their implementation; however, they do not have the resources to fully implement and monitor the programs. Despite the increased funding from the Central Government, in some cases, the operational costs of these programs exceed the funding provided by the Federal Government or local governments lack the institutional capacity to implement them.(5, 147, 148) More than 3,200 municipalities in Brazil carry out policies and programs to combat child labor, but the Government does not have in place an effective monitoring system to track their implementation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR, INCLUDING ITS WORST FORMS

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Brazil (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the definition of trafficking in persons is consistent with international standards.	2011 – 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2014
	Make information publicly available on the number, cases of child trafficking and forced labor, including the number of rescued children, investigations, prosecutions, convictions, and children who received social services.	2012 – 2014
	Make information publicly available on the number of criminal investigators for the worst forms of child labor.	2014
	Provide adequate resources to local governments to combat human trafficking and assist victims.	2012 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Develop a monitoring system to track the implementation of child labor policies and programs.	2009 – 2014
	Make publicly available the number of children who received social services.	2014
	Expand efforts to improve access to primary and secondary education, particularly in rural areas.	2013 – 2014
	Carry out more in-depth research on the worst forms of child labor, particularly with regard to children engaged in domestic work, drug trafficking, and commercial sexual exploitation, as well as child victims of forced labor and child labor in indigenous communities.	2009 – 2014
	Provide local governments with the resources and capacity to fully implement and monitor PETI and <i>Bolsa Família</i> , identify technical assistance needed by communities, and raise awareness.	2009 – 2014
	Ensure that families participating in PETI comply with program requirements to keep children in school and out of work.	2009 – 2014

## REFERENCES

- Ministry of Justice. *Diagnóstico sobre Tráfico de Pessoas nas Áreas de Fronteira no Brasil*. Brasília; 2013. [http://issuu.com/justicagovbr/docs/diagnostico\\_trafico\\_pessoas\\_frontei](http://issuu.com/justicagovbr/docs/diagnostico_trafico_pessoas_frontei).
- Childhood Brazil, ILO, Ministry of Justice and Highway Police, and Special Secretariat of Human Rights (SDH). *Mapeamento dos Pontos Vulneráveis a Exploração Sexual de Crianças e Adolescentes nas Rodovias Federais Brasileiras*. Brasília; 2012. <http://bit.ly/XTuTmp>.
- Profissão Repórter. Menores de Idade se Prostituem em Estradas no Nordeste do Brasil [TV]: Globo; October 4, 2011, 20.01 min. [cited March 4, 2014]; <http://g1.globo.com/profissao-reporter/index.html>.
- Rafael Da Silva Oliveira. “Las redes de prostitución y tráfico de mujeres en la Frontera Brasil-Venezuela por las Carreteras BR-174 y Troncal 10.” *Espacio Abierto Cuaderno Venezolano de Sociología*, 21(2):325 (2012); hardcopy on file
- Repórter Brasil. *Brasil Livre de Trabalho Infantil*. São Paulo; 2013. <http://reporterbrasil.org.br/trabalho infantil/livro/>.
- Government of Brazil. *Trabalho infantil registra menor taxa da história* October 23, 2014 [cited January 2, 2015]; <http://www.brasil.gov.br/governo/2014/09/trabalho-infantil-registra-menor-taxa-da-historia>.
- U.S. Embassy- Brasília. *reporting, March 12, 2015*.
- Childhood pela proteção da infância. *Mapeamento identifica 1.969 pontos vulneráveis à exploração sexual de crianças e adolescentes nas rodovias brasileiras* [online] [cited March 22, 2015];
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- A Liga. *Trabalho Infantil (Parte 2) [TV]*: Grupo Bandeirantes de Comunicação; March 23, 2011, 10 min., 18 sec., [cited March 4, 2014]; <http://www.youtube.com/watch?v=IFj9d5dCIM>.
- Santini, D. “Crianças Sem Identidade, o Trabalho Infantil na Produção de Castanha de Caju.” *reporterbrasil.org.br* [online] September 19, 2013 [cited March 3, 2014]; <http://bit.ly/1pXeBcx>.
- Ana Lucia Kassouf, and Andrea Rodrigues Ferro. *O Trabalho Infantil no Ramo Agrícola Brasileiro*. Brasília, ILO; 2004. [http://white.oit.org.pe/ipecc/documentos/trabinf\\_agricola\\_br.pdf](http://white.oit.org.pe/ipecc/documentos/trabinf_agricola_br.pdf).
- Santini, D. “Adolescentes Paraguaio Escravizados São Forçados a Deixar o País.” *reporterbrasil.org.br* [online] March 21, 2013 [cited March 4, 2014]; <http://bit.ly/133x7UI>.
- Duran, S. “As Piores Formas de Trabalho Infantil.” *reporterbrasil.org.br* [online] February 21, 2013 [cited March 3, 2014]; <http://bit.ly/YHtHU6>.
- ILO-IPEC. *Trabalho Infantil na Cultura do Abacaxi no Município de Santa Rita, PB*. Brasília; 2006. [http://white.oit.org.pe/ipecc/documentos/ti\\_abacaxi\\_br.pdf](http://white.oit.org.pe/ipecc/documentos/ti_abacaxi_br.pdf).
- Pyl, B. “Crianças e Adultos Colhem Fumo em Condições de Escravidão.” *reporterbrasil.org.br* [online] January 26, 2011 [cited March 4, 2014]; <http://bit.ly/1gNOMyl>.
- AGRONLINE. *Indústria de Fumo Explora Trabalho no Sul*, AGRONLINE, [online] January 5, 2009 [cited March 4, 2014]; <http://www.agronline.com.br/agronoticias/noticia.php?id=4593>.
- Santiago, H. “Em Dez Anos 108 Mil Deixam Trabalho Infantil na Paraíba.” *portalczn.com.br* [online] October 17, 2010 [cited March 3, 2014]; <http://portalczn.com.br/site/?p=326>.
- “Em Pato Branco, Sesc Discute Trabalho Infantil no Paraná.” *oalvo.com.br* [online] June 17, 2010 [cited March 3, 2014]; <http://bit.ly/XC3hqd>.
- “Crianças Trabalham como Carregadores.” *Jornal da Cidade*, February 8, 2012. <http://www.jornaldacidade.net/noticia-leitura/66/23006/criancas-trabalham-como-carregadores.html>.
- Guilherme Sedlacek, and Emily Gustafsson-Wright. *Brazil, Eradicating Child Labor in Brazil*. Washington, DC, World Bank; December 6, 2001. Report No. 21858-BR. <http://bit.ly/NQKTQ8>.
- U.S. Embassy- Brasília. *reporting, February 19, 2014*.
- Profissão Repórter. *Trabalho Infantil [TV]*: Globo; July 10, 2012, 22 min., 18 sec., [cited March 4, 2014]; <http://g1.globo.com/profissao-reporter/videos/tl-programas/v/trabalho-infantil-parte-1/2034343/>.
- U.S. Embassy- Brasília. *reporting, January 17, 2014*.
- Martini, M. “Lançada Campanha de Erradicação do Trabalho Infantil no RS.” *mprs.mp.br* [online] June 11, 2012 [cited April 11, 2014]; <http://www.mprs.mp.br/noticias/id28586.htm>.
- Leite de Sousa, E. “Infância em Pedacos: O Trabalho das Crianças Quebradeiras de Coco Babaçu no Maranhão,” in *Fazendo Gênero 9: Diasporas, Diversidades, Deslocamentos*; August 23-26, 2010; Universidade Federal de Santa Catarina; <http://bit.ly/10sX39s>.
- Pyl, B. “Fiscalização Encontra Escravos na Região da ‘Chacina de Unai’.” *reporterbrasil.org.br* [online] January 12, 2011 [cited March 3, 2014]; <http://www.reporterbrasil.org.br/exibe.php?id=1838>.



29. Pyl, B. "Trabalho Infantil e Escravo é Flagrado na Colheita de Cacau." [reporterbrasil.org.br](http://www.reporterbrasil.org.br/exibe.php?id=1763) [online] June 28, 2010 [cited March 3, 2014]; <http://www.reporterbrasil.org.br/exibe.php?id=1763>.
30. Pyl, B. "PM Encontra Crianças Colhendo Limão em Cabreúva." [reporterbrasil.org.br](http://www.reporterbrasil.org.br/pacto/noticias/view/163) [online] July 15, 2009 [cited March 3, 2014]; <http://www.reporterbrasil.org.br/pacto/noticias/view/163>.
31. Melo, J. O Trabalho Infantil que Santa Catarina Não Vê: Não é Brincadeira; 2014, 17 min., 01 sec., [cited January 31, 2014]; <http://www.naoebrincadeira.com/#audio/c1v9s>.
32. Dutra, FNX. "Exploração do Trabalho Infante-Juvenil nas Usinas de Açúcar e Alcool do Estado de Alagoas." [jus.com.br](http://bit.ly/zXZQST) [online] November 2010 [cited March 3, 2014]; <http://bit.ly/zXZQST>.
33. "Fiscalização Flagra Trabalho Infantil em Lavouras de São Paulo." O Globo, Rio de Janeiro, October 28, 2011. <http://glo.bo/v4gIRe>.
34. Rocha, R. "Adolescentes e Outros 43 São Libertados do Cultivo de Morangos." [reporterbrasil.org.br](http://bit.ly/10sZdpE) [online] August 2, 2010 [cited March 3, 2014]; <http://bit.ly/10sZdpE>.
35. Simon Schwartzman, and Felipe Schwartzman. *O Trabalho Infantil no Brasil*. Rio de Janeiro, Instituto de Estudos do Trabalho e Sociedade; June 2004. [http://www.schwartzman.org.br/simon/pdf/trab\\_inf2004.pdf](http://www.schwartzman.org.br/simon/pdf/trab_inf2004.pdf).
36. "PB Integra Rota do Trabalho Infantil; Patos é o Principal Polo Exportador." [Jornal da Paraíba](http://bit.ly/yF0Odg), June 9, 2011. <http://bit.ly/yF0Odg>.
37. Federal Labor Prosecutor's Office of Minas Gerais. "MG: Justiça Condena Empregador por Trabalho Infantil em Lavoura de Café." [ecodebate.com.br](http://bit.ly/16rXCUZ) [online] May 27, 2010 [cited March 3, 2014]; <http://bit.ly/16rXCUZ>.
38. Ministry of Social Development and Fight Against Hunger. *Programa de Erradicação do Trabalho Infantil (PETI): Redesenho Pactuado na CIT e Aprovado no CNAS em Abril de 2013*. Brasília; 2013. <http://bit.ly/1oQvnpn>.
39. Igor Ojeda, and Stefano Wroblewski. "Paulistano Usa Carvão Feito com Trabalho Escravo e Infantil." [reporterbrasil.org.br](http://reporterbrasil.org.br/2014/01/paulistano-usa-carvao-feito-com-trabalho-escravo-e-infantil/) [online] January 24, 2014 [cited January 31, 2014]; <http://reporterbrasil.org.br/2014/01/paulistano-usa-carvao-feito-com-trabalho-escravo-e-infantil/>.
40. Vidal, B. "Trabalhadores São Libertados de Fazendas de Pecuária." [reporterbrasil.org.br](http://bit.ly/X9d31C) [online] November 19, 2010 [cited March 3, 2014]; <http://bit.ly/X9d31C>.
41. Santini, D. "Violência Crua, um Flagrante de Trabalho Infantil em Matadouro." [reporterbrasil.org.br](http://bit.ly/1pY0Aew) [online] September 5, 2013 [cited March 3, 2014]; <http://bit.ly/1pY0Aew>.
42. Ojeda, I. "Crianças Catam Sururu que Abastece Quiosques e Restaurantes do Recife." [reporterbrasil.org.br](http://reporterbrasil.org.br/trabalho/criancas-catam-sururu-que-abastece-quiocques-e-restaurantes-do-recife/) [online] June 27, 2013 [cited April 11, 2014]; <http://reporterbrasil.org.br/trabalho/criancas-catam-sururu-que-abastece-quiocques-e-restaurantes-do-recife/>.
43. "Jovens São Flagrados Trabalhando Irregularmente em Fábrica de Tijolos em Campos." [noticias.r7.com](http://bit.ly/zoavxl) [online] March 2, 2011 [cited March 3, 2014]; <http://bit.ly/zoavxl>.
44. Lázaro Jr. "Trabalho Infantil Ainda Existe na Região " Folha da Região, Aracatuba, June 12, 2009. <http://www.folhadaregiao.com.br/Materia.php?id=119864>.
45. "Reportagens Retratam Trabalho Infantil em Santa Catarina." [reporterbrasil.org.br](http://reporterbrasil.org.br/2014/01/reportagens-retratam-trabalho-infantil-em-santa-catarina/) [online] January 20, 2014 [cited January 31, 2014]; <http://reporterbrasil.org.br/2014/01/reportagens-retratam-trabalho-infantil-em-santa-catarina/>.
46. Damázio, M. "Acidentes de Trabalho Atingem 8 Mil Crianças e Adolescentes em SP desde 2006." [redebrazilatual.com.br](http://bit.ly/1gfiQHL) [online] October 1, 2013 [cited March 13, 2014]; <http://bit.ly/1gfiQHL>.
47. de Souza Lourenço, E. *Trabalho de Crianças e Adolescentes: Desafios para o Programa de Erradicação do Trabalho Infantil (PETI) e para o trabalho profissional do Serviço Social*. Brasília; 2013. <http://periodicos.ufes.br/temporalis/article/download/6277/4947>.
48. "PM Ambiental Flagra Exploração de Trabalho Infantil em Pedreira." [Folha do Oeste, São Miguel do Oeste](http://bit.ly/14j6jMv), March 29, 2010. <http://bit.ly/14j6jMv>.
49. Globo Repórter. *Globo Repórter Mostra Imagens de Trabalho Infantil no Estado do Piauí*, Globo Repórter, [online] August 8, 2013 [cited March 3, 2014]; <http://glo.bo/1fWtmmH>.
50. META- Instituto de Pesquisa de Opinião. *Primeira Pesquisa Censitária Nacional sobre Crianças e Adolescentes em Situação de Rua*; March 2011. <http://bit.ly/eLWHpM>.
51. Brandão, L. "Ruas do Centro de Salvador Têm Trabalho Infantil e Muita Sujeira." [Tribuna da Bahia](http://www.tribunadabahia.com.br/2013/08/27/ruas-do-centro-de-salvador-tem-trabalho-infantil-muita-sujeira), August 27, 2013. <http://www.tribunadabahia.com.br/2013/08/27/ruas-do-centro-de-salvador-tem-trabalho-infantil-muita-sujeira>.
52. Martins, MR. "MP Investiga Exploração de Trabalho Infantil em Tradicional Espetáculo de Natal em Curitiba." [uol.com.br](http://bit.ly/XjiImq) [online] July 28, 2012 [cited March 4, 2014]; <http://bit.ly/XjiImq>.
53. Santini, D. "Contra Trabalho Infantil no Futebol, OIT Cobra Mudanças nas Categorias de Base." [reporterbrasil.org.br](http://bit.ly/WSNJx6) [online] February 25, 2012 [cited March 4, 2014]; <http://bit.ly/WSNJx6>.
54. Federal Labor Prosecutor's Office. *Medida Pretende Combater a Exploração de Crianças e Adolescentes nas Categorias de Base*. Campo Grande; February 15, 2013. <http://bit.ly/Zly4so>.
55. Ministério Público do Trabalho e da Associação Nacional dos Procuradores do Trabalho. *Trabalho Legal-Trabalho Infantil Doméstico*: TV Justiça; September 10, 2011, 01 min., 52 sec., [cited March 3, 2014]; <http://www.youtube.com/watch?v=FYm8A9FXTs>.
56. Dimmi, A. "Pesquisa Aponta Tráfico de Pessoas no Brasil até para Futebol." [Folha de São Paulo](http://bit.ly/1fW7lp5), Brasília, October 18, 2013. <http://bit.ly/1fW7lp5>.
57. U.S. Embassy- Brasilia official. E-mail communication to USDOL official. March 27, 2015.
58. Defense for Children. *Sexual exploitation of children in Brazil: putting a spot on the problem* Netherlands 2014. [www.defenceforchildren.nl/images/13/3096.pdf](http://www.defenceforchildren.nl/images/13/3096.pdf).
59. Cancian, N. "Brasil Fecha, em Média, Oito Escolas por Dia na Região Rural." [Folha de São Paulo](http://www1.folha.uol.com.br/educacao/2014/03/1420332-pais-fecha-oito-escolas-por-dia-na-zona-rural.shtml), São Paulo, March 3, 2014. <http://www1.folha.uol.com.br/educacao/2014/03/1420332-pais-fecha-oito-escolas-por-dia-na-zona-rural.shtml>.
60. Ministry of Education. "Comissão do Senado Aprova Projeto que Dificulta Fechamento de Escolas Rurais." [portal.mec.gov.br](http://portal.mec.gov.br/index.php?option=com_content&view=article&id=20261) [online] February 25, 2014 [cited May 13, 2014]; [http://portal.mec.gov.br/index.php?option=com\\_content&view=article&id=20261](http://portal.mec.gov.br/index.php?option=com_content&view=article&id=20261).
61. Agência Brasil. "Sancionada lei que dificulta fechamento de escolas rurais e quilombolas " [online ] May 31, 2014 [cited April 8, 2015]; <http://agenciabrasil.ebc.com.br/educacao/noticia/2014-03/sancionada-lei-que-dificulta-fechamento-de-escolas-rurais-e-quilombolas>.
62. Government of Brazil. *Constituição da República Federativa do Brasil de 1988 (with modifications)*, enacted October 5, 1998. [http://www.planalto.gov.br/ccivil\\_03/constituicao/constituicao.htm](http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm).
63. Government of Brazil. *Consolidação das Leis do Trabalho (with modifications until October 2013)*, Decreto-Lei No. 5.452, enacted May 1, 1943. [http://www.planalto.gov.br/ccivil\\_03/decreto-lei/Del5452.htm](http://www.planalto.gov.br/ccivil_03/decreto-lei/Del5452.htm).
64. Government of Brazil. *Decreto No. 6.481*, enacted June 12, 2008. [http://www.planalto.gov.br/ccivil\\_03/Ato2007-2010/2008/Decreto/D6481.htm](http://www.planalto.gov.br/ccivil_03/Ato2007-2010/2008/Decreto/D6481.htm).
65. Government of Brazil. *Código Penal (with modifications until 2013)*, No. 2.848, enacted December 7, 1940. [http://www.planalto.gov.br/ccivil\\_03/Decreto-Lei/Del2848compilado.htm](http://www.planalto.gov.br/ccivil_03/Decreto-Lei/Del2848compilado.htm).
66. U.S. Embassy- São Paulo. *reporting, January 18, 2012*.
67. Government of Brazil. *Estatuto da Criança e do Adolescente (with modifications until 2012)*, Lei 8.069, enacted July 13, 1990. [http://www.planalto.gov.br/ccivil\\_03/leis/L8069.htm](http://www.planalto.gov.br/ccivil_03/leis/L8069.htm).
68. Government of Brazil. *Lei 11.343 (with modifications until 2010)*, enacted August 23, 2006. [http://www.planalto.gov.br/ccivil\\_03/ato2004-2006/2006/lei/11343.htm](http://www.planalto.gov.br/ccivil_03/ato2004-2006/2006/lei/11343.htm).
69. Government of Brazil. *Lei do Serviço Militar*, Lei No 4.375, De 17 de Agosto de 1964, enacted August 17, 1946. [http://www.planalto.gov.br/ccivil\\_03/leis/l4375.htm](http://www.planalto.gov.br/ccivil_03/leis/l4375.htm).
70. Supreme Labor Court. "Justiça do Trabalho Estabelece sua Competência para Autorizar Trabalho de Menores." [tst.jus.br](http://bit.ly/1hnsFsN) [online] December 17, 2013 [cited April 10, 2014]; <http://bit.ly/1hnsFsN>.
71. "TRT da 2ª Região Institui Regras para Autorização de Trabalho a Crianças e Adolescentes." [migalhas.com.br](http://bit.ly/1eveOM4) [online] January 26, 2014 [cited April 10, 2014]; <http://bit.ly/1eveOM4>.
72. Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil (FNPETI). "Decisão inédita sobre autorizações judiciais para o trabalho de crianças e adolescentes " 2014 [cited March 22, 2015]; <http://www.fnpeti.org.br/noticia/1442-decisao-inedita-sobre-autorizacoes-judiciais-para-o-trabalho-de-criancas-e-adolescentes.html>.

73. Government of Brazil. *Resolução Normativa nº 93*, enacted December 23, 2010. <http://bit.ly/XbiE7F>.
74. Government of Brazil. *Emenda Constitucional Nº 81, de 5 de Junho de 2014* enacted June 5, 2014. [http://www.planalto.gov.br/ccivil\\_03/constituicao/Emendas/Emc/emc81.htm](http://www.planalto.gov.br/ccivil_03/constituicao/Emendas/Emc/emc81.htm).
75. Government of Brazil *Lei Nº 12.978, de 21 de Maio de 2014.*, enacted May 21, 2014. [http://www.planalto.gov.br/CCIVIL\\_03/Ato2011-2014/2014/Lei/L12978.htm](http://www.planalto.gov.br/CCIVIL_03/Ato2011-2014/2014/Lei/L12978.htm).
76. Government of Brazil *Lei Nº 6742 de 8 de Abril de 2014*, enacted April 8, 2014. <http://alerjln1.alerj.rj.gov.br/contleinsf/69d90307244602bb032567e800668618/0234fd41db66011283257cb50060bc02?OpenDocument>.
77. Government of Brazil *Lei Nº 13.046, de 1º de dezembro de 2014*, enacted December 1, 2014. [https://www.planalto.gov.br/ccivil\\_03/ato2011-2014/2014/lei/l13046.htm](https://www.planalto.gov.br/ccivil_03/ato2011-2014/2014/lei/l13046.htm).
78. Government of Brazil. *Portaria no. 546*, enacted March 11, 2010. <http://bit.ly/zn1W8v>.
79. Government of Brazil. *Instrução Normativa No. 91*, enacted October 5, 2011. <http://bit.ly/Az5DQ1>.
80. Federal Labor Prosecutor's Office. *Área de Atuação Criança e Adolescente - Membras*, Government of Brazil, [online] [cited March 4, 2014]; <http://bit.ly/Z9kMeM>.
81. Federal Labor Prosecutor's Office. *Área de atuação Criança e Adolescente*, Federal Labor Prosecutor's Office,, [online] [cited April 10, 2014]; <http://bit.ly/VpVaL5>.
82. Federal Labor Prosecutor's Office. *Plano de Projeto: Orçamento Público e Políticas Públicas de Prevenção e Erradicação do Trabalho Infantil e Proteção do Adolescente Trabalhador 2011*; 2011. <http://bit.ly/1eeJ4m>.
83. U.S. Embassy- Brasilia. *reporting, February 13, 2015*.
84. Portal Brasil. *Ligue 180 amplia o atendimento para mais 13 países*, [online ] March 10, 2015 [cited March 22, 2015]; <http://traficcodepessoas.org/site/2015/03/10/ligue-180-amplia-o-atendimento-para-mais-13-paises/>.
85. Government of Brazil Federal Highway Police. *Enfrentamento à exploração sexual de crianças e adolescentes* [online] [cited February 24, 2015]; <https://www.prf.gov.br/portal/policiamento-e-fiscalizacao/atuacao-em-direitos-humanos/denuncia-de-ponto-de-exploracao-sexual>.
86. Government of Brazil. "Grupo Móvel de Fiscalização resgata 17 trabalhadores no Ceará." Portal MTE [online] September 26, 2014 [cited February 20, 2015]; <http://portal.mte.gov.br/imprensa/grupo-movel-de-fiscalizacao-resgata-17-trabalhadores-no-ceara/palavrachave/escravo.htm>.
87. Reuters. "FEATURE-Brazil's child sex trade thrives as World Cup looms." [online ] December 3, 2013 [cited April 29, 2015]; <http://www.reuters.com/article/2013/12/03/brazil-prostitution-idUSL2N0JH12K20131203>.
88. Government of Brazil. "Trabalho Infantil: BA e RJ também realizaram ações." March 11, 2014 [cited February 25, 2015]; <http://portal.mte.gov.br/delegacias/ba/trabalho-infantil-ba-e-rj-tambem-realizaram-acoes.htm>.
89. Government of Brazil. "Superintendência da Bahia realiza mais de 40 ações para combater trabalho infantil na Copa " June 20, 2014 [cited February 25, 2015]; <http://www.sdh.gov.br/noticias/2014/junho/superintendencia-de-da-bahia-realiza-mais-de-40-acoes-para-combater-trabalho-infantil-na-copa>.
90. Government of Minas Gerais. *Encaminhamento e Monitoramento de Denúncias de Violação dos Direitos Humanos- Disque Direitos Humanos*, Government of Minas Gerais, [online ] March 10, 2014 [cited April 10, 2014]; <http://www.social.mg.gov.br/component/gmg/page/1639-encaminha-subdh>.
91. Ministry of Labor and Employment. *Quadro Comparativo da Fiscalização do Trabalho 2003 a 2013*, Government of Brazil, [online] [cited March 3, 2014]; <http://bit.ly/1cou1w>.
92. Government of Brazil. *Pernambuco marcha contra o trabalho infantil*, [online] October 15, 2014 [cited February 25 2015]; <http://www.brasil.gov.br/economia-e-emprego/2014/10/pernambuco-marcha-contra-o-trabalho-infantil>.
93. Portal Brasil. *Ligue 180 amplia o atendimento para mais 13 países*, [online ] March 10, 2015 [cited March 22, 2015]; <http://traficcodepessoas.org/site/2015/03/10/ligue-180-amplia-o-atendimento-para-mais-13-paises/>.
94. Government of Brazil. "Balço 180." 2015 [cited April 9, 2015]; [http://www.spm.gov.br/central-de-conteudos/publicacoes/publicacoes/2015/balanco180\\_2014-versaoweb.pdf](http://www.spm.gov.br/central-de-conteudos/publicacoes/publicacoes/2015/balanco180_2014-versaoweb.pdf)
95. Government of Brazil. *Internet Segura: Denuncie* Government of Brazil, [online] [cited January 29, 2014]; <http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/internet-dh/denuncie>.
96. Safernet Brasil. *O que e o Helpline.Br?*, Safernet Brasil, [online] [cited April 10, 2014]; <http://www.safernet.org.br/site/webline>.
97. Safernet. *Indicadores da Central Nacional de Denúncias de Crimes Cibernéticos*, [online] [cited February 25 2015]; <http://indicadores.safernet.org.br/>.
98. Ministry of Justice and UNODC. *Relatório Nacional sobre Tráfico de Pessoas: Consolidação dos Dados de 2005 a 2011*. Brasília; 2013. <http://bit.ly/1fPTSke>.
99. Government of Brazil. *Lei 8.242*, enacted October 12, 1991. [http://www.planalto.gov.br/ccivil\\_03/Leis/L8242.htm](http://www.planalto.gov.br/ccivil_03/Leis/L8242.htm).
100. Government of Brazil. *Conselho Nacional dos Direitos da Criança e do Adolescente (Conanda)*, [online] [cited March 30, 2015]; <http://www.sdh.gov.br/sobre/participacao-social/conselho-nacional-dos-direitos-da-crianca-e-do-adolescente-conanda>.
101. Government of Brazil. *Carta de Constituição de Estratégias em Defesa da Proteção Integral dos Direitos da Criança e do Adolescente*. Brasília; October 9, 2012. [http://www.cnj.jus.br/images/acordos\\_termos/Carta\\_001\\_2012.pdf](http://www.cnj.jus.br/images/acordos_termos/Carta_001_2012.pdf).
102. Ministry of Labor and Employment. *Finalidade da CONAETI*, Government of Brazil, [online] [cited March 4, 2014]; [http://portal.mte.gov.br/trab\\_infantil/finalidade-da-conaeti.htm](http://portal.mte.gov.br/trab_infantil/finalidade-da-conaeti.htm).
103. Ministry of Labor and Employment. *Órgãos e Entidades que Compõem a CONAETI*, Government of Brazil, [online] [cited March 4, 2014]; [http://portal.mte.gov.br/trab\\_infantil/orgaos-e-entidades-que-compoem-a-conaeti.htm](http://portal.mte.gov.br/trab_infantil/orgaos-e-entidades-que-compoem-a-conaeti.htm).
104. Brazilian Secretariat of Human Rights. *Comissão Intersetorial de Enfrentamento da Violência Sexual de Crianças e Adolescentes*, Government of Brazil, [online] [cited March 4, 2014]; <http://bit.ly/1iQ5gzm>.
105. Government of Brazil. *Ato Conjunto nº 21/TST.CSJT.GP*, enacted July 19, 2012. <http://bit.ly/1etKFvP>.
106. National Council for the Eradication of Child Labor. *Plano Nacional de Prevenção e Erradicação do Trabalho Infantil- Segunda Edição (2011-2015)*. Brasília, Ministry of Employment and Labor; December 2011. <http://bit.ly/10t7HNX>.
107. Ministry of Social Development and Fight Against Hunger. *Programa de Erradicação do Trabalho Infantil (PETI)*, Government of Brazil, [online] [cited March 4, 2014]; <http://www.mds.gov.br/assistenciasocial/peti>.
108. Graca Gadelha, Fernando Luz Carvalho, Joselene Vieira Santos, Karina Figueiredo, and Leila Paiva. *Plano Nacional de Enfrentamento da Violência Sexual contra as Crianças e Adolescentes*. Brasília, Government of Brazil; May 2013. [http://www.comitenacional.org.br/files/anexos/08-2013\\_PNEVSCA-2013\\_f19r39h.pdf](http://www.comitenacional.org.br/files/anexos/08-2013_PNEVSCA-2013_f19r39h.pdf).
109. National Council for the Rights of Children and Adolescents. *Política Nacional dos Direitos Humanos de Crianças e Adolescentes e o Plano Decenal dos Direitos Humanos de Crianças e Adolescentes 2011-2020*. Brasília; October 2010. <http://bit.ly/1ql28hI>.
110. National Council for the Rights of Children and Adolescents. *CONANDA Define Diretrizes para Plano dos Direitos de Crianças e Adolescentes*; 2014. <http://bit.ly/1blVpPc>.
111. Government of Brazil. *2º Plano Nacional para a Erradicação do Trabalho Escravo*. Brasília; 2008. <http://bit.ly/10mXbsu>.
112. Government of Brazil. *II Plano Nacional de Enfrentamento ao Tráfico de Pessoas 2013*. <http://portal.mj.gov.br/services/DocumentManagement/FileDownload.EZTSvc.asp?DocumentID={292BDB1B-732B-476A-B5CA-0749CA1CE9D5}&ServiceInstUID={166ABD3B-D529-491E-B238-57F4FB577D50}>.
113. Government of Brazil. *Plano Nacional de Emprego e Trabalho Decente*. Brasília; 2010. <http://bit.ly/10n5t3o>.
114. Ministério do Trabalho e Emprego. *Agenda Nacional de Trabalho Decente para a Juventude no Brasil*. Brasília, Government of Brazil; 2010 <http://bit.ly/1e2YdTV>.
115. Aquino, Y. "Governo e Movimentos Sociais Querem Aprovação do PNE pelo Senado em 2013." *memoria.ebc.com.br* [online] December 29, 2012 [cited March 4, 2014]; <http://bit.ly/Y3X1LQ>.
116. Brazilian Chamber of Deputies. "Plano Nacional de Educação Apresenta 20 Metas." *senado.gov.br* [online] October 29, 2012 [cited March 4, 2014]; <http://bit.ly/Tc3nkH>.

117. Government of Brazil. *Plano Nacional de Educação (PNE)*, Lei Nº 8.035-B de 2010 enacted <http://bit.ly/YNbzei>.
118. Government of Brazil. *Plano Plurianual: Dimensão Estratégica*. Brasília; January 2012. <http://bit.ly/1528JDj>.
119. ILO. “Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO’s 18th Regional Meeting of the Americas, October 14, 2014.” October 14, 2014 [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
120. UN News Centre. “*At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour.*” [cited <http://www.un.org/apps/news/printnews.asp?nid=49082>].
121. ILO. “*18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour.*” October 17, 2014, [cited November 17, 2014] [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
122. OAS. *Agenda, First Meeting of the Working Group of the XVIII IACML*; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
123. Ministry of Social Development and Fight Against Hunger. *Serviços de Convivência e Fortalecimento de Vínculos* Government of Brazil, [online] [cited March 4, 2014]; <http://bit.ly/wpAUDQ>.
124. Ministry of Social Development and Fight Against Hunger. *PETI Condicionabilidades* Government of Brazil, [online] [cited March 14, 2014]; <http://bit.ly/1gxHofW>.
125. Ministry of Social Development and Fight Against Hunger. *Bolsa Família*, Government of Brazil, [online] [cited March 4, 2014]; <http://www.mds.gov.br/bolsafamilia>.
126. Ministry of Social Development and Fight Against Hunger. *Condicionabilidades do Bolsa Família*, Government of Brazil, [online] [cited March 4, 2014]; <http://bit.ly/1kXkoek>.
127. Government of Brazil. *Plano Brasil Sem Miséria- Caderno de Resultados 2011-2014*; 2014. [http://www.mds.gov.br/documentos/Caderno\\_BSM3%2C5%20anos\\_20112014.pdf](http://www.mds.gov.br/documentos/Caderno_BSM3%2C5%20anos_20112014.pdf).
128. Municipality of São Paulo. *Prefeitura de São Paulo cadastrará estrangeiros para receber o Bolsa Família*, [cited December 29, 2014]; <http://www.capital.sp.gov.br/portal/noticia/5088>.
129. Government of Brazil. *Brasil Carinhoso*, Government of Brazil, [online] [cited March 14, 2014]; <http://www.brasilsemisericia.gov.br/brasil-carinhoso/brasil-carinhoso>.
130. Priscilla Mendes, and Nathalia Passarinho. *Dilma Amplia Faixa Etária do Brasil Carinhoso para até 15 Anos*, G1, [online] November 29, 2012 [cited March 4, 2014]; <http://glo.bo/W0ngyU>.
131. Ministry of Social Development and Fight Against Hunger. *Plano Brasil sem Miséria*, [online] [cited April 10, 2014]; <http://www.mds.gov.br/falemds/perguntas-frequentes/superacao-da-extrema-pobreza%20/plano-brasil-sem-miseria-1/plano-brasil-sem-miseria>.
132. Government of Brazil. *Lei nº 12.816* enacted June 5, 2013. [http://www.planalto.gov.br/ccivil\\_03/\\_ato2011-2014/2013/Lei/L12816.htm](http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2013/Lei/L12816.htm).
133. Government of Brazil. *PRONATEC 2014-2015* [cited December 23 2014, ]; <http://www.pronatec2014.com.br/>.
134. Ministry of Education. *Escolas com Maioria de Alunos do Bolsa Família Aderem ao Programa Mais Educação*, Ministry of Education, [online] September 2, 2013 [cited February 3, 2014]; <http://bit.ly/1dXelk2>.
135. Government of Brazil. *Portaria Normativa Interministerial nº 17*, enacted April 26, 2007. <http://bit.ly/Zyo1tY>.
136. Junior, C. “IBGE: 554 Mil Crianças Entre 5 e 13 Anos Trabalham no País.” *noticias.terra.com.br* [online] September 27, 2013 [cited March 11, 2014]; <http://bit.ly/NYjdvE>.
137. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
138. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
139. USDOL, and ILO. *Cooperative Agreement No. IL 23986-13-75-K*. Washington, DC; December 18, 2012.
140. ILO. *Consolidating and Disseminating Efforts to Combat Forced Labour in Brazil and Peru*. Grant Modification No. 2; July 18, 2014.
141. ILO. *Consolidating and Disseminating Efforts to Combat Forced Labor in Brazil and Peru* Technical Progress Report; October 2014.
142. Government of Brazil. *Brasil vai exportar aplicativo que ajuda a combater violência contra crianças e adolescentes* June 24, 2014 [cited January 2 2015, ]; <http://www.brasil.gov.br/centro-aberto-de-midia/noticias/brasil-vai-exportar-aplicativo-que-ajuda-a-combater-violencia-contra-criancas-e-adolescentes>.
143. Boqnews. “Novo Centro de Referência atende vítimas de violência “ [online] September 4, 2014 [cited April 13, 2015]; <http://www.boqnews.com/cidades/inaugurado-equipamento-que-atende-vitimas-de-violencia/>.
144. Medeiros, M. “Análise Trabalho Infantil: Problema Está Ligado a Questão Cultural, e Não à Baixa Renda Familiar.” *Folha de São Paulo*, São Paulo, December 28, 2011. <http://bit.ly/vTTtU6>.
145. Simpício, A. “35% das Crianças do Peti Não Comparecem às Aulas em CG.” *Jornal da Paraíba*, January 10, 2012. <http://bit.ly/HSPCPY>.
146. Rádio Santa Cruz. *Conselho Tutelar fará campanha contra trabalho de menores na feira livre*, Rádio Santa Cruz, [online] March 16, 2012 [cited March 4, 2014]; <http://bit.ly/H5nksr>.
147. National Confederation of Municipalities. *Os Programas Governamentais e sua Aplicabilidade nos Municípios*; June 2009. <http://bit.ly/XThM9l>.
148. de Jesus, AC. *Desafios e Diversidades na Gestão Programa Bolsa Família em Pequenos e Médios Municípios*. Sao Luis, Maranhão, V Jornada Internacional de Políticas Públicas; August 2011. <http://bit.ly/10wvrsj>.

In 2014, Burkina Faso made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government published a study on hazardous child labor in order to update existing legislation and established the National Coordination Committee for the National Action Plan on the Fight against the Worst Forms of Child Labor. The Government also adopted Law N° 011-2014/AN Suppressing the Sale of Children, Child Prostitution and Child Pornography, which strengthens existing prohibitions on commercial sexual exploitation of children and child pornography. However, children in Burkina Faso are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in mining. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor and the lack of funding has hampered the implementation of child labor policies. Despite an uprising in October that ousted longtime President Blaise Compaoré, the Government continued to address child labor issues.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burkina Faso are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in mining.(1-10) According to a National Survey on Child Labor in Burkina Faso conducted in 2006, 47.7 percent of boys and 43 percent of girls ages 5 to 17 are engaged in child labor. Child labor is more prevalent in rural areas, with 44.1 percent of children engaged in child labor.(11) Table 1 provides key indicators on children's work and education in Burkina Faso.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	42.1 (2,116,752)
Attending School (%)	5-14 yrs.	41.9
Combining Work and School (%)	7-14 yrs.	21.7
Primary Completion Rate (%)		57.6

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(12)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Enquête Démographique et de Santé et à Indicateurs Multiples, 2010.(13)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting,* weeding,* and exposure to pesticides† in the harvesting of crops, including cotton (1-7, 9)
	Harvesting mangos* (8)
	Raising and herding livestock, including cattle* and goats* (2, 3, 6, 10)
Industry	Digging and crushing rock,* installing dynamite,† working underground,† carrying water and other heavy loads†, and using cyanide and mercury† to process ore in gold mines† (1-4, 9, 14-26)
	Quarrying† and transporting heavy loads† while working to extract granite* (17, 21, 24, 27-30)
	Construction*(10)



# Burkina Faso

MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Domestic work (2, 3, 5, 7, 21, 30-34)
	Street work, including vending and begging (2, 3, 7, 10, 35, 36)
	Used in illicit activities,* including drug trafficking* (24, 37)
Categorical Worst Forms of Child Labor†	Forced labor in livestock herding* (6)
	Commercial sexual exploitation sometimes as a result of human trafficking* (2, 3, 10, 18, 22, 30, 38, 39)
	Agricultural work,* including cotton production and livestock raising,* domestic work, begging, gold mining, and work in quarries,* each as a result of human trafficking (3, 4, 6, 7, 10, 21, 31, 35, 36, 39-42)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

Burkina Faso is a destination, transit point, and source for child trafficking.(3, 35, 39, 42, 43) Human traffickers sometimes pose as Koranic school teachers, who force their students to beg in the streets and take the money the boys collect.(3, 7, 21, 35-37, 39, 40) The Government acknowledged the need for a national study on child prostitution in order to better understand the issue and incorporate it into the National Action Plan on the Fight against the Worst Forms of Child Labor.(42) Additionally, a recent boom in gold mining has contributed to the increase of child labor in this sector, and additional children are leaving school to work in gold mines.(6, 9, 16, 37, 44-47)




Although Law N° 013-2007/AN Orienting the Education System mandates free education until the age of 16, students are required to pay for uniforms and school-related fees.(2, 10, 30, 48) The shortage of teachers and lack of school infrastructure in rural areas hinders children’s access to education.(4, 30, 48) Birth registration is also required for enrollment, which could prevent some children from entering school since about a quarter of children do not have a birth certificate.(49-52) At school, students may suffer physical and sexual abuse from their teachers, particularly in rural areas, or they may be required to carry out household chores for teachers. This may discourage some children from attending school or reduce the time children can dedicate to learning.(53) Although the Government is working to provide education to children within refugee camps, due to the lack of resources, many refugee children do not have access to education.(54, 55)

On October 31, 2014, President Blaise Compaoré stepped down from power after protests erupted in response to his attempt to amend the Constitution to allow for another term as president.(56, 57) An interim president was declared two weeks later.(58, 59) This shift in power and subsequent transition may have impacted the Government’s ability to address child labor during the last quarter of 2014, as many government officials were replaced.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Burkina Faso has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓



The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 152 of the Labor Code (60)
Minimum Age for Hazardous Work	Yes	18	Articles 149 and 150 of the Labor Code; Article 1 of Decree N° 2009-365/PRES/PM/MTSS/MS/ MASSN Hazardous Work List (60)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Article 153 of the Labor Code; Decree N° 2009-365/PRES/PM/MTSS/MS/MASSN Hazardous Work List (60, 61)
Prohibition of Forced Labor	Yes		Articles 5 and 154 of the Labor Code; Articles 3-5 of Law N° 011-2014/AN Suppressing the Sale of Children, Child Prostitution and Child Pornography (60, 62)
Prohibition of Child Trafficking	Yes		Article 153 of the Labor Code; Article 5 of Law N° 029-2008/AN on Combatting Trafficking of Persons and Similar Practices (60, 63)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 153 of the Labor Code; Articles 3-4 and 7-10 of Law N° 011-2014/AN Suppressing the Sale of Children, Child Prostitution and Child Pornography (60, 62)
Prohibition of Using Children in Illicit Activities	Yes		Article 153 of the Labor Code (60)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	20	Decree N° 2013-358/PRES/PM/MDNAC (64)
Compulsory Education Age	Yes	16	Article 4 of Law N° 013-2007/AN Orienting the Education System (65)
Free Public Education	Yes		Article 6 of Law N° 013-2007/AN Orienting the Education System (65)

\* No conscription.(66)

Article 153 of the Labor Code mandates the Hazardous Work List is issued by ministerial decree in consultation with employers' and workers' organizations, as well as the National Council on Workplace Safety and Health.(60) During the reporting period, the Ministry of Civil Service, Labor, and Social Security (MFPTSS) published a study on hazardous child labor in order to update existing legislation and identified several additions.(2, 9)

On April 17, the Government adopted Law N° 011-2014/AN Suppressing the Sale of Children, Child Prostitution and Child Pornography, which strengthens existing prohibitions on commercial sexual exploitation of children and child pornography. Penalties include imprisonment of 5 to 10 years and fines between \$2,700 and \$5,400, with penalties doubling for repeat offenders. (2, 42, 62) Additionally, the Government drafted new mining regulations prior to the uprising in October, but the mining industry is trying to postpone revising the mining code until after a new government is in place.(4, 67) The new mining regulations would regulate artisanal mines and could provide additional protection to children working in gold mines and granite quarries.(4) The Government also drafted a comprehensive Child Protection Law, which combined elements from several laws, including the Penal Code and Labor Code. However, no action has been taken since the previous government was dissolved.(2)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Civil Service, Labor, and Social Security (MFPTSS)	Enforce labor laws, including child labor laws.(2, 68, 69) Responsible for establishing Government policy to combat child labor, including its worst forms.(37) In the case of provincial committees, responsible for awareness raising, conducting workshops for community members, and enforcement at the local level.(43, 70)

# Burkina Faso

## MODERATE ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Ministry of Social Action and National Solidarity's (MASSN) Directorate for Child Protection and Efforts Against Violence Toward Children	Enforce laws against child trafficking and other worst forms of child labor, remove children from exploitative child labor, and provide reintegration services. (2, 69, 71) Operate a free hotline to report child abuse, including child labor, and conduct awareness raising activities in all 13 regions of Burkina Faso.(2, 10, 24, 72) Established civil registry offices in maternity wards to register newborn babies.(72, 73)
Ministry of Territorial Administration, Decentralization and Security (MATDS)	Enforce criminal laws related to the worst forms of child labor, including investigations into the commercial sexual exploitation of children, child trafficking, child labor, and drug-related crimes.(74) In the case of the Morals Brigade within the MTADS's National Police Force, trained to deal with criminal cases involving children and women.(38)
Ministry of Justice	Enforce and prosecute criminal laws, including laws related to the worst forms of child labor.(74)
Parliamentary Network for the Promotion of Child Rights	Provide training for government officials on children's rights, including child labor laws and other issues affecting children.(4, 75, 76)

Law enforcement agencies in Burkina Faso took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the MFPTSS employed 149 labor inspectors throughout the country.(69) Although there are new inspectors being trained, the number of inspectors is lower than the 291 employed in 2014 and is insufficient to adequately monitor child labor issues.(2, 3, 37, 69) The Government provides extensive training to new labor inspectors, including a module on child labor. However, the Government acknowledges that training is insufficient and the number of inspectors who benefit from available training is limited.(69, 77) The MFPTSS did not receive funds specifically dedicated to the enforcement of child labor laws, and inspectors noted the funding level was insufficient to effectively carry out labor inspections throughout the country, particularly in artisanal mining. Research indicates that transportation is particularly challenging and there is only one vehicle in each of the regions, which is used for the Regional Director's travel as well as labor inspections.(3, 37, 69, 78) Labor inspectors staged a sit-in in June and a 2-day strike in September to protest working conditions and called on the Government to fulfil Article 392 of the Labor Code which stipulates that the Government must provide all personnel and equipment necessary for inspectors to accomplish their jobs.(2) Negotiations were stalled by the change in government and no agreement has been reached yet.(79)

Inspectors carried out unannounced visits in the informal sector, artisanal gold mines, and cotton fields in accordance with Article 397 of the Labor Code.(2, 60, 69) Inspections typically consist of planned site visits where inspectors assess compliance with labor standards and educate workers and employers on existing labor laws. Inspection teams are formed with language ability in mind since the majority of workers speak a local language rather than French.(2, 69) Inspectors are authorized to assess penalties according to Article 396 of the Labor Code.(2, 60) However, no penalties to employers have been applied to date since most children are self-employed and the MFPTSS notes that it is difficult for inspectors to follow up after inspections to ensure recommendations have been implemented.(2, 68, 78, 80) The MFPTSS publishes an annual report listing 12 types of labor infractions, but none are related to child labor. The number of investigations conducted, prosecutions, violations found, and citations issued in 2014 is not publicly available.(2) It is unknown how many complaints related to child labor were made to Ministry of Social Action and National Solidarity's (MASSN) hotline.

### *Criminal Law Enforcement*

In 2014, the Government employed 265 inspectors who worked with police officers to enforce criminal laws related to the worst forms of child labor. However, this number is insufficient given the scope of the problem in Burkina Faso.(2, 69) The Government provided training for 200 police officers, social workers, judges, teachers, labor inspectors, traditional leaders, and religious leaders on issues related to human trafficking. Training modules included how to identify and provide assistance to victims, as well as investigation procedures and prosecution of human trafficking crimes.(42) Investigations are often conducted with social service agencies, which allows them to intervene directly on behalf of victims of exploitative child labor.(2, 69) Many provincial committees, which assist with criminal law enforcement and awareness raising at the local level, were unable to carry out all their planned activities due to a lack of resources.(70)

At least two Burkinabé women were arrested in neighboring countries for allegedly participating in a child trafficking ring and the Government is negotiating their extradition to Burkina Faso. MASSN identified 280 victims of child trafficking during the reporting period and referred all of the children to social service providers.(42) No statistics are available on the total number of prosecutions, convictions, or penalties assessed as a result of violations of child labor laws.(2)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Coordination Committee for the National Action Plan on the Fight against the Worst Forms of Child Labor (CNC-PAN/PFTE)	Supervise, evaluate and oversee implementation of the National Action Plan to Combat the Worst Forms of Child Labor. Chaired by the MFPTSS's Directorate to Combat Child Labor and its Worst Forms.(2, 69) Includes representatives from 24 Government ministries, including the Ministries of Justice, MASSN, MTADS, Basic Education, Mines, Human Rights, and Health.(68, 74) Also includes NGOs, religious communities, the children's parliament, civil society organizations, as well as six observers representing donor countries and international NGOs.(2) Meets twice per year to review efforts to combat child labor and identify needs.(37, 69)
MFPTSS's Directorate to Combat Child Labor and its Worst Forms	Coordinate and lead interagency efforts to combat child labor, including its worst forms; collect information on child labor; and conduct awareness raising activities.(68, 78) Serve as the Secretariat for the CNC-PAN/PFTE.(68, 74)
National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices (CVS)	Coordinate actions to combat the worst forms of child labor, including human trafficking, at the national level. Oversees Committees for Vigilance and Surveillance in each of the regions. (24, 42, 43) MASSN serves as president and MTADS is the vice president.(42, 72) Includes representatives from MFPTSS, the Ministry of Justice, the Ministry of Women and Gender, as well as NGOs.(42)

The Government issued a decree in January 2014 to improve the coordination of the National Coordination Committee for the National Action Plan on the Fight against the Worst Forms of Child Labor (CNC-PAN/PFTE). During the reporting period, the CNC-PAN/PFTE focused on how to make the best use of existing data on child labor in Burkina Faso and developed a monitoring tool to aid in the implementation of the National Action Plan to Combat the Worst Forms of Child Labor.(2)

The National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices (CVS) received a budget of approximately \$12,000 in 2014.(42) Although the CVS was unable to meet due to a lack of resources, its regional committees each met once and brought together police officers, social workers, NGOs, and other groups combatting human trafficking to discuss the current situation in Burkina Faso.(42, 79) A lack of computerized record keeping and limited ability to collect data from regional committees and NGOs working in the field pose challenges to the Government's efforts to combat child trafficking.(42)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Burkina Faso has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (2012-2015)	Based on the Strategy for Accelerated Growth and Development, aims to prevent and protect children from the worst forms of child labor through awareness raising, data collection, rehabilitation services, increased access to education, and better law enforcement.(68) Calls for the involvement of 11 ministries, particularly MASSN, MOL, and MFPTSS to reduce exploitative child labor significantly by 2015.(37, 81) Promotes education, particularly for girls, through school feeding programs, school material distribution, and scholarships.(74)
ECOWAS Regional Action Plan on Child Labor (2012-2015)	With 14 other ECOWAS countries, implements a regional action plan on child labor, especially its worst forms. Aims to eliminate worst forms of child labor in West Africa by 2015.(34, 82, 83) In 2014, met to discuss actions taken since Ghana's 2013 Peer Review, progress of the Regional Action Plan's implementation, and the ILO's Study on Child Labor and Marginalization.(84)
Strategy for Accelerated Growth and Sustainable Development (SCADD) (2011-2015)*	Encompasses all development activities with a focus on the promotion of social protections, poverty reduction through economic growth, maternal and child health, and primary education for all.(37, 85) Also implements price controls on food.(37)

# Burkina Faso

## MODERATE ADVANCEMENT

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Bilateral Agreements to Combat Child Trafficking	Agreements between Burkina Faso, Mali, and Côte d'Ivoire that call for increased cooperation against cross-border trafficking in persons.(3, 24, 73, 86-88) The Government has established monitoring committees to review aspects of the agreement with Mali and Côte d'Ivoire.(79) Burkina Faso's National Training Institute of Social Workers partners with its counterpart in Chad to share experiences and best practices in combatting human trafficking.(42)
Treaty of Amity and Cooperation†	Framework for economic cooperation between Côte d'Ivoire and Burkina Faso. Includes agreements to prevent the exploitation of children in artisanal gold mines and renewed commitments to combat child trafficking between the two countries.(88) Includes annual meetings to reaffirm the commitment and address issues requiring cooperation.(88)
Decent Work Country Program (2012-2015)	Promotes decent work with a focus on creating job opportunities for youth and promoting social protection. Incorporates child labor concerns into the strategy for work.(89)
Ministry of Youth, Vocational Training, and Employment's Action Plan (2012-2014)*	Calls for the construction of 45 vocational training centers and a central vocational training center for each region.(90)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Following his fall from power, former President of Burkina Faso Blaise Compaoré has been living in Côte d'Ivoire, which has strained relations with the transitional Government of Burkina Faso. As a result, the monitoring committee established to review the agreement between Burkina Faso and Côte d'Ivoire has not met.(79)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Burkina Faso funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Reducing Child Labor Through Education and Services (2012-2016)	\$5 million USDOL-funded, 4-year project implemented by Counterpart International that targets 10,000 children engaged in or at risk of entering child labor in the production of cotton and in gold mining.(91, 92) Aims to increase access to education, social protection, and training programs. Also targets 1,000 households of child beneficiaries with livelihood services.(91, 92)
Global Action Program on Child Labor Issues (2011-2016)	\$15 million USDOL-funded 6-year project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor.(93)
Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II)†	USDOL-funded capacity building project implemented by Winrock International and partners Verité and Lawyers Without Borders in at least eight countries to build local and national capacity of the Government to address child labor. Aims to improve legislation addressing child labor issues, including by bringing local or national laws into compliance with international standards; improve monitoring and enforcement of laws and policies related to child labor; develop, validate, adopt, and implement a National Action Plan on the elimination of child labor; and enhance the implementation of national and local policies and programs aimed at the reduction and prevention of child labor.(94)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation Through ECOWAS I & II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity building support for all ECOWAS states.(95, 96)
Quarrying and Mining Child Labor Project	UNICEF-funded project implemented in five regions by Terre des Hommes and the Government of Burkina Faso.(24, 68) Aims to eliminate the worst forms of child labor in quarries and mines by raising awareness and providing school materials to children to encourage student retention.(97, 98) Also provides vocation training to youth and income-generating activities and nursery schools for female-headed households.(4, 26, 34, 97, 98).

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Transit Centers‡	Government program that operates 23 transit centers serving vulnerable children, some of whom were victims of human trafficking.(42, 73) Provides food, medical assistance, and psychosocial care and aims to reintegrate victims back into their communities. Facilitates repatriation of foreign victims when possible. (24, 42, 71)
Assistance to Vulnerable Groups‡	MASSN-funded program that provides services to vulnerable groups, especially women and children, in the prevention of human trafficking and recidivism. In 2014, provided 130 victims of child trafficking with nine-month scholarships to professional training centers.(42)
Awareness Raising Campaigns‡	MASSN-funded program that conducts nationwide campaigns to combat human trafficking by providing information and education. In 2014, MASSN hosted awareness sessions in 15 border provinces; held 120 discussion sessions; and provided 240 targeted police patrols in the most vulnerable areas.(42)
UN World Food Country Program (2011-2015)*	UN-funded program that promotes primary education and food security. Aims to reach 560,000 beneficiaries annually.(99)
National Council for the Prevention of Violence at Schools*	Oversees Government efforts to combat violence and abuse in schools.(2)
Child Friendly Schools*	UNICEF-funded pilot project in Ganzourgou and Namentenga provinces that constructs or converts existing schools into student-centered institutions. Provides quality education, school kits, water and sanitation facilities, and mobilizes communities in support of schools.(4, 43, 100-102) Provides teacher training on children's rights, child-friendly pedagogy, and development of extracurricular activities.(19, 101)
National Strategy on Civil Registration (2012-2016)*	Aims to achieve universal birth registration by creating information and registration centers.(2, 30) From March to June 2014, MTADS ran a campaign to provide birth certificates. Although aimed at potential voters, the campaign was open to every citizen.(42)
Resilience in the Sahel-Enhanced (2014-2019)†	USAID-funded, 5-year project to increase food security and improve livelihoods in Niger and Burkina Faso. UNICEF provided \$130 million for the first two years of implementation and will provide an additional \$85 million was provided to address food insecurity in Chad, Senegal, Mauritania, and Mali.(103, 104)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Burkina Faso.

Although Burkina Faso has social programs to address the worst forms of child labor in the production of cotton and in gold mining, the scope of these programs is insufficient to fully address the extent of the problem.(4)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Burkina Faso (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen enforcement of child labor laws by: <ul style="list-style-type: none"> <li>■ Increasing the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce;</li> <li>■ Providing additional training on child labor issues; and</li> <li>■ Providing adequate resources and transportation for inspectors to conduct investigations.</li> </ul>	2009 – 2014
	Make statistics regarding the enforcement of child labor laws publicly available, including the number of inspections, prosecutions, violations, and citations/penalties issued and include disaggregated data on child labor infractions.	2009 – 2014
	Disaggregate and publish the number of complaints related to child labor that are made to MASSN hotline.	2013 – 2014
Coordination	Ensure all coordinating committees are able to meet regularly and improve data collection tools.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for Accelerated Growth and Sustainable Development and the Ministry of Youth, Vocational Training, and Employment's Action Plan.	2013 – 2014



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Take measures to increase access to free and safe education for children by: <ul style="list-style-type: none"> <li>■ Eliminating school-related fees;</li> <li>■ Increasing the number of teachers available;</li> <li>■ Increasing or improving school infrastructure, particularly in rural areas;</li> <li>■ Expanding access to birth registration;</li> <li>■ Ensuring children are safe from physical and sexual abuse in school;</li> <li>■ Ensuring students are not required to perform chores for teachers; and</li> <li>■ Providing all children with access to education, regardless of citizenship status.</li> </ul>	2010 – 2014
	Assess the impact that existing social programs may have of on addressing child labor.	2013 – 2014
	Expand existing programs to address child labor in the production of cotton and gold mining and develop programs to address child labor in livestock herding, domestic work, street vending, and the worst forms of child labor in forced begging and commercial sexual exploitation.	2009 – 2014

### REFERENCES

- INTERPOL. *Nearly 400 Victims of Child Trafficking Rescued Across Burkina Faso in INTERPOL-Led Operation*; November 22, 2012. <http://www.interpol.int/layout/set/print/News-and-media/News-media-releases/2012/PR096>.
- U.S. Embassy- Ouagadougou. *reporting, February 10, 2015*.
- International Trade Union Confederation (ITUC). *Internationally Recognized Core Labour Standards in Benin, Burkina Faso and Mali: Report for the WTO General Council Review of the Trade Policies of Benin, Burkina Faso and Mali*. Geneva; October 4 and 6, 2010. [http://www.ituc-csi.org/spip.php?page=moredoc&cid\\_type=264](http://www.ituc-csi.org/spip.php?page=moredoc&cid_type=264).
- UNICEF. *Report of the field visit to Burkina Faso by Members of the Bureau of the UNICEF Executive Board, 26 April to 2 May 2014*. New York; July 7, 2014. [http://www.unicef.org/about/execboard/files/2014-CRP25-Field\\_visit\\_to\\_Burkina\\_Faso-7July2014.pdf](http://www.unicef.org/about/execboard/files/2014-CRP25-Field_visit_to_Burkina_Faso-7July2014.pdf).
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Burkina Faso (ratification: 1999) Published: 2013*; accessed November 6, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- Sollinger, M. *Children Mining for Gold in Burkina Faso*, PBS, [previously online] 2013 [cited February 2, 2014]; <http://newshour-tc.pbs.org/newshour/extra/wp-content/uploads/Burkina-Faso-Article.pdf> [source on file].
- Feneyrol, O. *Capitalisation des expériences en matière de protection des enfants migrants et/ou travailleurs au Burkina Faso*. Geneva, Terre des Hommes; 2012.
- Apollinaire, K. *Burkina Faso: Travail des enfants - Le mal caché des vergers du Kénéédougou*, Pilabre, [online] August 22, 2013 [cited February 2, 2014]; [source on file].
- Government of Burkina Faso. *Etude de base pour la lecture du décret n 2009-365/PRES/PM/MTSS/MS/MASSN du 28 mai 2009 portant détermination de la liste des travaux dangereux interdits aux enfants au Burkina Faso*; May 28, 2009 November 2014.
- U.S. Department of State. "Burkina Faso," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/>.
- Government of Burkina Faso. *Enquete Nationale sur le Travail des Enfants au Burkina Faso (ENTE-BF) 2006*; September 2008. <http://catalog.ihnsn.org/index.php/catalog/2112>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Enquête Démographique et de Santé et à Indicateurs Multiples, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Ministère de l'Environnement et du Cadre de Vie (MECV). *Analyse Économique du Secteur des Mines Liens Pauvrete et Environnement*. Ouagadougou; May 31, 2011.
- Kyle, L. *Burkina Faso children toil in gold mines* [Video]; Al Jazeera; July 7, 2012, 2 min., 35 sec., [accessed January 29, 2014]; <https://www.youtube.com/watch?v=sEtTtVzYDKs>.
- Darissac, M. *Burkina Faso: Gold-fever disrupts the beginning of the new school term*, Terre des Hommes, [online] October 18, 2011 [cited January 20, 2013]; <http://tdh.ch/en/news/burkina-faso-gold-fever-disrupts-the-beginning-of-the-new-school-term>.
- Darissac, M. *Burkina Faso: Ganzourgou, mine d'or et d'exploitation des enfants*. Geneva, Terre des Hommes; January 26, 2012.
- Kabore, IK. "Burkina Faso: The Search for Gold to the Detriment of Schooling," *Echos des Provinces*, November 17, 2011. <http://tdh.ch/en/news/the-search-for-gold-to-the-detriment-of-schooling>.
- Bangre, A. "Burkina Faso: Orpaillage - Comment mettre fin à l'exploitation des enfants?" *Sidwaya Quotidien*, November 27, 2011. [www.fr.allafrica.com/stories/printable/201111282292.html](http://www.fr.allafrica.com/stories/printable/201111282292.html).
- Kambou, G. *Du trou d'or à l'atelier de menuiserie* [Video]; Droit libre; March 27, 2012, 10 min., 12 sec., [accessed January 29, 2014]; <https://www.youtube.com/watch?v=hq7w7-QmKEE>.
- Clapasson, M. *Burkina Faso: "Enfance volée"* [Video]; Terre des Hommes; November 20, 2012, 27 min., 39 sec., [accessed January 29, 2014]; <http://www.tdh.ch/fr/news/burkina-faso-enfance-volee>.
- Slate Afrique. "Burkina Faso - Les enfants, victimes de la ruée vers l'or." [www.slateafrique.com](http://www.slateafrique.com) [online] December 26, 2011 [cited March 29, 2013]; <http://www.slateafrique.com/80033/burkina-faso-les-enfants-victimes-de-la-ruée-vers-lor>.
- Bosch, R. "Le Burkina Faso vu d'Espagne (2/3): "Je persisterai dans les mines jusqu'à ce que je sois riche..." " *LeFaso*, August 2, 2012. <http://lefaso.net/spip.php?article49451>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Burkina Faso (ratification: 2001) Published: 2013*; accessed November 6, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- Thorson, D. *Children Working in Mining and Quarries: Evidence from West and Central Africa*. New York, UNICEF; April 2012. <http://www.sussex.ac.uk/anthropology/people/peoplelists/person/118526>.
- Hubbard, G. *In Burkina Faso, getting children out of the gold mines*, UNICEF, [online] June 12, 2014 [cited November 7, 2014]; [http://www.unicef.org/infobycountry/burkinafaso\\_73787.html](http://www.unicef.org/infobycountry/burkinafaso_73787.html).

27. Le Faso. "Travail des enfants : Alerte sur le site granitique de Pissy." lefaso.net [online] June 28, 2011 [cited March 29, 2013]; <http://lefaso.net/spip.php?article42729&rubrique4>.
28. Radio Television Suisse. Mise au Point: A Ouagadougou, au Burkina Faso, des centaines d'enfants travaillent chaque jour dans une carrière [Video]; September 30, 2012, 7 min., 40 sec., [accessed January 29, 2014]; <http://www.rts.ch/video/emissions/mise-au-point/4313454-a-ouagadougou-au-burkina-faso-des-centaines-d-enfants-travaillent-chaque-jour-dans-une-carriere.html>.
29. McGlasson, C. "Out of the mine and into the nursery: How charities from the East are bringing hope to Burkina Faso." ITV News, June 4, 2014. <http://www.itv.com/news/anglia/2014-06-04/out-of-the-mine-and-into-the-nursery-how-charities-from-the-east-are-bringing-hope-to-burkina-faso/>.
30. Government of Burkina Faso. *Politique Nationale des Droits Humains et de la Promotion Civique*. Ouagadougou; March 2013. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_229298.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_229298.pdf).
31. Hornemann, S. "Training as Protection for Children in Burkina Faso." tdh.ch [online] January 5, 2011 [cited January 29, 2014]; <http://www.tdh.ch/en/news/training-as-protection-for-children-in-burkina-faso>.
32. Integrated Regional Information Networks. "Burkina Faso: Young Girls at Risk as they Join Exodus to Cities." IRINnews.org [online] June 4, 2010 [cited January 29, 2014]; <http://www.irinnews.org/Report.aspx?ReportID=89367>.
33. Integrated Regional Information Networks. "Burkina Faso: Texting to Help Child Domestic Workers." IRINnews.org [online] May 13, 2011 [cited January 29, 2014]; <http://www.irinnews.org/report.aspx?ReportId=92708>.
34. KidsRights. *Minors not Miners: Hazardous Child Labour, with a focus on gold mining in Burkina Faso*; June 12, 2014. <http://www.kidsrights.org/Portals/1/About%20us/KidsRights%20Report-Minors%20Not%20Miners%20digital%20def.pdf>.
35. UN Convention on the Rights of the Child. *Concluding Observations of the Committee on the Rights of the Child: BURKINA FASO*. New York; 2010. <http://www2.ohchr.org/english/bodies/crc/docs/CRC-C-BFA-CO-3-4.pdf>.
36. Institut National de la Statistique et de la Demographie, and Banque Africaine de Development. *Enquete Qualitative sur la Mendicite dans la Ville Ouagadougou*; April 2011.
37. U.S. Embassy- Ouagadougou. *reporting, January 21, 2014*.
38. Bayala, J-P, M Gaanderse. *Burkina Faso*. Geneva, Geneva Centre for the Democratic Control of Armed Forces (DCAF); 2010. <http://www.dcaf.ch/Chapter-Section/Burkina-Faso>.
39. U.S. Department of State. "Burkina Faso," in *Trafficking in Persons Report-2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226845.pdf>.
40. Thorson, D. *Children Begging for Qur'anic School Masters: Evidence from West and Central Africa*. New York, UNICEF; April 2012. <http://www.sussex.ac.uk/anthropology/people/peoplelists/person/118526>.
41. ILO-IPEC. *Ending child labour in domestic work and protecting young workers from abusive working conditions*. Geneva, International Labour Organization; June 12, 2013. <http://www.ilo.org/ipeinfo/product/download.do?type=document&id=21515>.
42. U.S. Embassy- Ouagadougou. *reporting, February 17, 2015*.
43. Wara, H. "Lutte contre la traite des enfants: Une seule structure nationale en vue." Faso Presse, Ouagadougou, December 19, 2013. <http://fasopresse.net/societe/2877-lutte-contre-la-traite-des-enfants-une-seule-structure-nationale-en-vue?5e90491fecb379c63acce1d6f2f74023=7eb3c2231451fb19917225eb85dcf91c>.
44. Tiemore, T. "Burkina Faso: Les sites miniers concurrencent les bancs d'école." ipsinternational.org [online] December 17, 2012 [cited December 17, 2013]; <http://ipsinternational.org/fr/print.asp?idnews=7096>.
45. Integrated Regional Information Networks. "Burkina Faso: Gold Rush Hits Education." IRINnews.org [online] August 30, 2012 [cited January 17, 2014]; <http://www.irinnews.org/Report/96210/BURKINA-FASO-Gold-rush-hits-education>.
46. Melik, J. "Africa Gold Rush Lures Children out of School." bbc.co.uk [online] October 11, 2012 [cited March 29, 2013]; <http://www.bbc.co.uk/news/business-19870729>.
47. AFP. "Burkina Faso's child miners dig for gold and a better life." bdlive.co.za [online] March 27, 2014 [cited January 11, 2015]; <http://www.bdlive.co.za/africa/africanews/2014/03/27/burkinafasoschildminersdigforgoldandabetterlife>.
48. J. de Hoop, and F. Rosati. *Does Promoting School Attendance Reduce Child Labour? Evidence from Burkina Faso's BRIGTH Project*. Bonn, IZA- Institute for the Study of Labor; May 2012. Report No. 6601. <http://ftp.iza.org/dp6601.pdf>.
49. UNICEF Burkina Faso. "25 years of child rights – the right to a name, and a birth certificate." unicefburkinafaso.wordpress.com [online] November 13, 2014 [cited January 11, 2015]; <http://unicefburkinafaso.wordpress.com/2014/11/13/25-years-of-child-rights-the-right-to-a-name-and-a-birth-certificate/>.
50. UNICEF. *Birth Registration Fact Sheet: Burkina Faso*; 2014. [https://unicefburkinafaso.files.wordpress.com/2014/11/birth-registration-burkina-faso\\_fact-sheet-aug-2014.pdf](https://unicefburkinafaso.files.wordpress.com/2014/11/birth-registration-burkina-faso_fact-sheet-aug-2014.pdf).
51. European Commission. "Providing children with their 'first right': new EU project to ensure birth registration in eight countries." Brussels, July 5, 2012. [http://europa.eu/rapid/press-release\\_IP-12-743\\_en.htm](http://europa.eu/rapid/press-release_IP-12-743_en.htm).
52. IRIN. "BURKINA FASO: Education, not handouts." Integrated Regional Information Networks, Ouagadougou, May 12, 2010. <http://www.irinnews.org/report/89071/burkina-faso-education-not-handouts>.
53. Antonowicz, L. *Too Often in Silence: A Report on School-Based Violence in West and Central Africa*. London, Save the Children Sweden, Plan International, Act/onaid, and UNICEF; March 2010. <http://plan-international.org/about-plan/resources/publications/campaigns/too-often-in-silence-a-report-on-school-based-violence-in-west-and-central-africa>.
54. Terre des Hommes. "Burkina Faso: Rentrée scolaire pour des centaines d'enfants réfugiés maliens." tdh.ch [online] November 15, 2012 [cited January 29, 2014]; <http://www.tdh.ch/fr/news/burkina-faso-rentree-scolaire-pour-des-centaines-denfants-refugies-maliens>.
55. Terre des Hommes. *Armed Conflict: 25,000 Malian Child Refugees Drop out of School*, CRIN, [online] January 6, 2012 [cited March 29, 2013]; <http://www.crin.org/resources/infoDetail.asp?ID=28604&flag=news>.
56. Smith, D. "Power struggle in Burkina Faso after Blaise Compaoré resigns as president." The Guardian, London, November 1, 2014. <http://www.theguardian.com/world/2014/oct/31/burkina-faso-president-blaise-compaore-ousted-says-army>.
57. Berman, R. "A Coup in Burkina Faso." The Atlantic, October 31, 2014. <http://www.theatlantic.com/international/archive/2014/10/a-coup-in-burkina-faso/382192/>.
58. BBC. "Burkina Faso declares Michel Kafando interim president." bbc.com [online] November 17, 2014 [cited 2014]; <http://www.bbc.com/news/world-africa-30076907>.
59. Al Jazeera. "Burkina Faso appoints transitional government." aljazeera.com [online] November 24, 2014 [cited <http://www.aljazeera.com/news/africa/2014/11/burkina-faso-appoints-transitional-government-20141123225514740864.html>].
60. Government of Burkina Faso. *Code du travail*, Loi n° 028-2008, enacted May 13, 2008.
61. Government of Burkina Faso. *Portant détermination de la liste des travaux dangereux interdits aux enfants au Burkina Faso*, Decree No. 2009-365/PRES/PM/MTSS/MS/MASN enacted May 28, 2009. [hardcopy on file].
62. Government of Burkina Faso. *Loi Portant Repression de la Vente d'Enfants, de la Prostitution des Enfants et de la Pornographie Mettant en Scène des Enfants*, Loi N° 011-2014/AN, enacted April 17, 2014. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98001/116475/F-1511397845/BFA-98001.pdf>.
63. Government of Burkina Faso. *Law on the Fight Against Trafficking Of Persons and Similar Practices*, Law No. 029-2008/AN, enacted May 15, 2008.
64. Burkina Faso. *Decree N° 2013-358/PRES/PM/MDNAC portant organisation des opérations relatives à l'appel du contingent JO N° 34 du 22 Août 2013*, enacted April 29, 2013. [source on file].
65. Government of Burkina Faso. *Portant loi d'orientation de l'éducation*, Law No. 013-2007/AN, enacted July 30, 2007.
66. Child Soldiers International. *Louder than words*. Oxford, Oxuniprint; 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).

# Burkina Faso

## MODERATE ADVANCEMENT

67. Department of State official. E-mail communication to USDOL official. December 15, 2014.
68. Ambassade du Burkina Faso. *Memorandum on Child Labor Control in Burkina Faso*; June 2012.
69. Government of Burkina Faso official. E-mail communication to USDOL official. November 10, 2015.
70. Ouedraogo, A. "Lutte contre la traite des enfants dans le Noubiel." AIB, Batic, December 24, 2014. <http://www.aib.bf/m-2059-lutte-contre-la-traite-des-enfants-dans-le-noubiel.html>.
71. ECPAT International, Association Burkinabé pour la Survie de l'Enfance (ABSE). *Alternative report on the implementation of the Optional Protocol on the sale of children, child prostitution and pornography: Burkina Faso.*; April 2012. [http://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared%20Documents/BFA/INT\\_CRC-OP-SC\\_NGO\\_BFA\\_13956\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared%20Documents/BFA/INT_CRC-OP-SC_NGO_BFA_13956_E.pdf).
72. U.S. Embassy- Ouagadougou official. E-mail communication to USDOL official. May 20, 2014.
73. U.S. Embassy- Ouagadougou. *reporting, February 20, 2014.*
74. U.S. Embassy- Ouagadougou. *reporting, February 1, 2013.*
75. Kindo, N. "REPRODEN : Au Burkina Faso, un enfant sur trois a un risque elevé de mourir de la malnutrition." Burkina 24, Ouagadougou, June 3, 2014. <http://burkina24.com/2014/06/03/reproden-au-burkina-faso-un-enfant-sur-trois-a-un-risque-eleve-de-mourir-de-la-malnutrition/>.
76. Government of Burkina Faso. *Droits de l'enfant : Les députés membres du REPRODEN se forment en matière d'interpellation du gouvernement*, National Assembly Burkina Faso, [online] [cited January 11, 2014]; <http://www.assembleenationale.bf/spip.php?article785>.
77. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Burkina Faso (ratification: 1974) Published: 2013*; accessed January 11, 2015; [http://www.ilo.org/dyn/normlex/en/f?p=NOR\\_MLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3084384:NO](http://www.ilo.org/dyn/normlex/en/f?p=NOR_MLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3084384:NO).
78. ILO-IPEC. *Contribuer à l'abolition du travail des enfants en Afrique francophone Recueil des bonnes pratiques*. Geneva; 2010.
79. Embassy of Burkina Faso official. E-mail communication to USDOL official. April 20, 2015.
80. Embassy of Burkina Faso official. E-mail communication to USDOL official. February 6, 2013.
81. Government of Burkina Faso. *Plan d'Action Nationale 2011-2015 de Lutte Contre les Pires Formes de Travail des Enfants au Burkina Faso*. Ouagadougou; February 2012.
82. ILO. *ECOWAS Ministers of labour and social welfare adopt a regional action plan on child labour, specially its worst forms*. Press Release. Geneva; December 12, 2012. [http://www.ilo.org/ipec/Events/WCMS\\_195519/lang-en/index.htm](http://www.ilo.org/ipec/Events/WCMS_195519/lang-en/index.htm).
83. ILO-IPEC. *ECOWAS Regional Action Plan for the elimination of Child Labour - Especially the worst forms*. Geneva; June 2013. <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=25558>.
84. ECOWAS. *Member States Meeting on the Implementation of the Regional Action Plan on the Elimination of Child Labour December 2014*. December 16-18, 2014.
85. Government of Burkina Faso. *Stratégie de Croissance Accélérée et de Développement Durable 2011-2015*. Ouagadougou; 2011. <http://www.pnud.bf/FR/scadd.html>.
86. Ouattara, D. *Fight against cross-border child trafficking*, [blog] October 31, 2013 [cited 2013 November 23.]; <http://www.dominiqueouattara.ci/en/news/fight-against-cross-border-child-trafficking>.
87. U.S. Embassy- Abidjan. *reporting, November 8, 2012.*
88. Government of Burkina Faso, Government of Cote d'Ivoire. *Traite d'Amitié et de Cooperation République de Cote d'Ivoire-Burkina Faso*. Ouagadougou; July 30, 2014 <http://www.diplomatie.gouv.ci/userfiles/file/Cooperation%20bilaterale/TAC%20OUAGA%202014%20RAPPORT%20CONSEIL%20CONJOINT%20DE%20GVT.pdf>.
89. ILO. *Programme pays de promotion du travail decent au Burkina Faso 2012-2015*. Geneva. <http://www.ilo.org/public/english/bureau/program/dwcp/download/burkinafaso.pdf>.
90. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Burkina Faso (ratification: 1999) Published: 2013*; accessed February 3, 2014; <http://www.ilo.org/ilolex/>.
91. *US Department of Labor awards \$5 million grant to combat child labor in Burkina Faso*, U.S. Department of Labor, [online] December 17, 2012 [cited January 24, 2013]; <http://www.dol.gov/opa/media/press/ilab/ILAB20122472.htm>.
92. Counterpart International. *Reducing Child Labor through Education and Services (R-CLES)*. Project Document; 2012.
93. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
94. ILO-IPEC. *Country Level Engagement and Assistance to Reduce Child Labor II* Technical Progress Report. Geneva; March 2014.
95. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 25, 2009. [source on file].
96. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS II*. Project Document. Geneva; 2010.
97. Terre des Hommes official. E-mail communication to USDOL official. January 30, 2013.
98. Terre des Hommes. "Burkina Faso: What is Terre des hommes doing to protect children working in mines?" [online] October 21, 2014 [cited January 11, 2015]; <http://www.tdh.ch/en/news/burkina-faso-what-is-terre-des-hommes-doing-to-protect-children-working-in-mines>.
99. *Burkina Faso: Country Program 200163 (2011-2015)*, World Food Program, [online] [cited January 24, 2014]; <http://www.wfp.org/countries/Burkina-Faso/Operations>.
100. UNICEF Burkina Faso. "Le Représentant de l'UNICEF en visite au CentreNord." [unicef.org](http://www.unicef.org/bfa/french/media_7407.html) [online] 2013 [cited January 11, 2015]; [http://www.unicef.org/bfa/french/media\\_7407.html](http://www.unicef.org/bfa/french/media_7407.html).
101. Sarkozi, A. "A Child-Friendly School in the Making." [unicefburkinafaso.wordpress.com](http://unicefburkinafaso.wordpress.com/2014/09/25/a-child-friendly-school-in-the-making/) [online] September 25, 2013 [cited January 11, 2015]; <http://unicefburkinafaso.wordpress.com/2014/09/25/a-child-friendly-school-in-the-making/>.
102. Sidwaya. "Lutte contre la traite et les pires formes du travail des enfants : l'heure de la répression dans la Bougouriba." A Ouaga, Ouagadougou, February 5, 2014. <http://news.aouaga.com/h/21029.html>.
103. USAID. "USAID Announces RISE: A New Initiative to Build Resilience in West Africa's Sahel." February 3, 2014. <http://www.usaid.gov/news-information/press-releases/feb-3-2014-usaid-announces-rise-new-initiative-build-resilience-west-africa-sahel>.
104. USAID. "RISE: Resilience in the Sahel Enhanced." February 3, 2014. [http://www.usaid.gov/sites/default/files/documents/1866/RISE\\_resilience\\_in\\_the\\_sahel\\_enhanced\\_.pdf](http://www.usaid.gov/sites/default/files/documents/1866/RISE_resilience_in_the_sahel_enhanced_.pdf).

In 2014, Burundi made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government passed an anti-trafficking in persons law. The government also successfully prosecuted offenders for trafficking girls into domestic service. However, children in Burundi are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. Education in Burundi is not compulsory, increasing the risk of children's involvement in child labor. In addition, the Government did not conduct any child labor inspections during the reporting period.



## I. PREVALENCE AND SECTORIAL DISTRIBUTION OF CHILD LABOR

Children in Burundi are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-9) According to a national study published by the Government of Burundi and the ILO, the majority of children work in cash crops such as tea, coffee, cotton, sugarcane, and palm oil.(7) Table 1 provides key indicators on children's work and education in Burundi.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	27.2 (633,126)
Attending School (%)	5-14 yrs.	60.9
Combining Work and School (%)	7-14 yrs.	26.0
Primary Completion Rate (%)		62.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2010-2011.(11)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	
Agriculture	Cultivation of tea,* coffee,* sugarcane,* cotton,* palm oil,* potatoes,* and rice* (1, 7)
	Fishing,* including preparing materials and equipment, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels (1, 7)
	Herding and feeding livestock* (7, 8)
Industry	Extracting,† washing, and transporting minerals in mines and quarries, including artisanal gold mines* (1, 7, 9, 12, 13)
	Making and transporting bricks* (1, 8, 14)
	Construction,* including transporting materials, welding, and installing electrical cable† (7)
Services	Domestic service† (1, 7, 9)
	Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (7-9)
	Begging* (9)
	Handling and transporting heavy loads*† (9)
	Cleaning, cooking, ironing, and laundering clothes in hotels and restaurants* (7)



# Burundi

## MINIMAL ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation sometimes as a result of human trafficking (1-9, 13) Domestic service as a result of human trafficking (2, 4, 6, 7, 13)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







In Burundi, older women sometimes offer free room and board to girls, but then force the children into commercial sexual exploitation so they can pay for their expenses.(2-4) These brothels are located in the poorer areas of Bujumbura, along the lake, and on trucking routes.(4) Poverty may also cause girls to enter commercial sexual exploitation to obtain money for their basic needs.(5) Male tourists from East Africa and the Middle East, teachers, police officers and gendarme, and military and prison officials sexually exploit Burundian girls.(4)

There are reports that Burundian children are trafficked within the country for domestic service and commercial sexual exploitation.(2-4, 6, 15) Business people recruit Burundian girls for commercial sexual exploitation in Bujumbura, as well as in Kenya, Rwanda, Uganda, and in the Middle East.(4)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Burundi has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 3 of the Labor Code; Article 3 of Ministerial Ordinance No. 630/1 (16, 17)
Minimum Age for Hazardous Work	Yes	18	Article 13 of Ministerial Ordinance No. 630/1 (17)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 9–15 of Ministerial Ordinance No. 630/1 (17)
Prohibition of Forced Labor	Yes		Article 26 of the Constitution; Article 2 of the Labor Code (16, 18)
Prohibition of Child Trafficking	Yes		Articles 242–243 and 514 of the Penal Code; Article 4 of Law No. 1/28 (19, 20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 519–521 of the Penal Code (19)



**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 518 of the Penal Code (19)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 6(c) of Law No. 1/17 (21)
Compulsory Education Age	No		
Free Public Education	Yes		Article 17 of Law No. 1/19 (22)

\* No conscription (23)

The Penal Code makes the use of children under age 15 in armed conflict a crime, leaving children ages 15 to 17 vulnerable to the worst forms of child labor.(19, 24)

The Penal Code contains certain prohibitions on the commercial sexual exploitation of children; however, the law does not prohibit the distribution, sale of, and possession of child pornography.(19)

In October 2014, Burundi enacted a new and robust anti-trafficking in persons law that fully prohibits child trafficking for sexual and labor exploitation.(20, 25)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The General Directorate of Labor and Professional Development within the Ministry of Public Service, Labor, and Social Security (MFPTSS)	Administer and enforce all labor laws, including those on child labor.(26)
The National Police and the Brigade for the Protection of Women and Children	Conduct criminal investigations on the worst forms of child labor, including forced child labor, child trafficking, and the use of children in illicit activities.(26) The National Police forwards investigation findings to the Ministry of Justice. The Brigade for the Protection of Women and Children, a division of the National Police, is charged with protecting children from commercial sexual exploitation.(26)
Ministry of Justice	Prosecute cases of the worst forms of child labor.(13)

Criminal law enforcement agencies in Burundi took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions.

#### *Labor Law Enforcement*

In 2014, the Ministry of Public Service, Labor, and Social Security (MFPTSS) employed 18 labor inspectors to conduct all labor inspections.(1, 4) The number of labor inspectors is insufficient to adequately address child labor throughout Burundi.(25) Labor inspectors did not receive training related to child labor, and the MFPTSS did not conduct child labor inspections during the reporting period.(1, 4) The MFPTSS does not keep statistics on child labor inspections or violations.(25)

Inspectors can only conduct inspections in the formal sector, in which child labor is not prevalent.(1, 4) Inspections are further hindered by a lack of resources, such as office equipment and vehicles to travel to rural workplaces.(1, 25) Inspectors only initiate investigations in response to complaints; however, there is no existing mechanism for filing or responding to child labor complaints.(1)

# Burundi

## MINIMAL ADVANCEMENT

### *Criminal Law Enforcement*

In 2014, there were no investigators specifically charged with enforcing criminal laws on the worst forms of child labor; however, the National Police investigates potential cases when a report is received.(1) The National Police did not receive any child labor-related training during the reporting period.(27)

In 2014, there were no investigations or prosecutions initiated on the worst forms of child labor.(25) Research indicated that police officers repeatedly apprehended suspects involved in the commercial sexual exploitation of children but later released them without prosecution.(4)

In March 2014, the Government sentenced a convicted offender to 5 years of imprisonment for the abduction of two girls he held in domestic servitude and sexually abused. His accomplice was also convicted and sentenced to 2½ years of imprisonment.(4)

The Ministry of Justice has not taken action to inform judicial personnel of the new anti-trafficking in persons law or to instruct them on when and how to apply the law.(13) This lack of knowledge is a major obstacle to convicting and penalizing human traffickers.

There is no referral mechanism between law enforcement officials and social service providers. The National Police and the Ministry of National Solidarity, Human Rights, and Gender partnered to ensure that trafficking victims received referrals to NGOs for services.(4) In some instances, the Brigade for the Protection of Women and Children provided counseling to children in situations of commercial sexual exploitation and mediated between these victims and their parents immediately thereafter, but it did not refer the children for additional services.(4)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor	Coordinate efforts to combat the worst forms of child labor, including through the implementation of community development programs that address the education and socioeconomic reintegration of children engaged in or removed from the worst forms of child labor.(26, 28, 29) Composed of nine member ministries and organizations, including the MFPTSS; the Ministry of National Solidarity, Human Rights, and Gender (MSNDPHG); the Ministry of Elementary and Secondary Education; the Ministry of Justice; the Ministry of Youth; and representatives from UNICEF, the ILO, youth associations, NGOs, and other civil society organizations.(1) Meets regularly and focuses on specific initiatives within the National Action Plan to Combat the Worst Forms of Child Labor.(1)
Trafficking in Persons Permanent Commission	Oversee anti-trafficking in persons efforts.(4) Composed of officials from the Ministries of Justice, Public Security, Foreign Affairs, and the Interior; the MFPTSS; and the MSNDPHG.(25) During the reporting period, completed its national action plan and was instrumental in passing the anti-trafficking in persons law.(4, 25)
National Independent Commission for Human Rights (CNIDH)	Defend and promote human rights, including efforts against child trafficking and exploitation. Develop an annual report on the situation of human rights in Burundi, and report on more specific issues, including the rights of women and children.(30) Is an independent state institution composed of seven members who are elected by the National Assembly and appointed by Presidential decree for a 4-year term.(31)
Municipal Council for Youth and Children	Register vulnerable children, such as street children, orphans, and child heads of households, to target government assistance.(32) Includes representatives from the Ministries of Justice and Education, the MFPTSS, and the MSNDPHG.(32). Did not receive any funding and was inactive in 2014.(27)
Department of the Child and Family within the MSNDPHG	Coordinate, monitor, and oversee children's advocacy and family services programs conducted by public and private organizations. Develop policies and national laws on the promotion and protection of children and families.(27)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Burundi has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan for the Elimination of the Worst Forms of Child Labor (2010–2015)	Aims to eliminate all worst forms of child labor by 2015 and contribute to the elimination of all forms of child labor by 2025.(1, 29)
National Action Plan for Combatting Trafficking in Persons (2014–2017)†	Aims to significantly reduce human trafficking within Burundi by 2017 through the adoption of political, social, economic, and institutional measures.(33) Identifies women and children as being the most vulnerable to human trafficking in Burundi. Lists a number of sectors in which trafficking is believed to exist and attempts to describe the profile of a human trafficker.(13)
National Strategy for Street Children	Plans to prevent children from entering the street, reduce the number of street children, and reintegrate 60 percent of street children into their communities and families by 2016. Interventions include media awareness campaigns on child begging, violence, and sexual and labor exploitation.(34)
PRSP*	Details a 5-year strategy to reduce poverty, increase economic growth and development, and strengthen government institutions, including schools.(12, 15, 26)
UNDAF (2012–2016)	Plans to develop a database for information on the worst forms of child labor, and legislation and regulations for the education and training of children and adolescents.(35)
Decent Work Country Program Plan (2012–2015)	Aims to reinforce the capacity of the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor through advocacy and mobilization of the necessary resources.(36)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In January 2014, a revised National Action Plan for the Elimination of the Worst Forms of Child Labor covering the period 2014–2016 was developed; the Plan has not yet been officially approved.(27, 37, 38)

There is no compulsory age for education. The lack of standards in this area may increase the risk of children's involvement in child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Burundi funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Child Domestic Labor Study‡	UNICEF supported the MFPTSS to conduct a qualitative study on child domestic labor.(1) Final report published in March 2014 revealed that both boys and girls engage in child domestic labor in Burundi. Most workers come from the Gitega, Kayanza, and Ngozi provinces.(39)
Child Trafficking Study‡	CNIDH-implemented study with support from the Government of France to better understand how to eliminate child trafficking and exploitation in Burundi.(9, 40) Final report published in May 2014 describes the current situation of child trafficking and exploitation, challenges to prevention, and proposed ways to address the challenges.(41)
Centers for Family and Community Development‡	MSNDPHG centers that address human rights and gender-based violence issues, including the reintegration of victims into their home communities.(4) The Government operated two centers in Buyenzi and Kigobe communes to assist street children, including an unknown number of victims of forced child labor. These children were identified and provided with counseling through the centers.(4) Centers operate at the local level; however, they are not present in all provinces and communes in Burundi.(42, 43)

‡ Program is funded by the Government of Burundi.

Although the Government of Burundi has implemented programs to reach children engaged in some forms of child labor, research found no evidence that it has carried out programs to assist children in agriculture, industry, or commercial sexual exploitation. Additionally, the scope of existing programs is insufficient to fully address the extent of the problem.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Burundi (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit the use of children under age 18 in armed conflict.	2012 – 2014
	Ensure that the law protects children under age 18 from all forms of commercial sexual exploitation, including the distribution, sale, and possession of child pornography.	2014
Enforcement	Increase the law enforcement capacity, specifically by: <ul style="list-style-type: none"> <li>■ Increasing the number of labor inspectors.</li> <li>■ Providing adequate training and resources for conducting labor inspections.</li> <li>■ Establishing a mechanism for filing child labor complaints.</li> <li>■ Increasing the number of trained investigators charged with enforcing criminal laws on the worst forms of child labor to ensure that criminal investigations and prosecutions take place.</li> <li>■ Training judicial personnel on the new anti-trafficking in persons law to ensure that offenders are convicted.</li> <li>■ Establishing a referral mechanism between law enforcement officials and social service providers.</li> </ul>	2009 – 2014
	Collect and publish data on child labor law enforcement.	2013 – 2014
Coordination	Ensure that the Municipal Council for Youth and Children receives funding so it may conduct activities targeting children who are vulnerable to child labor.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the PRSP.	2012 – 2014
	Adopt a national policy that establishes a compulsory education age equal to or higher than the minimum age for work.	2009 – 2014
Social Programs	Expand the Centers for Family and Community Development to cover all regions of the country.	2011 – 2014
	Institute and expand existing programs to address child labor in agriculture and industry, and the worst forms of child labor in commercial sexual exploitation.	2009 – 2014

## REFERENCES

- U.S. Embassy- Bujumbura. *reporting, January 16, 2014.*
  - Arseneault, M. “Hundreds of Burundi girls lured into child prostitution.” english.rfi.fr [online] September 25, 2013 [cited November 27, 2013]; <http://www.english.rfi.fr/africa/20130925-human-trafficking-and-child-prostitution-burundi>.
  - Xinhua. “Le trafic humain et surtout celui des jeunes filles est une réalité au Burundi (police).” french.china.org.cn [online] September 24, 2013 [cited November 27, 2013]; [http://french.china.org.cn/foreign/txt/2013-09/24/content\\_30109980.htm](http://french.china.org.cn/foreign/txt/2013-09/24/content_30109980.htm).
  - U.S. Department of State. “Burundi,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/ris/tiprpt/countries/2014/226692.htm>.
  - Integrated Regional Information Networks. “Burundi: Displaced women in Bujumbura risk HIV rather than hunger.” IRINnews.org [online] April 26, 2011 [cited November 6, 2012]; <http://www.irinnews.org/report.aspx?reportid=92572>.
  - The Guardian. “Burundi’s child sex slaves: ‘I feel like I have been used and tossed away.’” London, October 9, 2014. <http://www.theguardian.com/global-development/2014/feb/20/burundi-child-sex-slaves-prostitution>.
  - ILO. *Rapport de l'étude de cartographie sur les zones d'occurrence des pires formes de travail au Burundi*. Geneva; June 2013.
  - U.S. Department of State. “Burundi,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/204307.pdf>.
  - Commission Nationale Indépendante des Droits de l’Homme (CNIDH). *La CNIDH est engagée dans la lutte contre l'exploitation et le trafic des enfants*, [online] [cited March 11, 2015]; <http://www.cnidh.bi/la-cnidh-est-engag%C3%A9e-dans-la-lutte-contre-l%E2%80%99exploitation-et-le-traffic-des-enfants>.
  - UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion.
- For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2010-2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
  - IMF. *Burundi: Poverty Reduction Strategy Paper II*. Washington, DC; August 2012. <http://www.imf.org/external/pubs/ft/scr/2012/cr12224.pdf>.
  - U.S. Embassy- Bujumbura. *reporting, February 23, 2015.*
  - Leclercq, A. *In Burundi, Guaranteeing Children’s Rights to Protection and Play*, UNICEF, [online] February 28, 2012 [cited October 29, 2014]; [http://www.unicef.org/infobycountry/burundi\\_61851.html](http://www.unicef.org/infobycountry/burundi_61851.html).
  - U.S. Embassy- Bujumbura official. E-mail communication to USDOL official. January 24, 2012.
  - Government of Burundi. *Décret loi n° 1/037 du 7 juillet 1993 portant révision du Code du travail, 1/037*, enacted July 7, 1993. [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home).
  - Government of Burundi. *Ordonnance ministerial n° 630/1 du 5 janvier 1981 portant réglementation du travail des enfants*, enacted January 5, 1981.
  - Government of Burundi. *Loi n° 1/010 du 18 mars 2005 portant promulgation de la Constitution de la République du Burundi, 1/010*, enacted March 18, 2005. [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=195947](http://www.wipo.int/wipolex/en/text.jsp?file_id=195947).
  - Government of Burundi. *Loi n° 1/05 du 22 avril 2009 portant révision du Code pénal, 1/05*, enacted April 22, 2009. <http://www.refworld.org/docid/4c31b05d2.html>.
  - Government of Burundi. *Portant prevention et repression de la traite des personnes et protection des victimes de la traite, Loi N° 1/28*, enacted October 29, 2014.

21. Government of Burundi. *Portant statut des hommes de troupe de la force de defense nationale*, Loi N° 1/17, enacted April 29, 2006.
22. Government of Burundi. *Portant organisation de l'enseignement de base et secondaire*, Loi N°1/19, enacted September 10, 2013.
23. Child Soldiers International. *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
24. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Burundi (ratification: 2002) Published: 2010*; accessed December 21, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
25. U.S. Embassy- Bujumbura. *reporting, January 15, 2015*.
26. U.S. Embassy- Bujumbura. *reporting, February 7, 2013*.
27. U.S. Embassy- Bujumbura official. E-mail communication to USDOL official. April 21, 2015.
28. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Burundi (ratification: 2002) Published: 2012*; accessed November 26, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
29. Government of Burundi. *Plan D'Action National Pour L'Elimination des Pires Formes de Travail des Enfants 2010-2015*. Bujumbura; September 2009. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/94536/110964/F-1314446211/BDI-94536.pdf>.
30. Commission Nationale Indépendante des Droits de l'Homme (CNIDH). *Mandat*, [online] [cited January 23, 2014]; <http://www.cnidh.bi/mandat>.
31. Commission Nationale Indépendante des Droits de l'Homme (CNIDH). *Presentation*, [online] [cited January 23, 2014]; <http://www.cnidh.bi/presentation>.
32. U.S. Embassy- Bujumbura. *reporting, February 12, 2014*.
33. Government of Burundi. *Plan d'action national de la lutte contre la traite des personnes au Burundi, 2014-2017*; 2014.
34. Government of Burundi, Ministry of National Solidarity, Human Rights, and Gender. *Strategie Nationale de Prevention et de Lutte Contre le Phenome des Enfants en Situation de Rue au Burundi*. October 2013.
35. UN. *Plan Cadre des Nations Unies pour l'Aide au Développement du Burundi 2012-2016*; December 2012. <http://www.undg.org/docs/12867/Plan-cadre-des-Nations-Unies-pour-l'aide-au-Dev%C3%A9loppement-2012-2016.pdf>.
36. Government of Burundi. *Programme par pays de Promotion du Travail Décent au Burundi (PPTD/Burundi) Révisé: 2012-2015*; September 2012. <http://www.ilo.org/public/english/bureau/program/dwcp/download/burundi.pdf>.
37. UNICEF Burundi official. E-mail communication to USDOL official. January 17, 2013.
38. Government of Burundi. *Plan d'action national revise de lutte contre les pires formes de travail de l'enfant au Burundi, 2014-2016*; 2014.
39. Government of Burundi. *Rapport de l'enquête quantitative sur le travail domestique avec une approche qualitative spécifique aux enfants travailleurs domestiques au Burundi*; 2014.
40. Xinhua. "Burundi : bientôt une étude sur le trafic des enfants." french.china.org.cn [online] September 27, 2013 [cited November 27, 2013]; [http://french.china.org.cn/foreign/txt/2013-09/27/content\\_30146024.htm](http://french.china.org.cn/foreign/txt/2013-09/27/content_30146024.htm).
41. Commission Nationale Indépendante des Droits de l'Homme (CNIDH). *Etude sur l'exploitation et le trafic des enfants au Burundi*. Bujumbura; 2014.
42. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Burundi*. Geneva; October 1, 2010. Report No. CRC/C/BDI/CO/2. <http://www2.ohchr.org/english/bodies/crc/crcs55.htm>.
43. *Burundi Sexual Assault Assessment*, USAID, [online] [cited May 8, 2014]; <http://www.usaid.gov/sites/default/files/documents/1866/Engender%20USAID%20Sexual%20Violence%20Assessment%20Final%20Report.pdf>.



# Cabo Verde

## MODERATE ADVANCEMENT

In 2014, Cabo Verde made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government established the Children and Adolescent Committee to Prevent and Combat Sexual Abuse and Exploitation; adopted a National Action Plan for the Prevention and Eradication of Child Labor; trained labor and criminal law enforcement officials on issues related to child labor, including its worst forms; and continued to fund projects to combat child labor. However, children in Cabo Verde are engaged in child labor, including in agriculture and domestic service. Gaps in legislation continue to put children at risk, including the lack of prohibitions on all forms of commercial sexual exploitation for children, human trafficking for labor exploitation, and the use of children in all illicit activities.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cabo Verde are engaged in child labor, including in agriculture and domestic service.(1-7) A child labor study conducted in 2012 found that the majority of working children are male and work in rural areas. Santiago and Fogo Islands had the highest prevalence of child labor, and Brava Island had the lowest prevalence.(8) Table 1 provides key indicators on children's work and education in Cabo Verde.

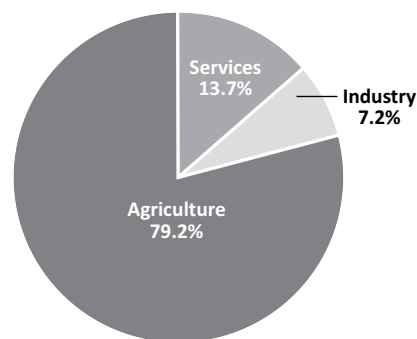
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	3.2 (2,392)
Attending School (%)	5-14 yrs.	90.1
Combining Work and School (%)	10-14 yrs.	1.7
Primary Completion Rate (%)		99.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Inquérito as Despesas e Receitas Familiares Survey, 2001–2002.(10)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1-3, 5-7)
	Raising livestock (1-3, 7)
	Fishing,* activities unknown (1-3, 6)
	Forestry,* activities unknown (1)
Industry	Treating water* (6)
	Construction,* including extracting sand (11)
Services	Domestic service (1-6, 11)
	Street work, including vending, garbage scavenging, car washing, and begging (2-5, 12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (3, 5)
	Used in illicit activities, including drug trafficking* (3, 5, 12)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.







‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

The commercial sexual exploitation of both boys and girls, including exploitation in the tourism industry, occurs in Cabo Verde. (3, 5) There is evidence that children are victims of sexual exploitation in Santa Maria, Praia, and Mindelo. Children are trafficked within Cabo Verde and to Guinea. (5, 13) Children begging and vending goods on the street are more susceptible to human trafficking. (14) Children from Cabo Verde are also forced to transport drugs to Brazil and Portugal. (5)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Cabo Verde has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 261 of the Labor Code (15)
Minimum Age for Hazardous Work	Yes	18	Article 264 of the Labor Code; Article 133 of the Civil Code (15, 16)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 264 and 267 of the Labor Code (15)
Prohibition of Forced Labor	Yes		Article 14 of the Labor Code (15)
Prohibition of Child Trafficking	Yes		Article 149 of the Penal Code (17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 148–150 of the Penal Code (17)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of Act No. 78/IV/93 (18)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 2 of Legislative Decree No. 6/93 (19, 20)
Minimum Age for Voluntary Military Service	Yes	17	Article 31 of Legislative Decree No. 6/93 (19, 21)
Compulsory Education Age	Yes	15	Articles 13 and 20 of the Legislative Decree of the Education System (1, 22)
Free Public Education	Yes		Article 14 of the Legislative Decree of the Education System (22)

The Labor Code prohibits minors from engaging in night work and states that minors cannot conduct activities that are not in accordance with their physical and mental development. These prohibitions, however, are not specific enough to facilitate enforcement. (15) In 2014, the Government finalized a list of specific hazardous occupations and activities prohibited for children under age 18; the list is currently awaiting approval by the Ministry Council. (11)

The Penal Code only protects children age 16 and younger from human trafficking for commercial sexual exploitation. (17) A revised Penal Code, which prohibits human trafficking of all persons for both commercial sexual exploitation and forced labor, is awaiting approval. (23, 24)

# Cabo Verde

## MODERATE ADVANCEMENT

The Penal Code does not prohibit using minors ages 16 and 17 for commercial sexual exploitation, nor that of children age 14 and older in sex shows and pornography.(17) Furthermore, Cabo Verdean law does not contain prohibitions on selling and benefitting from the commercial sexual exploitation of children, nor does it prohibit distributing, selling, possessing, and benefitting from child pornography.

While Act No. 78/IV/93 prohibits children from being used for drug trafficking, Cabo Verdean law does not prohibit the use of children in other illicit activities.(18)

According to Article 8 of Legislative Decree No. 6/93, the minimum age for military recruitment may be amended in times of war.(20, 21) The Government has stated that children younger than age 17 would not be conscripted into the military during times of conflict; however, this leaves children age 17 vulnerable to the worst forms of child labor.(19, 21)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Inspector General for Labor (IGT)	Monitor and enforce child labor laws, working closely with the Ministry of Justice and the Cabo Verdean Institute for Children and Adolescents (ICCA).(2, 25, 26)
Ministry of Justice, including the Judicial Police and the National Police	The Judicial Police conduct criminal investigations and the National Police make arrests related to the worst forms of child labor, including human trafficking.(5, 14, 27)

Law enforcement agencies in Cabo Verde took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, 14 labor inspectors conducted labor inspections in Cabo Verde. During the reporting period, some Inspector General for Labor (IGT) inspectors participated in National Committee for Child Labor Prevention and Eradication (CNPETI) training and workshop sessions on child labor, including its worst forms.(2, 27) The IGT requires additional funding so labor inspectors are able to conduct inspections on all of the islands in the archipelago.(2, 20)

Inspectors conducted 1,482 inspections in all formal sectors of the economy, including in places where children might work.(2, 20) The IGT conducts both announced and unannounced site visit inspections and is able to carry out child labor inspections of formal-sector companies even if they have not received complaints against a specific company.(2, 20) *Disque Denuncia*, the Government's hotline for reporting cases of child exploitation, attended to 18 cases of child labor in 2014.(5, 11) Two of these cases were referred to the IGT; the remaining cases were referred to the Cabo Verdean Institute for Children and Adolescents (ICCA) for placement in social programs.(11)

Inspectors found violations of hazardous child labor, but no information is available on how many violations were found. It is unclear how hazardous child labor was identified in these cases because the law does not contain specific prohibitions on hazardous occupations or activities for children.(2) No penalties or citations for child labor violations were issued during the reporting period.(2) The IGT refers victims of child labor to ICCA for social protection services.(11)

#### *Criminal Law Enforcement*

In 2014, the Judicial Police employed 135 officers and the National Police employed 1,764 officers.(20) In July 2014, the Government, in partnership with USDOS and the UN, held a training for both the Judicial Police and the National Police on how to identify, investigate, and respond to cases of human trafficking.(14) No investigations or prosecutions involving the worst forms of child labor were carried out during the reporting period.(2)

A mechanism exists between the Ministry of Justice and ICCA to refer child trafficking victims; however, research did not find referral mechanisms for victims of other worst forms of child labor.(14)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee for Child Labor Prevention and Eradication in Cabo Verde (CNPETI)	Coordinate the execution of the National Action Plan for the Prevention and Eradication of Child Labor (PANPETI), ensuring that national laws comply with international conventions on child labor, and produce yearly reports on child labor issues for the National Assembly. Composed of representatives from 30 institutions, including government agencies, civil society groups, unions, the ILO, and UNICEF.(28, 29) CNPETI, supervised by ICCA, meets four times a year with other collaborating institutions to discuss implementation, monitoring, and evaluation of CNPCTI's objectives.(2, 29)
Children and Adolescent Committee to Prevent and Combat Sexual Abuse and Exploitation*	Contribute to the prevention and elimination of child sexual exploitation by coordinating the activities of organizations and public and private services. The committee members meet once a year.(27) Composed of representatives from the Ministry of Justice, the Institute for Gender and Equality, the Association of Cabo Verdean Journalists, the Solidarity Foundation, the National Commission for Human Rights and Citizenship, and NGOs.(14)
National Unit for the Prevention and Elimination of Child Labor	Coordinate and monitor the implementation of all national programs and activities to prevent and eradicate child labor. Participate in CNPETI meetings to coordinate collective efforts to address child labor. Provide direct services to those affected by child labor.(30, 31)
Municipal Committee for the Defense of Rights of Children and Adolescents (CMDDCA)	Assist and monitor vulnerable children and their families.(4) Seventeen CMDDCAs operate under municipal jurisdiction; they include representatives from the Ministry of Education and Sports, municipalities, health departments, the National Police, courts, and other offices.(4)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Cabo Verde has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan for the Prevention and Eradication of Child Labor†	Prioritizes the eradication of child labor. Outlines specific objectives, including data collection; institutional capacity building; and enhancement of measures to prevent, protect, and remove children from involvement in child labor.(4, 28) Aims to engage multiple stakeholders, such as government agencies, workers' organizations, and child workers and their families, in the efforts to achieve these goals.(4, 28)
Regional Action Plan for the Elimination of Child Labor	Aims to eliminate the worst forms of child labor in West Africa by 2015.(32, 33)
The Code of Ethics Against the Sexual Exploitation of Children and Adolescents†	Guides and governs all agencies involved in the tourism sector in Cabo Verde.(34) Approved in July 2014 during a workshop organized by the Ministry of Youth, Employment, and Development of Human Resources and the Chamber of Commerce of Leeward Islands, in partnership with the ILO.(14) Will allow the tourism sector to play a prominent role in the fight against the exploitation of children and adolescents, with particular regard to sexual exploitation.(14, 34)
Strategic Plan for the Implementation of the National Policy for Children and Adolescents*	Aims to increase coordination among agencies serving children and youth, including the abandoned and vulnerable. Includes plans to establish a standing committee to oversee its implementation and foster collaboration among public bodies.(35, 36)
Poverty Reduction and Growth Plan III (2012–2016)	Identifies strategies to reduce poverty, foster economic development, and bolster education in order to reduce child labor.(30, 37) Includes plans to develop educational materials on child labor and the sexual exploitation of children.(28)
National Action Plan for Human and Citizenship Rights	Targets human rights violations, including those affecting children and adolescents. For example, proposes the development of mechanisms to identify cases of forced labor involving children under age 14, as well as programs and necessary measures to end these situations.(38) Also plans to increase and develop programs that combat the commercial sexual exploitation of children.(28)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Cabo Verde funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

# Cabo Verde

## MODERATE ADVANCEMENT

**Table 8. Social Programs to Address Child Labor**

Program	Description
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation Through ECOWAS I and II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West African subregion by providing policy and capacity building support for all ECOWAS states.(39, 40)
Emergency and Social Integration Centers for Children‡	ICCA-run program that operates emergency centers for child victims of abuse and sexual exploitation on Santiago and Mindelo Islands.(5, 25, 27, 37) Centers provide social, psychological, and medical services to children who have experienced long-term trauma. Centers also guide children toward schools and vocational training centers.(5, 25, 27) The Government maintained five centers on Boa Vista, Fogo, Sal, Santiago, and São Nicolau Islands.(5)
Prevention and Elimination of Child Labor in West Africa	\$5.5 million Government of Spain-funded, 5-year project implemented by ILO-IPEC in collaboration with the Government. Aimed to strengthen the institutional and legal environment, improve the knowledge base, and build local capacity related to child labor.(28, 41)
Government Efforts to Increase Access to Education*‡	Government program funded by WFP and UNICEF, led by the Cabo Verde Social and Educational Action Institute, that ensures school access for vulnerable children by providing funds for school fees, school materials, and free meals.(25, 37) Secondary education is free for children whose families earn less than \$1,820 annually.(3)
Street Children Program ( <i>Nós Kaza-Criança fora da rua, dentro da escola</i> )‡	Government program run by ICCA for street children vulnerable to sexual and labor exploitation. Centers provide counseling and aim to reintegrate street children into their families and schools.(25, 37) Six day centers operate on the Boa Vista, Fogo, Santo Antão, São Nicolau, São Vicente, and Santiago Islands.(5)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Cabo Verde.

Although Cabo Verde has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem fully. Additionally, research found no evidence that the Government has carried out programs to assist children in agriculture and domestic service.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Cabo Verde (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Approve the list of hazardous occupations and activities prohibited for children.	2014
	Ensure that all children under age 18 are protected from human trafficking for forced labor.	2014
	Ensure that the law protects all children under age 18 from all forms of commercial sexual exploitation.	2009 – 2014
	Prohibit the use of children in all illicit activities.	2014
	Ensure children under age 18 are prohibited from military conscription in all circumstances.	2011 – 2014
Enforcement	Ensure that the IGT receives adequate funding to conduct labor inspections on all islands.	2014
	Make data on child labor violations publicly available and ensure that violators are penalized.	2014
	Ensure that investigations of crimes related to the worst forms of child labor are being conducted and make data on investigations and prosecutions publicly available.	2011 – 2014
	Establish a referral mechanism between criminal law enforcement and social welfare services for children found in all of the worst forms of child labor.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the Strategic Plan for the Implementation of the National Policy for Children and Adolescents.	2011 – 2014



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Conduct research to determine specific activities related to children's work in agriculture to inform policies and programs.	2013 – 2014
	Assess the impact that existing education programs may have on child labor.	2011 – 2014
	Expand existing programs to address the scope of the child labor problem and institute programs to address child labor in agriculture and domestic service.	2010 – 2014

## REFERENCES

- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) - Cabo Verde (Ratification: 2011) Published: 2014*; accessed November 10, 2014 <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
- U.S. Embassy- Praia. *reporting, January 15, 2015*.
- U.S. Department of State. "Cabo Verde," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dldid=220093>.
- ILO-IPEC. *Estudo sobre a aplicação das Convenções n.º 138 e n.º 182 da OIT e suas recomendações na legislação nacional dos países da CPLP*; 2012. <http://www.ilo.org/ipecinfor/product/download.do?type=document&id=23178>.
- U.S. Department of State. "Cabo Verde," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- Government of Cabo Verde. *Cabo Verde- Correções e actualizações no tocante aos dados do relatório 2013 sobre Piores Formas de Trabalho Infantil 2014*. hardcopy on file.
- Portal da Ilha do Fogo. "Trabalho Infantil em Cabo Verde acontece mais no seio da família." fogo.cv [online] June 14, 2010 [cited March 4, 2014]; [http://www.fogo.cv/index.php?option=com\\_content&task=view&id=2724&Itemid=50](http://www.fogo.cv/index.php?option=com_content&task=view&id=2724&Itemid=50).
- Government of Cabo Verde. *Lista dos Trabalhos Perigosos Interditos a Crianças e Adolescentes em Cabo Verde*; 2014.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Inquérito as Despesas e Receitas Familiares, 2001-2002. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Government of Cabo Verde official. E-mail communication to USDOL official. March 13, 2015.
- Bordonaro, LI. *From Home to the Street: Children's Street-Ward Migration in Cabo Verde*. Lisbon, Centro em Rede de Investigação em Antropologia; 2010. [http://www.cria.org.pt/index.php?option=com\\_docman&task=doc\\_download&gid=4&Itemid=92&lang=pt](http://www.cria.org.pt/index.php?option=com_docman&task=doc_download&gid=4&Itemid=92&lang=pt) [source on file].
- U.S. Department of State. "Guinea," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- U.S. Embassy- Praia. *reporting, February 13, 2015*.
- Government of Cabo Verde. *Código Laboral Cabo-verdiano*, No. 5/2007, enacted October 16, 2007. [source on file].
- Government of Cabo Verde. *Código Civil*, enacted September 30, 1997. [http://www.africanchildforum.org/clar/Legislation%20Per%20Country/cap%20verde/capeverde\\_civilcode\\_1997\\_pr.pdf](http://www.africanchildforum.org/clar/Legislation%20Per%20Country/cap%20verde/capeverde_civilcode_1997_pr.pdf).
- Government of Cabo Verde. *Código Penal de Cabo Verde*, Decreto-Legislativo No. 4/2003, enacted 2004. [http://www.mj.gov.cv/index.php?option=com\\_docman&task=doc\\_download&gid=59&Itemid=66](http://www.mj.gov.cv/index.php?option=com_docman&task=doc_download&gid=59&Itemid=66).
- Government of Cabo Verde. *Lei No. 78/IV/93*, enacted July 12, 1993.
- Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- U.S. Embassy- Praia official. E-mail communication to USDOL official. April 17, 2015.
- United Nations Treaty Collection Database. *United Nations Treaty Collection: Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict* accessed April 10, 2014; [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-b&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en).
- Government of Cabo Verde. *Bases do Sistema Educativo*, Decreto-Legislativo No. 2/2010, enacted May 7, 2010.
- Government of Cabo Verde official. E-mail communication to USDOL official. March 18, 2015.
- Government of Cabo Verde. *Cabo Verde- Correções e actualizações no tocante aos dados do relatório 2013 sobre Piores Formas de Trabalho Infantil 2014*. [source on file].
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cabo Verde (ratification: 2001) Published: 2011*; accessed December 9, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
- U.S. Embassy- Praia. *reporting, January 17, 2014*.
- Government of Cabo Verde. *Informações solicitadas pelo Departamento do Trabalho do EUA Sobre o Trabalho Infantil*; 2014. hardcopy on file.
- Government of Cabo Verde. *Plano de acção de prevenção e erradicação do trabalho infantil-PANPETI*, Resolução n.º 43/2014, do B.O. I Série, n.º 36,, enacted June 2, 2014. [source on file].
- Government of Cabo Verde. *Informações solicitadas pelo Departamento do Trabalho do EUA Sobre o Trabalho Infantil*; 2014. [source on file].
- U.S. Embassy- Praia. *reporting, February 15, 2013*.
- U.S. Embassy- Praia official. E-mail communication to USDOL official. March 20, 2013.
- ILO. *ECOWAS Ministers of Labour and Social Welfare Adopt a Regional Action Plan on Child Labour, Specially its Worst Forms*. Press Release. Geneva; December 12, 2012. [http://www.ilo.org/ipcec/Events/WCMS\\_195519/lang-en/index.htm](http://www.ilo.org/ipcec/Events/WCMS_195519/lang-en/index.htm).
- Economic Community of West African States (ECOWAS). *ECOWAS Regional Action Plan for the Elimination of Child Labour Especially the Worst Forms*; 2013. [http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms\\_227737.pdf](http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_227737.pdf).
- Government of Cabo Verde. *Código de Conduta Ética do Turismo Contra a Exploração Sexual da Criança e do Adolescente*, enacted April 2, 2014.
- ILO-IPEC. *Supporting Actions to Meet the 2015 Targets to Eliminate the Worst Forms of Child Labor in Lusophone Countries in Africa*. Technical Progress Report. Geneva; April 2012.
- Radiotelevisao e Novas Tecnologias Educativas. "Governo apresenta Plano Estratégico da Política da Protecção da Criança e do Adolescente." radioeducativa.cv [online] January 16, 2012 [cited 2014]; [http://www.radioeducativa.cv/index.php?paginas=21&id\\_cod=207](http://www.radioeducativa.cv/index.php?paginas=21&id_cod=207).
- Government of Cabo Verde official. Letter to USDOL official. December 11, 2011.
- Government of Cabo Verde official. Letter to USDOL official. April 8, 2010.
- ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Geneva; September 3, 2010.
- ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Project Document. Geneva; December 20, 2010.
- ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.

# Cambodia

## MODERATE ADVANCEMENT

In 2014, Cambodia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor and Vocational Training (MOLVT) created 24 interdepartmental inspection teams, which include a child labor inspector, and significantly increased the number of inspections and the number of inspectors trained to conduct child labor investigations. Additionally, the Government made several efforts to combat trafficking in persons (TIP), including drafting guidelines for the identification and referral of victims of TIP and sexual exploitation, and implementing them in six target areas. However, children in Cambodia continue to engage in child labor in agriculture and in the worst forms of child labor as victims of human trafficking. The legal framework leaves children vulnerable to the worst forms of child labor as there is no compulsory education requirement, and the law allows children as young as age 12 to engage in domestic work. Labor inspectors lack sufficient resources to adequately monitor child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cambodia are engaged in child labor, including in agriculture.(1-8) Children are also engaged in the worst forms of child labor, including as victims of human trafficking.(5, 9-12) Table 1 provides key indicators on children’s work and education in Cambodia.

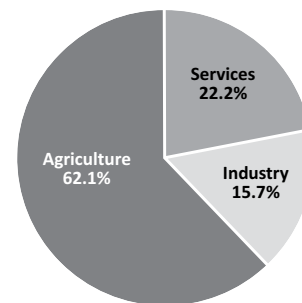
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	9.4 (276,583)
Attending School (%)	5-14 yrs.	85.4
Combining Work and School (%)	7-14 yrs.	9.1
Primary Completion Rate (%)		98.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(13)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Labour Force and Child Labour Survey, 2012.(14)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Fishing, including deep-sea† and night fishing† (1-4)
	Peeling shrimp and shucking crabs* (1, 4)
	Production of tobacco, cassava, rubber, rice,* and sugarcane* (4-8)
	Logging for the production of timber† (2)
Industry	Making bricks† (2, 4, 5, 9)
	Production of salt (5, 9, 15)
	Construction,† including operating transportation equipment (2, 9)
	Production of textiles, including bleaching, dyeing and finishing with chemicals;† and garments* (2, 16)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Production of alcoholic beverages† (2)
	Work in slaughterhouses for the production of meat† (2)
	Manufacturing of wood*† and metal*† products (2, 5)
Services	Domestic service (17-20)
	Work as security guard† and in entertainment,† including as bartenders, masseurs, dancers, and waiters (2, 12)
	Work on the streets, including begging, vending, shoe polishing, scavenging, and portering (5, 9, 16, 20)
	Work as garbage pickers (21)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (5, 9, 11, 12, 22, 23)
	Domestic service, begging, street vending, and factory work each as a result of human trafficking (5, 9-12)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.







Children are trafficked to, from, and within Cambodia for commercial sexual exploitation and labor exploitation.(12) Trafficking for commercial sexual exploitation occurs primarily from Cambodia to Thailand, from Vietnam to Cambodia, and within Cambodia.(9, 11, 12, 22) Children are trafficked from smaller villages to larger cities and primarily to Malaysia, Thailand, and Vietnam to work as domestic servants.(10-12, 17) Children are trafficked primarily to Thailand to work as street vendors, sell candy or flowers, or work in factories.(11) Children are also trafficked to Thailand and Vietnam, where they are forced to beg and work as street vendors.(9, 12)

Significant barriers to accessing education still exist. In remote areas, children have to travel long distances to reach school, and transportation is limited.(5, 20) This sometimes deters parents from sending girls to school due to safety concerns.(20) While there is a current moratorium on new economic land concessions, some relocation sites do not meet human rights standards, including access to education services.(24) The Education Law provides for free education in practice; however, teacher salaries are low and instructors often charge extra fees to students for exams, snacks, tutoring, and even class time.(5, 25, 26) The lack of bilingual education can be an obstacle to school access for the children of ethnic minorities and needs to be further expanded.(19)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Cambodia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

# Cambodia

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 177 of the Labor Law (27)
Minimum Age for Hazardous Work	Yes	18	Articles 173 and 177 of the Labor Law; Regulation on the Prohibition of Hazardous Child Labor (27, 28)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Regulation on the Prohibition of Hazardous Child Labor (28)
Prohibition of Forced Labor	Yes		Article 15 of the Labor Law (27)
Prohibition of Child Trafficking	Yes		Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human Persons (29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human Persons (29)
Prohibition of Using Children in Illicit Activities	Yes		Articles 343–346 of the Penal Code (30)
Minimum Age for Compulsory Military Recruitment	Yes	18	The Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces (31, 32)
Minimum Age for Voluntary Military Service	Yes	18	The Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces (31, 32)
Compulsory Education Age	No		
Free Public Education	Yes		Article 31 of the Education Law of 2007 (33)

The Cambodian Labor Law does not apply to domestic or household workers, as provided in Article 1 of the Labor Law.(27)

Education is free, but not compulsory, through grade nine.(33) The lack of compulsory schooling makes children under age 15, the legal age to work, particularly vulnerable to child labor, as they are not required to be in school but are not legally permitted to work either.

In May 2014, the Ministry of Tourism issued the Subdecree on the Management of Tourism Entertainment-Tourism Centers for Adults (METCA) to fight against child sexual exploitation in tourism.(23) The Subdecree requires METCA operators—dancing halls, discotheques, karaoke clubs, and beer gardens—not to engage in human trafficking or sexual exploitation and allows for fines, suspension, or cancellation of a license if violations occur.(34)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The Department of Child Labor within the Ministry of Labor and Vocational Training (MOLVT)	Enforce child-related provisions of the labor law and manage Cambodia’s Child Labor Monitoring System. (16, 35)
The Cambodian National Police’s Anti-Human Trafficking and Juvenile Protection Department (Anti-Trafficking Police)	Enforce laws against trafficking, child sexual exploitation, and criminal activities, along with municipal and provincial anti-human trafficking and juvenile protection offices.(36) Commanded by the Ministry of the Interior (MOI).(37) Complaints about human trafficking can be filed through the anti-trafficking hotline, 1288.(23)
Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY)	Accompany the police on investigations, during which child victims may be found, and subsequently refer child victims to NGO services.(4)

Law enforcement agencies in Cambodia took actions to combat child labor, including its worst forms.

***Labor Law Enforcement***

In 2014, the Department of Child Labor increased the number of inspectors trained to conduct child labor inspections to 58 from 35 the previous year. The Ministry of Labor and Vocational Training (MOLVT) also created 24 interdepartmental inspection teams, which include a child labor inspector.(38) While the MOLVT has approximately 342 inspectors nationwide, only inspectors trained in child labor inspection look for child labor violations.(39) Inspectors from the Department of Child Labor were trained on relevant laws and inspection techniques to identify child labor; however, the MOLVT lacks standardized guidelines for conducting labor inspections.(38)

The Department of Child Labor reports that, due to budget constraints, it is able to conduct inspections only in and around the capital city of Phnom Penh.(38)

The MOLVT conducted 723 inspections; 613 were of garment and textile factories, and 110 were of other enterprises. Of the 723 inspections conducted, 633 were site visits.(38) Inspectors found a total of 46 cases of violations of child labor in garment and textile factories, which primarily comprised underage workers.(38, 39) The 46 cases included 34 cases found by a joint inspection team of the MOLVT inspectors and the Better Factories Cambodia (BFC) program.(38) The 46 children were removed from the factories, were referred to social services, and received vocational training.(38) While the MOLVT has specific regulations regarding acceptable work for children in agriculture, fishing, and tobacco and cassava production, government officials report that they have not yet begun to enforce these regulations.(16) The Government lacks standardized guidelines on how to conduct labor inspections.(40) Additionally, most inspections are complaint driven and do not target or monitor where hazardous child labor is known to occur.(20)

Inspectors issued warnings to 10 garment and textile factories.(38) Although labor inspectors have the authority to order the immediate removal of children from the workplace and to levy fines, procedures for applying such penalties are not administered uniformly.(40)

***Criminal Law Enforcement***

In 2014, the Anti-Trafficking Police employed 500 police officers, approximately 20 in each province, to enforce laws against the worst forms of child labor.(38) The National Committee on the Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation, in collaboration with NGOs, provided anti-human trafficking training to 2,626 law enforcement officers and government officials in all the provinces in Cambodia. The Ministry of Interior (MOI), however, has not incorporated anti-trafficking training into the curriculum of the Cambodian National Police academies.(41)

The Government reported that police arrested 49 Cambodians and 9 foreigners for offenses related to human trafficking and child prostitution in 2014. Research found that these data are likely underreported, and that the Government needs increased capacity to collect and report reliable and timely data.(41) In 2014, the Anti-Trafficking Police rescued 101 underage victims and referred them to the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY).(38) The MOSAVY also identified and assisted 336 victims, including 218 minors, among persons repatriated from Thailand.(41) The MOSAVY drafted guidelines to identify and refer victims of human trafficking and sexual exploitation. These draft guidelines have been implemented in Phnom Penh and in five additional provinces.(23)

During the reporting period, the Anti-Trafficking Police reported that authorities prosecuted 21 individuals for trafficking in persons offenses. Cambodia courts convicted 29 individuals for 22 sex trafficking convictions and seven labor trafficking convictions.(41) As with investigations, research found that these data are likely underreported, and that the Government needs increased capacity to collect and report on reliable and timely data.(41) Judges can determine whether perpetrators will be imprisoned or fined, as well as the amount of the fine. Further, partly due to the high levels of corruption within the judicial system, the penalties imposed are not uniformly administered and do not adhere to the parameters prescribed by law.(4, 31, 39)

**IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).



# Cambodia

## MODERATE ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The National Sub-Committee on Child Labor of the Cambodian National Council for Children (CNCC)	Coordinate child labor issues at the national level. Ensure that projects and programs follow national policy on child labor.(42) It includes all concerned ministries, businesses, trade unions, and NGOs. Provincial committees on the Protection of Child Rights and Provincial Committees on Child labor coordinate efforts to address child labor at the provincial level.(42)
The National Committee on Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation of Women and Children (NC/STSLS)	Coordinate policymaking efforts with regards to trafficking. Includes representatives from the Government of Cambodia and civil society.(35, 43)
Migration Working Group within NC/STSLS	Coordinate multisectoral participation to address migration issues, gather and monitor data on migration, facilitate information exchange, and provide recommendations on the formulation of agreements with relevant countries. Chaired by the Ministry of Interior and includes representatives from the Government, the UN, and NGOs.(43)

The National Committee on Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation of Women and Children (NC/STSLS) finalized the draft of the Second National Plan of Action (NPA II) 2014 – 2018 and was launched on February 10, 2015.(41)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Cambodia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action to Tackle Child Labor in Inland and Coastal Fisheries	Incorporates child labor into the Ministry of Agriculture and Fisheries (MOAF)'s policies and legal frameworks for fisheries and aquaculture. Assesses work hazards for children in fisheries and aquaculture and ensures that children who work in fisheries and their families have access to education and livelihood opportunities.(35) In March 2014, MOAF with technical assistance from the ILO and World Vision, finalized draft guidelines for child workers in the fisheries sector.(44) Guidelines define the kinds of hazardous activities in which children are not permitted to engage and set fines for employers who violate them. Awaiting official approval from MOAF and the MOL.(44)
Policy and National Minimum Standards for the Protection of the Rights of Victims of Human Trafficking	Guidelines to improve the treatment of trafficking in persons victims. Mandates MOSAVY to train relevant government officials.(45) Lists children among those identified as victims of trafficking in Cambodia and includes the MOI's Safety Village Commune/Sangkat Policy Guide, which mandates that local governments take action to end the trafficking of women and children to ensure safe communes.(35, 46)
The Education Strategic Plan (2014 – 2018)†	Outlines a plan to ensure equitable access for all education services, enhance the quality and relevance of learning, and ensure effective leadership and management of education staff at all levels. Includes programs and activities aimed at improving the response to human trafficking and child labor.(47) New Plan launched in March 2014.(47)
The National Youth Policy	Aims to afford meaningful opportunities to young people ages 15 to 30 and provide them with the skills they need to enhance their economic participation.(48)
Rectangular Strategy for Growth, Employment, Equity and Efficiency Phase III (2013 – 2017)	Defines Cambodia's socioeconomic policy agenda and outlines a strategy for sustainable development and poverty reduction. Includes social protection programs to ensure poor children have access to education; promotes sustainable development of the health sector, including improved sanitation, health, and nutrition of children; and focuses on strengthening law enforcement to be more effective against human trafficking and sexual exploitation of children.(49)
National Social Protection Strategy (2011 – 2015)	Aims to protect the poorest and most disadvantaged populations, mitigate risk by providing coping strategies, and promote poverty reduction by building human capital and expanding opportunities such as access to health, nutrition, and education services, which the strategy states will benefit child laborers and their families.(50)

† Policy was approved during the reporting period.

Political impasse, including a 10-month boycott of parliament by the opposition, significantly impacted the Government's ability to function and pass several updated policies.(38) The National Plan of Action on the Worst Forms of Child Labor (NPA-WFCL) ended in 2012. The Department of Child Labor, with technical assistance from the ILO, is incorporating information from the 2013 Child Labor Survey into the development of a new plan.(51) The National Plan of Action on the Suppression of Human

Trafficking, Smuggling, Labor, and Sexual Exploitation (NPA-STSLs) and MOSAVY's First Occupational Safety and Health Master Plan ended in 2013. The NC/STSLs announced that the Second NPA-STSLs, covering years 2014 – 2018, has been drafted and was launched in February 2015.(41) The second Occupational Safety and Health Master Plan has been drafted and is expected to be launched in 2015.(39)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Cambodia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Commune Committees for Women and Children (CCWC)‡	MOLVT and provincial government program that establishes and trains these committees at the commune and village levels to raise awareness of child labor regulations, ensuring that children continue to go to school, and reporting employers who use child labor.(16)
Street People Committee‡	Interministerial committee chaired by MOSAVY that provides direct support for street children. Responsible for determining the number of people living and working on the street, including children, and providing for their needs.(37, 52)
Bilingual Education Programs*‡	Ministry of Education, Youth, and Sport's (MOEYS) bilingual education program for ethnic minority children in preschools and primary schools in three provinces. Targets 2,359 students from grades one through three in 27 schools.(52, 53)
Cambodians EXCEL: Eliminating eXploitative Child Labor through Education and Livelihoods (2012 – 2016)	\$10 million, USDOL funded, 4-year project to combat child labor in agriculture, fishing, and domestic service. Targets 28,000 child laborers and at-risk children to receive education services, and 14,000 households to receive livelihood services.(54) Addresses a complex set of factors causing child labor, including poverty, limited education access, cultural acceptance of child labor, debt, migration, and lack of regulation in the informal sector.(54)
Better Factories Cambodia (BFC)	Monitors garment factories through unannounced visits to check for compliance with national and international labor standards, and works with factories implementing remediation plans. Works with tripartite partners, including the Government of Cambodia, trade unions, and Garment Manufacturers Association in Cambodia (GMAC), and is part of a global partnership between the ILO and the International Finance Corporation (IFC).(55) In December 2014, the GMAC and BFC signed an agreement to remove child labor from the garment sector.(56)
Counter Trafficking in Persons II (CTIP II) (2011 – 2015)	\$5.4 million USAID-funded, 4-year program implemented by Winrock International to improve the Government and civil society's coordination and capacity to effectively combat all forms of human trafficking. CTIP II focuses specifically on addressing the needs of victims of forced labor and sexual exploitation.(57)
Improved Basic Education in Cambodia Project (2009 – 2014)*	\$10 million USAID-funded, 5-year project supported by the MOEYS to enhance access to education, targeting 202 primary schools and 101 lower secondary schools. Provides improvement grants to schools for scholarships, latrines, and equipment including computer and science labs.(58)
UN WFP Country Program (2011 – 2016)*	Australian-funded, 5-year program implemented by the MOEYS to improve food security and nutrition, which includes providing breakfast and take-home rations to vulnerable primary school children, and off-season income-generation activities for the poor.(59) In 2013, WFP introduced a new cash scholarship transfer pilot program through a mobile banking system, in partnership with Angkor Microfinance of Kampuchea. Beneficiaries of the program must attend 80 percent of their classes and receive cash assistance that can be used for food or school supplies.(60)
Project Childhood (2010 – 2014)	\$3.7 million Australian-funded, 4-year regional project to combat child sex tourism in Cambodia, Laos, Thailand, and Vietnam.(61, 62) Seeks to ensure that the relevant legislative framework of each participating country meets international standards; that the police, prosecutors, and judges understand the law; and that mechanisms are established to promote cooperation within and across borders.(62)
ILO Decent Work Country Program (2011 – 2015), endorsed by the MOSAVY	Highlights child labor issues and outlines a framework for enhancing policies, laws, and enforcement mechanisms to protect children.(26)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Cambodia.

The Government of Cambodia relies heavily on outside funding to combat child labor, including its worst forms.(16)

# Cambodia

## MODERATE ADVANCEMENT

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Cambodia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Institute and enforce a compulsory education age that is at a minimum equal to the minimum age for work.	2009 – 2014
	Ensure that the law's minimum age provisions apply to children working as domestic workers.	2009 – 2014
Enforcement	Ensure regular inspections inspect for child labor violations.	2014
	Develop and implement standardized guidelines for conducting child labor inspections.	2011 – 2014
	Provide sufficient resources for the enforcement of child labor laws to ensure inspections are conducted throughout the country.	2010 – 2014
	Enforce regulations regarding child labor in agriculture, tobacco, cassava, and fishing.	2012 – 2014
	Conduct targeted inspections of industries in which hazardous child labor is known to occur.	2009 – 2014
	Increase anti-trafficking training for law enforcement officers including at Cambodian National Police academies.	2014
	Increase capacity to collect and report on reliable and timely TIP data.	2014
Government Policies	Uniformly administer penalties for violations of child labor laws in accordance with the parameters prescribed by law.	2009 – 2014
	Approve a new National Plan of Action on the Worst Forms of Child Labor (NPA-WFCL).	2013 – 2014
	Approve a new National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (NPA-STSL).	2014
Social Programs	Approve a new Occupational Safety and Health Master Plan.	2014
	Ensure all children have access to free quality education, including by ensuring school fees are not charged and addressing distance, transport, and language barriers.	2013 – 2014
	Assess the impact that existing poverty alleviation, food security, and education programs may have on the worst forms of child labor.	2010 – 2014

### REFERENCES

- Mathew, S. "Children's Work and Child Labor in Fisheries: A Note on Principles and Criteria for Employing Children and Policies and Action for Progressively Eliminating the Worst Forms of Child Labor in Fisheries and Aquaculture," in FAO Workshop: Child Labor in Fisheries and Aquaculture; April 14-16, 2010; Rome; [http://www.fao-ilo.org/fileadmin/user\\_upload/fao\\_ilo/pdf/WorkshopFisheries2010/WFPapers/MathewlCSFChildLabourFisheriesFinalNote.pdf](http://www.fao-ilo.org/fileadmin/user_upload/fao_ilo/pdf/WorkshopFisheries2010/WFPapers/MathewlCSFChildLabourFisheriesFinalNote.pdf).
- National Institute of Statistics of Cambodia and ILO. *Cambodia Labour Force and Child Labour Survey 2012: Child Labour Report*. Phnom Penh; November 2013.
- Mam, K. "A River Changes Course," Cambodia; January 21, 2013; 83 min., film;
- U.S. Embassy- Phnom Penh. *reporting, January 28, 2013*.
- Understanding Children's Work. *The twin challenges of child labour and educational marginalisation in the South-East and East Asia region: an overview*. Rome; May 2014. [http://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_25520/lang-en/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_25520/lang-en/index.htm).
- Hodal, K. "Cambodia's sugar rush leaves farmers feeling bitter at 'land grab.'" *The Guardian*, July 9, 2013. <http://www.theguardian.com/world/2013/jul/09/cambodiasugarlandgrabclaims>.
- Sovuthy, K. "Child Labor Probe on Preah Vihear Sugar Plantation Moves Forward." *The Cambodia Daily*, April 3, 2014. <https://www.cambodiadaily.com/archives/childlaborprobeonpreahvihearsugarplantationmovesforward55643/>.
- Hul Reaksme, and Alex Consiglio. "Sugar Company Says No Child Labor; Workers Say Otherwise." *The Cambodia Daily*, Phnom Penh, February 27, 2015. <https://www.cambodiadaily.com/news/sugar-company-says-no-child-labor-workers-say-otherwise-78766/>.
- International Trade Union Confederation. *Internationally Recognized Core Labour Standards in Cambodia: Report for the WTO General Council Review of the Trade Policies of Cambodia*. Geneva; November 1-3, 2011. <http://www.ituc-csi.org/report-for-the-wto-general-council,10021.html>.
- Human Rights Watch. *They Deceived Us at Every Step: Abuse of Cambodian Domestic Workers Migrating to Malaysia*. New York; 2011. <http://www.hrw.org/reports/2011/10/31/they-deceived-us-every-step>.
- U.S. Embassy- Phnom Penh. *reporting, February 12, 2014*.
- U.S. Department of State. "Cambodia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Labour Force and Child Labour Survey, 2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

15. ILO. "From a Child's Eye: Working in the Hot, Sharp Salt Fields of Cambodia." ILO News, Geneva, June 7, 2012; Feature. <http://www.ilo.org/global/about-the-ilo/newsroom/features/>.
16. U.S. Embassy- Phnom Penh. *reporting, January 17, 2014*.
17. Childs Rights International Network. *Cambodia: Persistent Violations of Children's Rights*. London; October 24, 2011. <http://www.crin.org/violence/search/closeup.asp?infoID=26414>.
18. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 199 (No. 182) Cambodia (ratification: 2006) Published: 2012*; accessed October 19, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
19. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Concluding Observations: Cambodia*. Geneva; August 3, 2011. Report No. CRC/C/KHM/CO/2-3. <http://www2.ohchr.org/english/bodies/crc/crcs57.htm>.
20. U.S. Department of State. "Cambodia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
21. Crowder, N. "Tourists or voyeurs? Outsiders gaze at child labor in Cambodia's largest landfill." *The Washington Post*, Washington, DC, February 26, 2015. <http://www.washingtonpost.com/news/in-sight/wp/2015/02/26/tourists-or-voyeurs-outsiders-gaze-at-child-labor-in-cambodias-largest-landfill/>.
22. Sidner, S. "Cambodian Village has Disturbing Reputation for Child Sex Slavery." *cnn.com* [online] October 23, 2011 [cited January 17, 2012]; <http://edition.cnn.com/2011/10/23/world/asia/cambodia-child-sex-slaves/index.html?iref=allsearch>.
23. UN Committee on the Rights of the Child. *Consideration of Reports of State parties: Replies of Cambodia to the list of issues*. Geneva; January 6, 2015. Report No. CRC/C/OPSC/KHM/Q/1/Add.1. <http://tbinternet.ohchr.org/layoutstable/bodyexternal/Download.aspx?symbolno=CRC%2fC%2fOPSC%2fKHM%2fQ%2f1%2fAdd.1&Lang=en>.
24. UN Human Rights Council. *Report of the Special Rapporteur on the situation of human rights in Cambodia*. Geneva; August 15, 2014. Report No. A/HRC/27/70. <http://www.ohchr.org/EN/countries/AsiaRegion/Pages/KHIndex.aspx>.
25. Dawson, W. "Supplementary Education in Cambodia." *The Newsletter*, 56(Spring) (2011); [http://www.iias.nl/sites/default/files/IIAS\\_NL56\\_1819\\_0.pdf](http://www.iias.nl/sites/default/files/IIAS_NL56_1819_0.pdf).
26. ILO. *Decent Work Country Programme (2011-2015)*. Geneva; 2011. <http://www.ilo.org/public/english/bureau/program/dwcp/download/cambodia.pdf>.
27. Government of Cambodia. *Cambodian Labor Law*, enacted March 13, 1997. [http://www.bigpond.com.kh/Council\\_of\\_Jurists/Travail/trv001g.htm](http://www.bigpond.com.kh/Council_of_Jurists/Travail/trv001g.htm).
28. Government of Cambodia. *Prakas on the Prohibition of Hazardous Child Labor*, Prakas No. 106, enacted April 28, 2004.
29. Government of Cambodia. *Law on Suppression of the Kidnapping, Trafficking and Exploitation of Human Persons*, enacted January 16, 1996. [www.unhcr.org/refworld/category/LEGAL,,,KHM,3ae6b51c8,0.html](http://www.unhcr.org/refworld/category/LEGAL,,,KHM,3ae6b51c8,0.html).
30. U.S. Embassy- Phnom Penh. *reporting, February 8, 2011*.
31. U.S. Embassy- Phnom Penh. *reporting, January 12, 2012*.
32. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global-report\\_reader.php?id=562](http://www.child-soldiers.org/global-report_reader.php?id=562).
33. Government of Cambodia. *The Law on Education*, enacted 2007. [http://planipolis.iiep.unesco.org/upload/Cambodia/Cambodia\\_Education\\_Law.pdf](http://planipolis.iiep.unesco.org/upload/Cambodia/Cambodia_Education_Law.pdf).
34. Government of Cambodia. *Sub-Decree No. 191 (RGC) on Management of Entertainment-Tourism Center for Adults (METCA)*, enacted May 29, 2014.
35. ILO-IPEC. *To Contribute to Developing National Capacities to Achieve the 2015 National Child Labor Reduction Targets and the ILO Global Targets for Ending the Worst Forms of Child Labor in Cambodia by 2016 "Towards Twenty Sixteen: Contributing towards Ending the WFCL in Cambodia"*. Technical Progress Report. Geneva; April 9, 2012.
36. U.S. Embassy- Phnom Penh. *reporting, January 29, 2010*.
37. U.S. Embassy- Phnom Penh official. E-mail communication to USDOL official. February 28, 2014.
38. U.S. Embassy- Phnom Penh. *reporting, January 15, 2015*.
39. U.S. Embassy- Phnom Penh official. E-mail communication to USDOL official. April 13, 2015.
40. ILO-IPEC. *Note on Revisions Proposed for Enforcement Frameworks on Child Labor, with a View to Achieving the Twin Goals in Cambodia*. Geneva; July 12, 2010.
41. U.S. Embassy- Phnom Penh. *reporting, February 15, 2015*.
42. Government of Cambodia. *National Plan of Action on the Elimination of the Worst Forms of Child Labour (NPA-WFCL)*. Phnom Penh; 2008. [http://www.english.childlabor.org.kh/index.php?option=com\\_content&view=article&id=47&Itemid=27](http://www.english.childlabor.org.kh/index.php?option=com_content&view=article&id=47&Itemid=27).
43. Government of Cambodia. *Decision on The Establishment and Functioning of the Migration Working Group of the Secretariat of the National Committee to Lead the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation of Women and Children (NC/STSL)*, enacted September 18, 2012.
44. Hruby, D. "Guidelines Finalized for Child Workers in Fisheries Sector." *The Cambodia Daily*, Phnom Penh, March 15, 2014; News. <http://www.cambodiadaily.com/news/guidelines-finalized-for-child-workers-in-fisheries-sector-54260/>.
45. Ministry of Social Affairs, Veterans and Youth Rehabilitation. *Policy on Protection of the Rights of Victims of Human Trafficking*. Phnom Penh; 2009.
46. Government of Cambodia. *Safety Village Commune/Sangkat Policy Guideline*. Phnom Penh; August 2010. [http://cambodia.ohchr.org/KLC\\_pages/klc\\_english.htm](http://cambodia.ohchr.org/KLC_pages/klc_english.htm).
47. Ministry of Education, Youth, and Sport. *Education Strategic Plan 2014-2018*. Phnom Penh; March 2014. [http://planipolis.iiep.unesco.org/upload/Cambodia/Cambodia\\_Education\\_Strategic\\_Plan\\_2014-2018.pdf](http://planipolis.iiep.unesco.org/upload/Cambodia/Cambodia_Education_Strategic_Plan_2014-2018.pdf).
48. Winrock International. *Children's Empowerment through Education Services*. Technical Progress Report. Arlington, VA; October 2011.
49. Government of Cambodia. *Rectangular Strategy for Growth, Employment, Equity and Efficiency Phase III*. Phnom Penh; September 2013. [http://cnv.org.kh/en/wp-content/uploads/2013/10/26sep13\\_rectangular-strategy\\_phaseIII.pdf](http://cnv.org.kh/en/wp-content/uploads/2013/10/26sep13_rectangular-strategy_phaseIII.pdf).
50. Government of Cambodia. *National Social Protection Strategy for the Poor and Vulnerable*. Phnom Penh; 2011.
51. World Vision official. E-mail communication to USDOL official. February 18, 2014.
52. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Summary Record of the 1621st Meeting: Cambodia*. Geneva; June 14, 2011. Report No. CRC/C/SR.1621. <http://tb.ohchr.org/default.aspx?country=kh>.
53. UN Committee on the Rights of the Child. *Reply to the List of Issues Raised by the UN Committee on the Rights of the Child Related to the Consideration of the 2nd and 3rd Report on the Implementation of Convention on the Rights of the Child*. Prepared by the Government of Cambodia, May 2011. <http://www.ohchr.org/EN/Countries/AsiaRegion/Pages/KHIndex.aspx>.
54. World Vision. *Cambodians EXCEL: Eliminating Exploitative Child Labor through Education and Livelihoods*. Project Proposal. Washington, DC; October 2, 2012.
55. Better Factories Cambodia. *BetterFactories*, [online] [cited January 16, 2015]; <http://betterfactories.org/>.
56. Better Factories Cambodia. *ILO-BFC and GMAC Working hand-in-hand to Eradicate Child Labour in Cambodia's Garment Industry*. online. Phnom Penh; December 16, 2014. <http://betterfactories.org/wp-content/uploads/2014/12/Joint-Press-Release-ILO-BFC-and-GMAC-Working-hand-in-hand-to-Eradicate-Child-Labour-EN.pdf>.
57. U.S. Embassy- Phnom Penh. *New USAID Program to support Cambodian Efforts to Combat Trafficking in Persons*. Press Release. Phnom Penh; November 4, 2011. [http://cambodia.usembassy.gov/110411\\_pr.html](http://cambodia.usembassy.gov/110411_pr.html).
58. World Education. *Welcome to the IBEC Website*, World Education, [online] [cited January 13, 2012]; <http://ibec.worlded.org>.
59. World Food Programme. *Cambodia: WFP Activities*, World Food Programme, [online] [cited January 8, 2013]; [www.wfp.org/countries/cambodia/operations](http://www.wfp.org/countries/cambodia/operations).
60. World Food Program Cambodia. *Cambodia: Solving Hunger Through Mobile Cash Transfer*, World Food Program, [online] July 11, 2013 [cited March 20, 2014]; <http://www.wfp.org/node/3418/4488/462496>.
61. Cambodia National Council for Children. *Consultation Workshop on a Legal Framework Addressing Child Sex Tourism*, CNCC, [online] [cited February 23, 2012]; <http://www.cncc.gov.kh/en/news-and-events/1-news/37-consultation-workshop-on-a-legal-framework-addressing-child-sex-tourism>.
62. UNODC. *Project Childhood: Protection Pillar: Enhancing Law Enforcement Capacity for National and Transnational Action to Identify and Effectively Act Upon Travelling Child-sex Offenders in the Mekong*, UNODC, [online] [cited October 19, 2012]; <http://www.unodc.org/eastasiaandpacific/en/project/rcep/xspt33.html>.



# Cameroon

## MODERATE ADVANCEMENT

In 2014, Cameroon made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government created a National Steering Committee to combat child labor and adopted a National Action Plan against Child Labor and Trafficking in Persons. The Government also adopted a Decent Work Country Program that includes child labor issues and continued to support programs that increase access to education and health care. However, children in Cameroon are engaged in child labor, including in agriculture and in the worst forms of child labor, including in commercial sexual exploitation. The Government has not ratified UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, nor has it prohibited the use of children in illicit activities, including the production and trafficking of drugs.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cameroon are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation. (1-11) Table 1 provides key indicators on children's work and education in Cameroon.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	56.2
Attending School (%)	5-14 yrs.	79.7
Combining Work and School (%)	7-14 yrs.	52.7
Primary Completion Rate (%)		72.9

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(12)  
 Source for all other data: Understanding Children's Work Project's analysis of statistics from Enquête Démographique et de Santé et à Indicateurs Multiples, 2011.(13)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cocoa, bananas,* coffee,* palm oil,* rubber,* and tea,* including handling pesticides, machetes, clearing fields, and lifting heavy loads (1, 5-11) Raising livestock* (5, 9, 14)
Industry	Work in artisanal gold mines and gravel quarries,* transporting heavy loads of sand or gravel,* breaking stones,* and digging or standing in stagnant water to extract minerals* (1, 7, 15-17) Construction,* including carrying heavy loads of water,* concrete,* cement* and bricks* (1, 7)
Services	Domestic work (1, 7-9, 11, 18) Street work, including carrying heavy luggage,* vending,* and begging*(1, 7, 19)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* sometimes as a result of human trafficking (2-4, 7, 20, 21) Forced labor in agriculture in the production of cocoa, tea, cotton, and onions, fishing, livestock raising, domestic work, artisanal gold mines and gravel quarries, street vending, and construction each sometimes as a result of human trafficking* (2, 3, 7, 21, 22) Forced begging* (6, 9, 23)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182



A 2010 pilot study by the ILO estimates that approximately 4,000 children between ages 11 and 17, mostly girls, were subjected to commercial sexual exploitation.(4, 21) In the urban informal sector, children carry heavy luggage and sell goods on the streets, such as cigarettes and water.(19, 21) In the three northern regions, it is a tradition to send boys, called *talibés*, to Koranic teachers to receive education. While some boys receive lessons, others are forced by their teachers to beg or perform other work and to surrender the money that they earn.(6, 9, 23) Cameroon is a source, transit, and destination country for child trafficking from neighboring countries in Central and West Africa and the Middle East.(2, 7, 21, 22) Improved public awareness about child trafficking has reduced the number of parents who willingly give their children to intermediaries promising education or a better life in an urban city. As a result, reports of children being kidnapped for human trafficking have increased, including in Yaoundé.(21) Victims of child trafficking are forced into domestic work, begging, vending, work in agriculture, fishing, mining, quarrying, or are subject to commercial sexual exploitation. (2, 7, 21, 22) Child trafficking also occurs internally for the purposes of hereditary slavery in the Northwest Region and the three northern regions, or for commercial sexual exploitation in southern Cameroon.(3, 7, 21, 24)







Although education is free in Cameroon, in practice, families must pay for uniforms, books, and other school-related fees.(1, 9, 25-28) The Ministry of Education offers fee waivers to disadvantaged primary students, but these waivers sometimes do not cover the costs or arrive late, which means that parents must still pay some out-of-pocket fees.(1, 29) In 2014, the Government claimed to have banned the collection of Parent-Teacher Association fees, although they were still collected in many areas; research did not find a publicly available copy of this decree.(30, 31) Girls were also subject to sexual harassment at schools and often dropped out due to early pregnancy or domestic responsibilities. A lack of schools in rural areas and birth registration requirements further hindered access to education, since many children are not born in formal health facilities, which issue the birth declarations necessary to obtain birth certificates.(9, 19, 27) This is particularly true in the Extreme North Region, where UNICEF estimates that approximately 65 percent of children do not have birth certificates.(21)

Additionally, ongoing insecurity along Cameroon’s borders with Nigeria and the Central African Republic has displaced many Cameroonians and strained the Government’s resources for addressing child labor.(31)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Cameroon has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Section 86 of the Labor Code (32)
Minimum Age for Hazardous Work	Yes	18	Articles 9-23 of Order N° 017 on Child Labor; Section 86 of the Labor Code (32, 33)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Articles 9-23 of Order N° 017 on Child Labor (33)

# Cameroon

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Forced Labor	Yes		Sections 1-6 of Law N° 2011/024 Relating to the Fight Against Trafficking in Persons and Slavery; Articles 292, 293 and 342 of the Penal Code; Section 2 of the Labor Code (32, 34, 35)
Prohibition of Child Trafficking	Yes		Sections 1-6 of Law N° 2011/024; Articles 11, 352 and 353 of the Penal Code (34, 35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 265, 343-347 of the Penal Code; Article 76 of Law N° 2010/12 on Cybersecurity and Cybercriminality (34, 36)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 2 of Decree N° 2001/187 Fixing the Conditions and Recruitment and Admission to Military Schools (37)
Compulsory Education Age	Yes	11	Preamble of the Constitution; Articles 9 and 16 of Law N° 1998/004 Orienting the Education System (9, 38, 39)
Free Public Education	Yes		Article 48 (2) of Presidential Decree N° 2001/041 (40)

\* No conscription (37, 41)

While Order N° 017 on Child Labor sets a minimum age for hazardous work and prohibits certain occupations for children, the laws are not extended to children working in noncontractual employment.(33, 42) Additionally, Articles 20 and 21 of Order N° 017 on Child Labor prohibit hazardous activities for children under age 18, with two exceptions for those under age 16. This means children ages 16 to 17 can legally be employed in hazardous tasks such as operating horizontal winches or pulleys, servicing steam valves, and working on scaffolding.(33) Additionally, Law N° 1998/004 Orienting the Education System makes education compulsory through primary school, but it does not specifically establish a compulsory education age.(28, 43) Most children complete primary school around age 11, which makes children ages 12 to 14 particularly vulnerable to the worst forms of child labor, as they are not required to be in school and are below the minimum age for work.(28, 32)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MINLSS)	Lead efforts to enforce child labor laws, in cooperation with other government bodies, including the Ministries of Social Affairs; Justice; Women's Empowerment and Family; Territorial Administration and Decentralization; and Tourism.(1, 30) Primarily concerned with the welfare of vulnerable groups, including women, children, and indigenous groups. Advocate on behalf of victims, bring complaints to court, and provide social services to victims of child labor.(31)
Ministry of Justice (MOJ)	Contribute to investigations through police and gendarmes and through prosecution of offenders as appropriate.(31, 44)
Ministry of National Security and Defense's National Gendarmerie (SED)	Enforce criminal laws against child trafficking and investigate violations of child labor laws throughout the country in both rural and urban areas.(30, 31)
General Delegate for National Security's Special Vice Squad (DGSN)	Enforce laws against the worst forms of child labor and investigate violations in urban areas.(30, 31)
Ministry of Territorial Administration and Decentralization	Enforce child labor laws at the regional level. Local representatives may settle child labor disputes amicably or refer the case to the SED, DGSN or MOJ for further investigation and prosecution.(31)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Ministry of Social Affairs (MINAS)	Lead government efforts to combat human trafficking.(21) Provide social services and protection to victims of child trafficking, including education, vocational training, and shelter.(45, 46) Coordinate repatriation for victims of human trafficking in cooperation with the Ministry of External Relations.(21) In the case of the Directorate of Social Protection of the Child, oversee 10 regional delegations; the Operational Technical Unit provides social services and maintains Centers for Social Action.(45) In the case of the Minors Brigade, work within the public security sections of local police stations to investigate reports of child trafficking and the use of children in hazardous work.(6, 30, 44)
National Commission on Human Rights and Freedoms	Promote and protect human rights and investigate human rights abuses.(30, 44) Report wrongdoing, advocate for victims, and assist victims of human trafficking with settling lawsuits.(31)
Ministry of Women's Empowerment and Family (MINPROFF)	Enforce criminal laws against forced child labor, commercial sexual exploitation, and use of children in illicit activities.(30)
Joint Mobile Brigade	Work to prevent and combat the phenomenon of street children in Yaoundé and Douala by identifying street children, providing temporary shelter, reintegrating them into their families, and educating families whose children have returned home on the root causes of the phenomenon to prevent these children from returning to the streets.(6, 14, 31)
Ministry of External Relations	Provide assistance in repatriating victims of child trafficking in cooperation with MINAS.(31)

Law enforcement agencies in Cameroon took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor and Social Security (MINLSS) employed 74 labor inspectors, which is insufficient to enforce child labor laws, and significantly less than the 192 inspectors proscribed by its organizational chart.(30) The labor inspectors did not receive training on child labor during the reporting period, although they were educated about the ILO's core conventions during their initial training.(30) The ILO CEACR has also expressed concern that the inspectors are not sufficiently familiar with the labor laws.(1, 47) The Government, with support from UNICEF, developed a draft training curriculum on the rights of children for police and magistrates.(30, 31) It is not known what the MINLSS's budget was for 2014, but an official in the Southwest Region claimed he received approximately \$3,600 per year to conduct inspections, which was insufficient given the size of the geographic area under his jurisdiction.(30) Although inspectors have office facilities, they lack other resources and often do not have the vehicles or fuel needed to conduct inspections.(1, 21, 30)

Article 108 of the Labor Code allows inspectors to conduct unannounced visits, and the inspectors did conduct unannounced inspections via site visits in all the sectors allowed by law.(30, 32) However, a 2011 ILO review of Cameroon's labor inspectorate found that few workplace visits had occurred.(47) Article 109 of the Labor Code allows inspectors to take direct legal action and assess penalties for labor violations.(30, 32) The Government conducted inspections in 2014, but it did not publish the number of inspections that occurred, the number of violations found, or the penalties assessed.(30) Additionally, there is no formal referral mechanism between law enforcement and social services, although the authorities work together in practice to ensure that the victims of child labor violations receive the appropriate social services.(1)

### ***Criminal Law Enforcement***

It is not known how many investigators the Government employed to enforce criminal laws related to the worst forms of child labor in 2014.(30) A local NGO, Nkumu Fed Fed, partnered with the Government and Vital Voices to provide training on human trafficking for the Regional Taskforces on Trafficking in Persons established in 3 of 10 regions.(21) Research found that due to a lack of training, some magistrates and prosecutors were not familiar with Law N° 2011/024 Relating to the Fight Against Trafficking in Persons and Slavery. As a result, many child trafficking cases were tried as other crimes, which have lesser penalties.(21, 30) Reports from the Northwest and Southwest Regional Taskforce on Trafficking in Persons reported at least 25 new cases of child trafficking and identified 17 victims. Of the 25 new cases, 11 defendants were prosecuted under Law N° 2011/024, and 8 were ultimately convicted.(21, 30) The Government did not provide any publicly available information on the total number of investigations conducted, prosecutions, convictions, or penalties assessed for the country as a whole.

# Cameroon

## MODERATE ADVANCEMENT

The National Referral System established in 2013 refers victims of child trafficking to social service providers. Children who are employed in hazardous child labor outside of the home are also included in the National Referral System.(48) The System establishes the role and scope of the intervention of various players in providing assistance to victims in the short, medium, and long term.(21, 30) During the reporting period, the Government reintegrated 31 victims of child trafficking who were identified in 2013. NGOs identified at least 130 victims, most of whom were placed in shelters, were rehabilitated, or were reunited with their families.(21)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Inter-Ministerial Committee (IMC) to coordinate its efforts to address human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee*	Coordinate government efforts to combat child labor and implement the National Plan of Action to Combat Child Labor and Trafficking in Children (PANETEC).(49, 50) Led by MINLSS.(49)
Inter-Ministerial Committee (IMC)	Coordinate government efforts to combat trafficking in persons, including by training stakeholders, proposing legislation, and ratifying international instruments. The Secretary General of the Office of the Prime Minister chairs the Committee, which includes members of eight Ministries, law enforcement personnel, civil society organizations, and NGOs active in anti-trafficking work.(1, 21) In 2014, created three Regional Taskforces on Trafficking in Persons to serve as coordinating bodies at the regional level.(21)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The IMC did not have its budget approved in 2014, which limited its ability to coordinate among stakeholders and provide oversight to the Regional Taskforces on Trafficking in Persons.(31) The three Regional Taskforces functioned at a grassroots level, although with inadequate funding, which limited their operational capacity.(21, 48)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Cameroon has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action to Combat Child Labor and Trafficking in Children (PANETEC) (2014-2016)	Aims to eradicate the worst forms of child labor by 2016. Targets the elimination of the use of children in illicit activities such as drug trafficking, recruitment of children in armed conflict, and commercial sexual exploitation.(30, 51) Establishes responsible agencies, actions to be taken, timelines, and concrete measures related to preventing child labor and child trafficking. In 2014, conducted awareness campaigns through Regional Taskforces and tightened adoption procedures to reduce the risk of adopted children from becoming victims of human trafficking.(21)
Trafficking in Persons Action Plan	Outlines efforts to prosecute and convict human trafficking offenders, to educate law enforcement personnel and social workers, to develop and enact legislation prohibiting the trafficking of adults, and to train enforcement personnel on how to use the human trafficking database.(52)
Decent Work Country Program (2014-2017)†	Incorporates child labor concerns into the strategy for work.(10)
PRSP (2010-2020)*	Includes overall goals of poverty reduction, increased access to health and social services, and improved infrastructure such as education.(53)
Country Program Action Plan (2013-2017)*	UNICEF- and government-implemented program that addresses the full development of young children and builds on the previous Country Program Action Plan. Aims to improve access to quality education, expand employment opportunities, and promote active participation of youth in society.(1, 6, 31) In 2014, continued a national awareness campaign about trafficking in persons and implemented mechanisms to reduce child trafficking in refugee camps.(21)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Although the Government formally adopted the National Plan of Action to Combat Child Labor and Trafficking in Children (PANETEC) in March 2014, it has yet to be implemented, since it has not been allocated a budget.(21) The Prime Minister established an ad hoc committee on child labor to develop a budget for PANETEC, although the members of this committee had not been designated as of December 2014.(30) Other existing policies and action plans related to child labor lack specific details, timetables, and responsible parties.(52, 54)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Cameroon funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues (2011-2016)	\$15 million USDOL-funded 6-year project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. In Cameroon, aims to build the capacity of the national government, to develop strategic policies to address the elimination of child labor and forced labor, and to strengthen legal protections and social service delivery for child domestic workers.(55, 56)
National Referral System‡	IOM-funded project to protect domestic workers and victims of child trafficking in Cameroon by providing assistance and referring victims to social services.(30)
Project to Fight the Phenomenon of Street Children‡	MINAS-funded program that gathers information on street children and offers health care, education, and psychosocial care in partnership with the ILO. In 2014, MINAS identified 240 street children and reunited 77 of them with their families. (30)
Centers for Children in Need*‡	MINAS- and MINPROFF -operated shelters for women and children in need. MINAS-run shelters are located in four regions of Cameroon and MINPROFF operates at least one shelter in every region that provides vocational and educational training for girls and women.(31, 57) Victims of child trafficking are placed in MINAS-run shelters and are given lodging, food, health care, psychological care, education, vocational training, and family tracing as appropriate.(21)
Country Program Action Plan (2013-2017)*‡	UNICEF- and MINAS-implemented program aiming to improve social protection by ensuring access to primary education, improving preventative health care, promoting birth registration; also providing shelters and safe drinking water in the northern regions affected by floods.(1, 44) Aims to improve conditions in refugee camps in the East Region by providing education, clean drinking water and sanitation facilities, vaccinations, and by building child-friendly spaces.(30)
School Feeding Programs*‡	Programs funded by USDA, WFP, and the Ministry of Education that provide meals to help improve the educational goals of girls in target geographic zones.(6, 29) Feeding programs funded by WFP and the Ministry of Education benefit an average of 55,366 girls annually in the Extreme North, North, and Adamaoua Regions. (29) The U.S. Embassy in Yaoundé and USDA fund Food for Education, which operates in the North Region and promotes the use of school gardens to improve food security. Since the program began in 2013, it has provided breakfast and lunch to 95,867 primary school students and financed the construction of 497 school buildings, 12 wells.(58)
Direct Cash Transfer*‡	Government program that provides limited direct cash transfers to street children on an ad hoc basis.(29)
Horizons Femmes Project on Domestic Workers*	Government-supported, NGO-run project focusing on educating domestic workers about their rights.(44, 59)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Cameroon.

In 2013, MINLSS evaluated the programs that had been implemented to prevent and combat child labor since 2003, but the results of the study have yet to be released.(1, 6, 31) Although the Government of Cameroon has implemented programs to assist victims of child trafficking and children engaged in street work and in domestic work, the scope of these programs is insufficient to fully address the extent of the problem, and funding was reduced during the reporting period.(30) Additionally, research did not find evidence of programs to specifically address child labor in agriculture, mining, and quarrying.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Cameroon (Table 9).



# Cameroon

## MODERATE ADVANCEMENT

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2014
	Criminalize the use of children for illicit activities.	2014
	Ensure that laws are extended to children working in noncontractual employment and hazardous activities are prohibited for all children under age 18.	2014
	Ensure there is not a gap between the age for compulsory education and the established minimum age for work.	2009 – 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce. Ensure sufficient training and resources for inspectors to carry out inspections.	2009 – 2014
	Make information publicly available about the total number of investigators, investigations, violations, prosecutions, convictions, and penalties assessed.	2009 – 2014
	Ensure magistrates and prosecutors are familiar with existing laws and prosecute violations of child trafficking under Law N° 2011/024 Relating to the Fight Against Trafficking in Persons and Slavery.	2014
	Establish a referral mechanism between law enforcement agencies and social services.	2013 – 2014
Coordination	Ensure existing coordinating mechanisms receive adequate funding to carry out their mandates.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the PRSP and National Youth Policy.	2010 – 2014
	Fully fund the National Plan of Action to Combat Child Labor and Trafficking in Children, and ensure that it addresses all relevant worst forms of child labor.	2010 – 2014
	Ensure all policies and action plans related to child labor include a detailed timeline for implementation and designate responsible parties.	2010 – 2014
Social Programs	Ensure all children have access to education by ensuring that: <ul style="list-style-type: none"> <li>■ Education is free, by eliminating school-related expenses;</li> <li>■ Schools are free of sexual abuse; and</li> <li>■ All children have access to birth registration.</li> </ul>	2009 – 2014
	Make the decree banning Parent-Teacher Association fees publicly available.	2014
	Assess the impact that existing programs may have on child labor.	2014
	Develop social protection programs that assist children working in agriculture, mining, and quarrying, and expand existing programs to better address the extent of the child labor problem in Cameroon.	2009 – 2014

### REFERENCES

- U.S. Embassy- Yaounde. *reporting, January 18, 2014.*
- Let's Protect Our Children Coalition. *Campaign Against Child Trafficking for Sexual Exploitation.* Yaounde; May 2010. <http://wfyouth.org/wp-content/uploads/2010/10/livret-teses-angl.pdf>.
- Ndienla, Y. "Cameroon: Haven for Child Trafficking." voices.yahoo.com [online] January 6, 2011 [cited November 2, 2012]; <http://voices.yahoo.com/cameroon-haven-child-trafficking-7550972.html>.
- Republic of Cameroon. *Etude Pilote sur L'Exploitation Sexuelle Commerciale des Enfants au Cameroun en 2010.* Yaoundé, Institut National de la Statistique; 2010. [http://www.statistics-cameroon.org/downloads/CSEC/Note\\_synthese\\_Rapport\\_CSEC.pdf](http://www.statistics-cameroon.org/downloads/CSEC/Note_synthese_Rapport_CSEC.pdf).
- Boutin, D. *La transition des jeunes camerounais vers le marche du travail.* Pessac, Groupe d'economie Lare-Efi du developpement; 2010. Report No. DT/152/2010. <http://ged.u-bordeaux4.fr/ceddt152.pdf>.
- U.S. Embassy- Yaounde official. E-mail communication to USDOL official. February 21, 2014.
- U.S. Department of State. "Cameroon," in *Trafficking in Persons Report-2014.* Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226694.htm>.
- UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Cameroon.* Geneva; February 18, 2010. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/407/35/PDF/G1040735.pdf?OpenElement>.
- U.S. Department of State. "Cameroon," in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Equipe d'Appui Technique au Travail Décent pour l'Afrique Centrale et Bureau Pays pour le Cameroun. *Programme Pays pour le Travail Décent (PPTD) 2014 - 2017.* Geneva, ILO; 2014. <http://www.ilo.org/public/english/bureau/program/dwcp/download/cameroon.pdf>.
- UCW. *Cameroon: Comprendre le travail des enfants et l'emploi des jeunes.* Rome, Understanding Children's Work (UCW) Programme; June 2012.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from Enquête Démographique et de Santé et à Indicateurs Multiples, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

14. U.S. Embassy- Yaounde. *reporting, January 30, 2013.*
15. Bangda, B. "Cameroon: Child labour in gold mines drains children out of school." *africa-info.org* [online] April 2, 2010 [cited January 25, 2012]; [http://africa-info.org/ang/index.php?option=com\\_content&view=article&id=235:cameroon-child-labour-in-gold-mines-drains-children-out-of-school&catid=38:society](http://africa-info.org/ang/index.php?option=com_content&view=article&id=235:cameroon-child-labour-in-gold-mines-drains-children-out-of-school&catid=38:society).
16. Radio Netherlands Worldwide. "Cameroon: The Hard Knock Life of the Child Quarry Worker." *rnw.nl* [online] August 5, 2011 [cited February 21, 2013]; <http://www.rnw.nl/africa/article/cameroon-hard-knock-life-child-quarry-worker>.
17. U.S. Department of State. "Cameroon," in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
18. Nganzi, R. "Travail domestique: Bamenda, championne de l'exploitation des enfants." *cameroon-info.net* [online] June 16, 2010 [cited February 20, 2013]; <http://www.cameroon-info.net/stories/0.26822.@travail-domestique-bamenda-championne-de-l-exploitation-des-enfants.html>.
19. Government of Cameroon. *Troisieme Edition du Tableau de Bord Social sur la Situation des Enfants et des Femmes au Cameroun (TBS 3)*. Yaounde; December 2009. [http://www.statistics-cameroon.org/downloads/Rapport\\_TBS3.pdf](http://www.statistics-cameroon.org/downloads/Rapport_TBS3.pdf).
20. Republique du Cameroun. *Pres Formes de Travail des Enfants: Enquete Pilote sur l'Exploitation Sexuelle Commerciale des Enfants au Cameroun*. Yaounde, Institut National de la Statistique; December 2011. [http://www.minas.gov.cm/images/Documents/Rapports/Rapport\\_CSEC\\_Cameroun\\_les\\_pires\\_formes\\_de\\_travail\\_des\\_enfants.pdf](http://www.minas.gov.cm/images/Documents/Rapports/Rapport_CSEC_Cameroun_les_pires_formes_de_travail_des_enfants.pdf).
21. U.S. Embassy- Yaounde. *reporting, February 24, 2015.*
22. Integrated Regional Information Networks. "Nigeria: Trafficking convictions up but progress slow." *IRINnews.org* [online] March 15, 2010 [cited April 16, 2014]; <http://www.irinnews.org/Report.aspx?ReportID=88424>.
23. Bouba, B. "Les talibés de Maroua (Cameroun): évaluation des besoins en éducation et des stratégies de prise en charge." *Revue Petite Enfance*, (April):38-61 (2013); [http://fastef.ucad.sn/PEnfance/bachir\\_bouba.pdf](http://fastef.ucad.sn/PEnfance/bachir_bouba.pdf).
24. Global Welfare Association Cameroon. *GLOWA Strategic Planning Workshop Final Report*. Bameda, GLOWA; March 2011. <http://www.freetocharities.org.uk/glowa/strategicreport.pdf>.
25. Mbassi-Bikele, Y. "Education: A quoi servent les APEE?" *Cameroon-Tribune.cm* [online] January 16, 2013 [cited February 19, 2013]; [http://www.cameroon-tribune.cm/index.php?option=com\\_content&view=article&id=72014%3Aeducation-a-quoi-servent-les-apee&catid=3%3Adossier-de-la-redaction&Itemid=3](http://www.cameroon-tribune.cm/index.php?option=com_content&view=article&id=72014%3Aeducation-a-quoi-servent-les-apee&catid=3%3Adossier-de-la-redaction&Itemid=3).
26. Njiélé, H. "Cameroun: Rentrée scolaire - L'école primaire publique toujours payante." *allafrica.com* [online] August 31, 2010 [cited January 25, 2012]; <http://fr.allafrica.com/stories/printable/201008310502.html>.
27. Plan International. "Plan offers incentives to encourage children to go to school." *plan-international.org* [online] December 20, 2011 [cited January 5, 2014]; <http://plan-international.org/where-we-work/africa/cameroon/plan-offers-incentives-to-encourage-children-to-go-to-school>.
28. Government of Cameroon. *Loi d'orientation de l'éducation au Cameroun*, enacted April 14, 1998.
29. World Bank. *Cameroon Social Safety Nets*. Washington, DC; June 28, 2012. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2012/08/22/000386194\\_20120822005143/Rendered/PDF/705300ESWOCM0POC0disclosed080200120.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2012/08/22/000386194_20120822005143/Rendered/PDF/705300ESWOCM0POC0disclosed080200120.pdf).
30. U.S. Embassy- Yaounde. *reporting, December 22, 2014.*
31. U.S. Embassy- Yaounde official. E-mail communication to USDOL official. March 17, 2015.
32. Government of Cameroon. *Labour Code Law N° 92/007 of 14 August 1992*, enacted August 14, 1992. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.
33. Government of Cameroon. *Arrêté N° 17 du 27 mai 1969 relatif au travail des enfants*, enacted May 27, 1969. <http://www.ilo.org/dyn/natlex/docs/SERIAL/17964/15795/F1498839332/CMR-17964.pdf>.
34. Government of Cameroon. *Code Penal N° 67/LF/1 du 12 Juin 1967*, enacted June 12, 1967. [http://www.vertic.org/media/National%20Legislation/Cameroon/CM\\_Code\\_Penal\\_Cameroun.pdf](http://www.vertic.org/media/National%20Legislation/Cameroon/CM_Code_Penal_Cameroun.pdf).
35. Government of Cameroon. *Law N°2011 / 024 of 14 December 2011 Relating to the Fight Against Trafficking in Persons and Slavery*, N°2011 enacted December 14, 2011. <http://www.justiceandpeacebamenda.org/attachments/article/24/THE+LA+W+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.
36. U.S. Embassy- Yaounde official. E-mail communication to USDOL official. March 5, 2012.
37. Government of Cameroon. *Ratification with Declaration on the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict on March 4, 2013*, enacted 2013. <https://treaties.un.org/doc/Publication/UNTS/No%20Volume/27531/A-27531-Cameroon-0800000280351c59.pdf>.
38. Government of Cameroon. *Law N° 96-06 of 18 January 1996 to amend the Constitution of 2 June 1972*, enacted January 18, 1996. <http://confinder.richmond.edu/Cameroon.htm>.
39. Government of Cameroon. *Loi d'orientation de l'éducation au Cameroun*, enacted April 14, 1998.
40. Government of Cameroon. *Décret N° 2001/041 portant organisation des établissements scolaires publics et attributions des responsables de l'administration scolaire*, enacted 2001. <http://www.spm.gov.cm/fr/documentation/textes-legislatifs-et-reglementaires/article/decree-n-2001041-portant-organisation-des-etablissements-scolaires-publics-et-attributions-des-res.html>.
41. Child Soldiers International. *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; October 16, 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
42. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cameroon (ratification: 2002) Published: 2012*; accessed January 5, 2014; <http://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:20010:0::NO::>.
43. U.S. Embassy- Yaounde official. E-mail communication to USDOL official. February 10, 2011.
44. U.S. Embassy- Yaounde official. E-mail communication to USDOL official. May 15, 2014.
45. Ministry of Social Affairs. *Inventory of fixtures, Actions and Challenges*, Government of Cameroon, [online] [cited February 5, 2014]; [http://www.minas.gov.cm/index.php?view=article&id=211%3Aetat-des-lieux-sur-la-protection-sociale-de-lenfance&format=pdf&option=com\\_content&Itemid=217&lang=en](http://www.minas.gov.cm/index.php?view=article&id=211%3Aetat-des-lieux-sur-la-protection-sociale-de-lenfance&format=pdf&option=com_content&Itemid=217&lang=en).
46. Ministry of Social Affairs. *Protection spéciale de l'enfance*, Government of Cameroon, [online] [cited February 5, 2014]; [http://www.minas.gov.cm/index.php?view=article&id=212%3Aprotection-speciale-de-lenfance&format=pdf&option=com\\_content&Itemid=218&lang=en](http://www.minas.gov.cm/index.php?view=article&id=212%3Aprotection-speciale-de-lenfance&format=pdf&option=com_content&Itemid=218&lang=en).
47. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Cameroon (ratification: 1962) Published: 2013*; accessed November 20, 2013; <http://www.ilo.org/ilolex/english/iloreqy.htm>.
48. U.S. Embassy- Yaounde official. E-mail communication to USDOL official. April 20, 2015.
49. Mevengue, A. *Lutte contre le Travail des enfants - La réponse nationale*, Ministère du Travail et de la Sécurité Sociale, [cited June 1 2015]; [http://mintss.gov.cm/index.php?option=com\\_content&view=article&id=61&Itemid=243&lang=fr](http://mintss.gov.cm/index.php?option=com_content&view=article&id=61&Itemid=243&lang=fr).
50. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2015.
51. Belinga, J-C. "Cameroun : évolution dans la lutte contre le travail des enfants." *Afrik*, March 20, 2014. <http://www.afrik.com/cameroon-evolution-dans-la-lutte-contre-le-travail-des-enfants>.
52. Government of Cameroon. *Cameroon's Strategy to Implement its Trafficking in Persons ("TIP") Action Plan and to Seek Removal from the TIP Tier 2 Watch List*. Project Document. Yaounde; November 2010.
53. IMF. *Cameroon: Poverty Reduction Strategy Paper- Progress Report*. Progress Report. Washington, DC; August 2010. <http://www.imf.org/external/pubs/ft/scr/2010/cr10257.pdf>.
54. U.S. Embassy- Yaounde. *reporting, January 23, 2012.*
55. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2013.
56. USDOL. *Technical Cooperation Project Summary: Global Action Program on Child Labor Issues (GAP)*. Washington, DC; 2011.
57. Republique du Cameroun. *Annuaire Statistique Cinquieme Partie: Protection Sociale de l'Enfance*. Yaounde, Ministère des Affaires Sociales; 2011. [http://www.minas.gov.cm/images/Documents/Procedures/PARTIE%20V\\_annuaire%20MINAS\\_PSE\\_13%20juillet%202012.pdf](http://www.minas.gov.cm/images/Documents/Procedures/PARTIE%20V_annuaire%20MINAS_PSE_13%20juillet%202012.pdf).
58. U.S. Embassy- Yaounde. *reporting, March 16, 2015.*
59. Petsoko, M. "Ngaoundéré: L'Ong "Horizon Femmes" forme les travailleurs domestiques." *Journal du Cameroun*, (2011); <http://www.journalducameroun.com/article.php?aid=10270>.

# Central African Republic

## MINIMAL ADVANCEMENT

*In 2014, the Central African Republic (CAR) made a minimal advancement in efforts to eliminate the worst forms of child labor. A cease-fire agreement between armed groups was signed in July, and the Government began drafting a disarmament, demobilization, and reintegration (DDR) strategy with the support of the UN and other international partners, but has yet to fully implement it. However, children in CAR are engaged in child labor, including in agriculture and in the worst forms of child labor, including in armed conflict, sometimes as a result of forced or compulsory recruitment by armed groups. Widespread violence and continued instability limited the Government's ability to address the worst forms of child labor and armed groups on all sides of the conflict increased their use of child soldiers. Research found no evidence that enforcement actions were taken to address child labor.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Central African Republic (CAR) are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in armed conflict, sometimes as a result of forced or compulsory recruitment by nongovernmental armed groups.(1-6) Table 1 provides key indicators on children's work and education in CAR.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	31.0 (373,742)
Attending School (%)	5-14 yrs.	63.1
Combining Work and School (%)	7-14 yrs.	28.0
Primary Completion Rate (%)		45.3

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Working on cassava* and peanut* farms, activities unknown (2, 9)
	Gathering mushrooms,* hay,* firewood,* and caterpillars* (2)
	Fishing,* activities unknown (2, 3)
Industry	Diamond and gold* mining (2, 10, 11)
Services	Domestic work* (2, 12)
	Street work, including carrying heavy loads and market vending (2, 11, 12)
Categorical Worst Forms of Child Labor‡	Use of children in armed conflict sometimes as a result of forced or compulsory recruitment by armed groups (1, 2, 4, 6, 9, 12-21)
	Domestic work, work in agriculture, restaurants, markets, and mining, including diamond mines as a result of human trafficking* (9, 22, 23)
	Commercial sexual exploitation sometimes as a result of human trafficking* (9, 12, 22, 23)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor of <i>Ba’aka</i> children in agriculture and domestic work* (2, 9) Used in illicit activities, including as spies for armed forces and carrying stolen goods* (1, 12, 20, 24)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In March 2013, *Séléka* rebels ousted the sitting president and formed a new government.(4, 13, 25-33) The new Government’s president, Michel Djotodia, dismantled the *Séléka* by decree on September 13, 2013. After this date, the group became known as ex-*Séléka*.(13, 34) Following Djotodia’s exit from power in January 2014, another interim president was selected by the Transitional National Council.(29, 30, 35) However, armed groups have also continued to perpetrate violence against civilians and engage in fighting with other armed factions despite a cease-fire agreement that was signed July 23, 2014.(6, 36) In addition, the Government has been unable to re-establish state authority throughout the country and armed groups remain in control of large parts of CAR.(6, 20, 29, 32, 37, 38) The changes in leadership, closing of government institutions, displacement of half a million residents, and ongoing conflict have impacted the Government’s ability to address the worst forms of child labor.

Renewed fighting in early 2014, in combination with the resumption of violence in South Sudan, led to reports of continued recruitment and use of child soldiers by armed groups on all sides of the conflict during the reporting period, sometimes as a result of forced or compulsory recruitment.(4, 9, 13, 17, 19, 25, 30, 36, 39, 40) There were no reports of children being recruited into the Government’s armed forces, which remained mostly defunct. A small number of police and gendarme units were trained in close partnership with international organizations and recruits were subject to strict vetting criteria.(6) A report estimates that between 6,000 and 10,000 children are associated with armed groups in CAR, some as young as age eight. Children associated with armed groups are used to carry supplies and serve as combatants, lookouts, and concubines.(1, 12, 17, 18, 20, 41, 42) There are also reports that children from neighboring countries have been recruited by armed groups in CAR, and that children in CAR have been abducted for forced labor and/or forced soldiering by the Lord’s Resistance Army, a Ugandan rebel force that has moved into CAR.(2, 9, 13, 15, 20) However, 2,807 children were released from armed groups in 2014, a significant increase from the number of children released in 2013.(20, 36, 43) The Government worked with the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) and other partner agencies to prioritize the demobilization and reintegration into community life of these children.(6)

Although the Constitution provides for free education, associated fees and a severe lack of textbooks, schools, and teachers in rural areas limit access to education for many children. Many schools have been closed for lengthy periods of time and some teachers and civil servants who fled during the conflict have yet to return.(2, 6, 44-47) The recent conflict has also disrupted the academic system and left many schools destroyed, damaged, or looted.(20, 36, 45, 47-49) Birth registration is required for children to enroll in school, but birth registration was not possible in conflict zones. Ex-*Séléka* members also looted and destroyed the records at birth registration offices throughout the country.(2) Children in many areas have missed almost two years of school and the ongoing conflict has prevented some students from taking their annual examinations, which is how students advance to the next level.(20, 49) Some school buildings are also occupied by displaced civilians, while others were attacked or used by armed groups.(2, 13, 15, 20, 31, 36, 50)




## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

CAR has ratified most key international conventions concerning child labor (Table 3).

# Central African Republic

## MINIMAL ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 259 of the Labor Code (51)
Minimum Age for Hazardous Work	Yes	18	Article 263 of the Labor Code (51)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Article 262 of the Labor Code; Article 190 of the Mining Code (51, 52)
Prohibition of Forced Labor	Yes		Article 7 of the Labor Code (51)
Prohibition of Child Trafficking	Yes		Article 151 of the Penal Code (53)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 262 of the Labor Code; Articles 110 and 111 of the Penal Code (51, 53)
Prohibition of Using Children in Illicit Activities	Yes		Article 262 of the Labor Code (51)
Minimum Age for Compulsory Military Recruitment	Yes	18	<i>Legislation title unknown (54)</i>
Minimum Age for Voluntary Military Service	No		
Compulsory Education Age	Yes	15	Ordonnance N° 84/031 Orienting the Teaching System; Article 7 of the Constitution; Article 13 of Law N° 97/014 Orienting the Education System (55-57)
Free Public Education	Yes		Ordonnance N° 84/031; Article 7 of the Constitution (55-57)

Article 1 of the Labor Code extends protection to all workers in the formal sector with a work contract. Article 261 of the Labor Code mandates that the Ministry of Labor and Ministry of Public Health, in consultation with the Permanent National Labor Council, issue a joint order determining the types of activities and occupations prohibited for children, but this has yet to be issued.<sup>(51)</sup> Article 190 of the Mining Code prohibits children from working in mines and Article 262 of the Labor Code prohibits certain hazardous occupations and/or activities for children according to ILO C. 182.<sup>(11, 51, 52)</sup> However, existing prohibitions are not specific enough to facilitate enforcement. Additionally, Article 111 of the Penal Code and Article 262 of the Labor Code prohibit the use, recruitment, and sale of children for prostitution and pornography, but do not criminalize the possession and distribution of child pornography, nor do they prohibit an individual from benefiting from their proceeds.<sup>(51, 53)</sup> Research did not uncover a public version of the Government's legislation with regard to minimum age for compulsory military recruitment.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).



**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Public Service, Labor, Social Security, and Employment	Monitor and enforce laws related to child labor.(22)
Ministry of Justice (MOJ)	Investigate cases of the worst forms of child labor, including commercial sexual exploitation of children, child trafficking, and the use of children in illicit activities. The MOJ shares this responsibility with CAR's police forces.(12)

Criminal law enforcement agencies in CAR took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions.

### *Labor Law Enforcement*

The ongoing violence in CAR has limited the Government's ability to enforce child labor laws in many areas, especially in areas controlled by armed groups.(6) Government reports indicate that only 18 of the 53 labor inspectors are assigned to enforcement duties, which is insufficient to address the scope of the problem.(58, 59) Research did not find evidence that inspectors received training in 2014. The Government was unable to enforce child labor laws during the reporting period due to a lack of labor inspectorate capacity and inadequate financial and material resources, and violations were common in all sectors of the economy.(2, 58) Labor inspectors are frequently required to bear the costs incurred in carrying out their duties and their offices sometimes lack essential equipment such as doors, lights, chairs, and tables, or are inaccessible when it rains.(59) Although Article 324 of the Labor Code permits unannounced visits, none were conducted in 2014.

The Labor Code does not grant inspectors the authority to determine or assess penalties. Additionally, Articles 346 and 367 of the Labor Code make labor inspectors responsible for the resolution of labor disputes, which may prevent them from dedicating adequate time to their primary duty of enforcing labor laws. This directly contradicts ILO C. 81, which states that labor inspectors should not be responsible for resolving labor disputes.(51, 60) Research was unable to find information on the number of labor inspections, the type of inspections conducted, which sectors were inspected, the number of child labor law violations found, and the number of citations issued.

### *Criminal Law Enforcement*

MINUSCA trained 80 police officers, 46 military personnel, and 21 civilians on child rights and protection. It also conducted awareness-raising programs for 463 combatants in conjunction with UNICEF.(4, 36) However, officers lacked sufficient office facilities and transportation to carry out investigations.(61) Research found no evidence that the Government investigated or prosecuted any suspected cases of child trafficking, nor did it take measures to ensure that the victims of child trafficking were provided with protective services.(9) Information was not available on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor, investigations, convictions, or implementation of penalties. Research did not find evidence of a referral mechanism between labor enforcement and social welfare services.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established a mechanism to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Council for the Protection of Children	Coordinate policies and strategies to protect children from sexual exploitation and child soldiering. Overseen by the Prime Minister's Office and comprised of government ministries, NGOs, and international organizations.(11, 23, 45)

The National Council for the Protection of Children did not meet in 2014.(62)

# Central African Republic

## MINIMAL ADVANCEMENT

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of CAR has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
UNDAF (2012-2016)	Aims to continue peace-building efforts, strengthen the rule of law, and accelerate progress toward the Millennium Development Goals. Commits to improving reintegration activities for child ex-combatants, improving access to protective services for children, and increasing primary school attendance and access to quality education.(63, 64)
National Action Plan for Education for All (2003-2015)*	Aims to improve enrollment and completion rates for primary school. Also calls for the establishment of informal schools in rural areas to provide access to education for children ages 8 to 15 who have never attended school.(45, 65)
National Strategy for the Education Sector (2008-2020)*	Aims to improve access and retention in all levels of education by constructing 800 classrooms per year between 2008 and 2015, improving the quality and effectiveness of education, recruiting additional teachers, encouraging the establishment of private schools, and conducting awareness-raising campaigns that promote the importance of education.(66)
National Poverty Reduction Strategy II (2011-2015)*	Establishes national framework for encouraging growth and reducing poverty. Focuses on promoting security and peace, reviving the economy through regional integration, and developing human capital and social services.(45, 67)
N'djamena Declaration of the Regional Conference: Ending Recruitment and Use of Children by Armed Forces and Groups: Contributing to Peace, Justice, and Development	Represents a commitment among the signatory countries, including CAR, to eliminate the use of child soldiers. All efforts to demobilize and reintegrate child soldiers have been taken under this declaration.(68)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The Government worked with MINUSCA and other partner organizations to begin drafting a disarmament, demobilization, and reintegration strategy for child soldiers. However, the plan has yet to be fully implemented due, in part, to a lack of funding.(6, 11) Additionally, a draft of a national policy addressing the elimination of child labor is awaiting approval.(11) Given the state of insecurity in CAR, it is unlikely that any of the above policies were implemented during the reporting period.

Military leaders of two ex-*Séléka* factions issued orders in 2014 prohibiting the recruitment and use of child soldiers.(50) However, these orders are only in effect within the area these factions control.(62, 69) The use of children in armed conflict is also prohibited by Article 262 of the Labor Code.(51) However, there have continued to be widespread reports of recruitment of children into armed groups.(1, 2, 4, 9, 12-21, 36)

### VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2014, the Government of CAR participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Education Cluster*†	Funded by UNOCHA and led by UNICEF, develops and coordinates the implementation of an education program in collaboration with the Ministry of Education for schools that are able to reopen. Establishes Temporary Spaces for Learning and Child Protection (ETAPE) in Internally Displaced Persons sites in Bangui to provide safe learning environments and child protection services. As of 2014, established 118 ETAPes for 26,000 displaced children.(47, 48)
Saving Lives and Protecting Livelihoods*†	\$91.7 million WFP-funded, 9-month project to provide emergency relief to people who are displaced or food insecure as a result of ongoing violence. Expands existing food distribution programs and provides support for the expansion of basic health and educational services.(70, 71)
Shelters for Unaccompanied Children	UNICEF-supported centers in Bangui that provide immediate care, food, and psychosocial support to unaccompanied children and former child soldiers.(40)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

Although the Government participates in a program that assists former child soldiers, the scope of this program is insufficient to fully address the extent of the problem. In addition, research found no evidence that the Government has programs to assist children engaged in other worst forms of child labor, largely due to a lack of governmental capacity and funding.<sup>(6)</sup>

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in CAR (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2013 – 2014
	Establish a minimum age for voluntary recruitment and make the Government's legislation for a minimum age for compulsory military recruitment publicly available.	2013 – 2014
	Create a list of hazardous occupations and/or activities prohibited for children in consultation with employers' and workers' organizations and ensure that laws are specific enough to facilitate enforcement.	2013 – 2014
	Ensure that laws prohibit possession and distribution of child pornography, and penalize individuals from benefitting from their proceeds.	2009 – 2014
Enforcement	Strengthen enforcement of child labor laws by: Increasing the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce; Providing inspectors with training on child labor issues; Ensuring adequate resources, including office space and transportation, for inspectors to conduct an adequate number of investigations; Conducting unannounced inspections; Authorizing inspectors to determine and/or assess penalties; and Making data publicly available on the number of investigators responsible for enforcing child labor laws, the number of investigations conducted, convictions made, and penalties assessed.	2009 – 2014
	Establish a referral mechanism between labor enforcement and social welfare services.	2014
	Ensure that labor laws comply with ILO C. 81 and that labor officers have sufficient time to devote to their primary duties of enforcing labor laws.	2014
Coordination	Establish coordinating mechanisms to combat all forms of child labor, including its worst forms.	2011 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into education and poverty reduction policies.	2009 – 2014
	Adopt a policy that addresses all relevant worst forms of child labor and ensure adequate funding to fully implement action plans and policies.	2014
	Implement established policies related to child labor, including its worst forms.	2013 – 2014
Social Programs	Expand programs to assist former child combatants and children associated with armed groups.	2009 – 2014
	Improve access to education by: Eliminating the costs associated with education; Taking measures to ensure safe schools; Ensuring an adequate numbers of teachers and schools, particularly in rural areas; and Ensuring that all children have access to birth registration.	2009 – 2014
	Assess the impact that existing programs may have on child labor.	2014
	Implement programs to specifically address the worst forms of child labor.	2009 – 2014

### REFERENCES

- Perez, L. *An Uncertain Future: Children and Armed Conflict in the Central African Republic*. New York, Watchlist on Children and Armed Conflict and Internal Displacement Monitoring Centre; May 2011. [www.watchlist.org](http://www.watchlist.org).
- U.S. Department of State. "Central African Republic," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/>.
- Schlein, L. "Survey Finds Previously Isolated Community in CAR Faces Acute Hardship," *News*. Voice of America; November 15, 2011; radio broadcast; accessed January 27, 2014; <http://www.voanews.com/english/news/africa/Survey-Finds-Previously-Isolated-Community-in-CAR-Faces-Acute-Hardship-133886753.html>.
- UN Security Council. *Report of the Secretary-General on the situation in the Central African Republic*. New York; November 28, 2014. [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2014/857](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/857).

# Central African Republic

## MINIMAL ADVANCEMENT

5. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Central African Republic (ratification: 2000)* Published: 2010; accessed January 27, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:1:0::NO::>.
6. U.S. State Department official. E-mail communication to USDOL official. March 27, 2015.
7. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
8. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from MICS 4, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
9. U.S. Department of State. “Central African Republic,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226697.htm>.
10. International Crisis Group. *Dangerous Little Stones: Diamonds in the Central African Republic.* Nairobi and Brussels; December 16, 2010.
11. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Central African Republic (ratification: 2000)* Published: 2012; accessed December 23, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:1:0::NO::>.
12. U.S. Embassy- Bangui. *reporting, February 14, 2012.*
13. UN Secretary-General. *Children and armed conflict: Report of the Secretary-General*, May 15, 2014. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/68/878](http://www.un.org/ga/search/view_doc.asp?symbol=A/68/878).
14. UN Security Council. *Resolution 2149*; April 10, 2014. [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2149.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2149.pdf).
15. Xinhua General News Service. “UN Official Says LRA Still Major Violator of Children’s Rights in Africa.” news.xinhuanet.com [online] June 6, 2012 [cited January 27, 2014]; [http://news.xinhuanet.com/english/world/2012-10/11/c\\_131900502.htm](http://news.xinhuanet.com/english/world/2012-10/11/c_131900502.htm).
16. “UN: Half of Central African Republic Needs Aid.” Washington Post, Washington, DC, January 6, 2014. [source on file].
17. UN News. “More than 6,000 child soldiers may now be involved in the conflict in CAR.” un.org [online] January 17, 2014 [cited December 30, 2014]; <http://www.un.org/apps/news/story.asp?NewsID=46954#.VKMXOtLF-So>.
18. Al Jazeera. “UN decries use of child soldiers in CAR.” aljazeera.com [online] January 5, 2013 [cited January 27, 2014]; <http://www.aljazeera.com/news/africa/2013/01/201314231056418553.html>.
19. Agence France-Presse. “Child soldiers killed in Central African Republic, South African troops claim.” [online] March 31, 2013 [cited January 27, 2014]; <http://www.globalpost.com/dispatch/news/afp/130331/safrican-troops-claim-child-soldiers-killed-c-africa>.
20. Aubert, V. *Caught in a Combat Zone: The urgent need to demobilise children from armed groups in the Central African Republic.* London, Save the Children; 2014. [https://www.savethechildren.org.au/\\_data/assets/pdf\\_file/0020/67124/Caught-in-a-Combat-Zone-FINAL\\_11-December-PDF.pdf](https://www.savethechildren.org.au/_data/assets/pdf_file/0020/67124/Caught-in-a-Combat-Zone-FINAL_11-December-PDF.pdf).
21. UN High Commissioner for Refugees. “UN increasingly worried for civilians as fighting spreads in Central African Republic.” March 15, 2013. <http://www.unhcr.org/refworld/country.COI...CAF456d621e2,5148312e2,0.html>.
22. U.S. Embassy- Bangui. *reporting, January 27, 2011.*
23. U.S. Department of State. “Central African Republic,” in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/index.htm>.
24. U.S. Department of State. “Central African Republic,” in *Country Reports on Human Rights Practices- 2012*. Washington, DC; 2013; <http://www.state.gov/j/rls/rls/hrrpt/humanrightsreport/index.htm?year=2012&dclid=204102>.
25. Smith, D. “Central African Republic rebel leader announces post-coup government.” The Guardian, London, April 1, 2013. <http://www.guardian.co.uk/world/2013/apr/01/central-african-republic-leader-government>.
26. “Rebel leader appoints new government in Central African Republic.” Fox News, March 31, 2013; World. <http://www.foxnews.com/world/2013/03/31/rebel-leader-appoints-new-government-in-central-african-republic/>.
27. Nossiter, A. “Tent City in Central African Republic Swells as Violence Grips Capital.” New York Times, New York, January 13, 2014; World. [http://www.nytimes.com/2014/01/14/world/africa/tent-city-in-central-africa-swells-as-thousands-look-for-safety.html?\\_r=0](http://www.nytimes.com/2014/01/14/world/africa/tent-city-in-central-africa-swells-as-thousands-look-for-safety.html?_r=0).
28. Nossiter, A. “Violent and Chaotic, Central African Republic Lurches Toward a Crisis.” New York Times, New York, August 6, 2013; World. <http://www.nytimes.com/2013/08/07/world/africa/violent-and-chaotic-central-african-republic-lurches-toward-a-crisis.html?pagewanted=all>.
29. UN Security Council. *Chronology of Events: Central African Republic*; 2014. <http://www.securitycouncilreport.org/chronology/central-african-republic.php?page=all&print=true>.
30. USAID. *Testimony by United States Agency for International Development Assistant Administrator for Africa Earl Gast Senate Foreign Relations Committee Subcommittee on Africa December 17, 2013: Responding to the Humanitarian, Security, and Governance Crisis in the Central African Republic*; December 17, 2013. [http://pdf.usaid.gov/pdf\\_docs/pdacy046.pdf](http://pdf.usaid.gov/pdf_docs/pdacy046.pdf).
31. Integrated Regional Information Networks. “CAR - A Failed State Gets Worse.” IRINnews.org [online] November 22, 2013 [cited November 12, 2014]; <http://www.irinnews.org/printreport.aspx?reportid=99180>.
32. Integrated Regional Information Networks. “A Tentative Ceasefire in CAR.” IRINnews.org [online] July 29, 2014 [cited October 28, 2014]; <http://www.irinnews.org/report/100416/a-tentative-ceasefire-in-car>.
33. Save the Children. *State of the World’s Mothers 2014: Saving Mothers and Children in Humanitarian Crises.* Westport, CT; 2014. [http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/SOWM\\_2014.PDF](http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/SOWM_2014.PDF).
34. Integrated Regional Information Networks. “Armed Groups in CAR.” IRINnews.org [online] September 17, 2014 [cited October 28, 2014]; <http://www.irinnews.org/report/100623/armed-groups-in-car>.
35. Voice of America. “Bangui Mayor Picked as Interim CAR President.” January 20, 2014; radio broadcast; January 26, 2014; [www.voanews.com](http://www.voanews.com) [source on file].
36. UN Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926-S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
37. Dembassa-Kette, C. “Central African Republic ceasefire in tatters after clashes.” reuters.com [online] August 5, 2014 [cited December 22, 2014]; <http://www.reuters.com/article/2014/08/05/us-centralafrica-violence-idUSKBN0G527D20140805>.
38. Harding, A. “Central African Republic factions announce ceasefire.” bbc.com [2014] July 24, 2014 [cited December 22, 2014]; <http://www.bbc.com/news/world-africa-28457599>.
39. Integrated Regional Information Networks. “CAR: The Search for Justice.” IRINnews.org [online] October 30, 2014 [cited November 12, 2014]; <http://www.irinnews.org/printreport.aspx?reportid=100773>.
40. UNICEF. *More than 100 Children Released from Armed Groups in Central African Republic Over Past Week*, UNICEF, [online] August 18, 2014 [cited November 12, 2014]; [http://www.unicef.org/infobycountry/media\\_74816.html](http://www.unicef.org/infobycountry/media_74816.html).
41. Neary, L. “Child Soldiers Freed in Central African Republic Struggle to Adapt.” National Public Radio; May 18, 2014; radio broadcast; December 30, 2014; <http://www.npr.org/2014/05/18/313618348/child-soldiers-freed-in-central-african-republic-struggle-to-adapt>.
42. Zavis, A. “Ex-Child Soldiers Live with Scars of War: Conflict in the Central African Republic.” Los Angeles Times, May 11, 2014. <http://graphics.latimes.com/child-soldiers/>.



43. UNICEF. "Over 1,000 children released from armed groups in Central African Republic this year." Geneva, May 16, 2014 2014. [http://www.unicef.org/media/media\\_73533.html](http://www.unicef.org/media/media_73533.html).
44. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Central African Republic (ratification: 2000) Published: 2011*; accessed January 27, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
45. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Central African Republic (ratification: 2000) Submitted: 2011*; accessed January 27, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
46. Integrated Regional Information Networks. "Central African Republic: Education against the odds." IRINnews.org [online] February 21, 2011 [cited January 27, 2014]; <http://www.irinnews.org/report.aspx?reportid=91993>.
47. Government of the Central African Republic. *Plan de Transition 2014-2017* Ministre de l'Education Nationale et de L'Enseignement Technique; 2014 September 5. <http://www.humanitarianresponse.info/system/files/documents/files/RCA-GPE-PLAN-TRANSITION%202015-2017.pdf>.
48. UN Office for the Coordination of Humanitarian Affairs. *2014 Strategic Response Plan: Central African Republic (Revised)*; 2014 January 19, 2014. [https://docs.unocha.org/sites/dms/CAP/Revision\\_2014\\_CAR.pdf](https://docs.unocha.org/sites/dms/CAP/Revision_2014_CAR.pdf).
49. UN Committee on the Elimination of Discrimination against Women. *Consideration of Reports Submitted by States Parties: Concluding Observations: Central African Republic*. Geneva; July 24, 2014. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fCAF%2fCO%2f1-5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fCAF%2fCO%2f1-5&Lang=en).
50. UN Security Council. *Report of the Secretary-General on the situation in the Central African Republic*; August 1, 2014. [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2014/562](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/562).
51. Government of the Central African Republic. *Code du Travail de la République Centrafricaine*, Loi N° 09-004, enacted 2009. <http://www.ilo.org/dyn/natlex/docs/SERIAL/81226/100656/F718299053/Code%20travail.pdf>.
52. Government of the Central African Republic. *Loi n°9-005 Portant Code Minier de la République Centrafricaine*, enacted April 29, 2009. <http://www.droit-afrique.com/images/textes/RCA/RCA%20-%20Code%20minier%202009.pdf>.
53. Government of the Central African Republic. *Code Penal de la République Centrafricaine*, Loi N°10.001, enacted 2010. <http://www.wipo.int/edocs/lexdocs/laws/fr/cf/cf003fr.pdf>.
54. Child Soldiers International. *Louder than words*. Oxford, Oxuniprint; 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
55. United Nations Educational Scientific and Cultural Organization. *World Data on Education*. Geneva, 7th edition; 2010/2011. [http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Central\\_African\\_Republic.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Central_African_Republic.pdf).
56. Benam, E. *Donnes de Base sur le System Educatif Centrafricain: Produites a la Demande du Bureau International d'Education Geneve*. Bangui, Ministere de l'Education Nationale Bangui; 1997. <http://www.ibe.unesco.org/International/ICE/natrap/CenAfrica.pdf>.
57. Government of the Central African Republic. *Constitution de la République Centrafricaine*, enacted December 5, 2004. <http://www.pmcar.org/constitution.asp>.
58. ILO Committee of Experts. *Individual Observation concerning Labor Inspection Convention, 1947 (No. 81) Central African Republic (ratification: 1964) Published: 2014*; accessed December 29, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
59. ILO Committee of Experts. *Individual Observation concerning Labor Inspection Convention, 1947 (No. 81) Central African Republic (ratification: 1964) Published: 2013*; accessed December 29, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
60. ILO Committee of Experts. *Direct Request concerning Labor Inspection Convention, 1947 (No. 81) Central African Republic (ratification: 1964) Published: 2014*; accessed December 29, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
61. U.S. Embassy- Bangui. *reporting, February 17, 2010*.
62. U.S. State Department official. E-mail communication to USDOL official. May 5, 2015.
63. United Nations, and Ministry of State for Planning and Economy, GOVERNMENT of the Central African Republic. *UNDAF+ 2012 - 2016*. Bangui; May 2011. [http://www.undg.org/docs/12008/UNDAF+-2012-2016-CAR\\_DUP\\_07-07-2011\\_01-56-48-790\\_PM.pdf](http://www.undg.org/docs/12008/UNDAF+-2012-2016-CAR_DUP_07-07-2011_01-56-48-790_PM.pdf).
64. Government of Central African Republic. *UNDAF+ 2012 - 2016 Action Plan*. Bangui; May 2012. [http://www.undg.org/docs/12008/UNDAF+-2012-2016-CAR\\_DUP\\_07-07-2011\\_01-56-48-790\\_PM.pdf](http://www.undg.org/docs/12008/UNDAF+-2012-2016-CAR_DUP_07-07-2011_01-56-48-790_PM.pdf).
65. Government of the Central African Republic. *National Action Plan for Education, 2003-2015*. Bangui; November 2002. <http://planipolis.iiep.unesco.org/upload/Central%20African%20Republic/Central%20African%20Republic%20PNA%20EPT.pdf>.
66. Ministry of Education, Literacy, Higher Education and Research, Government of the Central African Republic. *National Strategy of the Education Sector*. Bangui; 2008. [http://planipolis.iiep.unesco.org/upload/Central%20African%20Republic/CAR\\_education\\_strategy\\_2008\\_2020.pdf](http://planipolis.iiep.unesco.org/upload/Central%20African%20Republic/CAR_education_strategy_2008_2020.pdf).
67. Government of the Central African Republic. *Poverty Reduction Strategy Paper II, 2011-2015*. Bangui; 2011. [http://www.cf.undp.org/content/dam/car/docs/pauvre%C3%A9/rcafb\\_povertyredstrategy2011-2015\\_en.pdf](http://www.cf.undp.org/content/dam/car/docs/pauvre%C3%A9/rcafb_povertyredstrategy2011-2015_en.pdf).
68. Government of Cameroon, Government of Central African Republic, Government of Chad, Government of Nigeria, Government of Niger, and Government of Sudan. *N'djamena Declaration of Regional Conference: Ending Recruitment and Use of Children by Armed Forces and Groups; Contributing to Peace, Justice and Development*, enacted June 9, 2010. [http://www.unicef.org/protection/files/DDR\\_Conference\\_Declarations\\_de\\_NDjamena.pdf](http://www.unicef.org/protection/files/DDR_Conference_Declarations_de_NDjamena.pdf).
69. U.S. State Department official. E-mail communication to USDOL official. April 28, 2015.
70. World Food Programme. *Emergency Operation Central African Republic 200650*; n.d. [http://one.wfp.org/operations/current\\_operations/project\\_docs/200650.pdf](http://one.wfp.org/operations/current_operations/project_docs/200650.pdf).
71. World Food Programme. *Central Africa Republic: WFP Activities*, World Food Programme, [online] [cited November 12, 2014]; <http://www.wfp.org/countries/in-car-wfp-providing-school-meals-to-more-than-50-000-in-capital-bangui/operations/wfp-activities>.



# Chad

## MODERATE ADVANCEMENT

In 2014, Chad made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government issued Ordinance 001/PR/2014, which criminalized the recruitment and use of children in armed conflict, and signed a protocol with the UN that includes protections for children associated with armed groups, regardless of their country of origin. The Ministry of Women, Social Action, and National Solidarity also integrated a mandatory course on child protection into the curriculum of training institutions for police, gendarmerie, judges, military personnel, and social workers. Additionally, the UN Secretary General removed Chad from its list of governments that recruit and use child soldiers. However, children in Chad are engaged in child labor, including in cattle herding and agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. Many gaps remain in the legal framework and there are no specific laws that prohibit the use of children in illicit activities.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chad are engaged in child labor, including in cattle herding and agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-9) Table 1 provides key indicators on children’s work and education in Chad.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	29.6 (1,073,282)
Attending School (%)	5-14 yrs.	47.7
Combining Work and School (%)	7-14 yrs.	18.4
Primary Completion Rate (%)		35.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(10)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 4, 2010.(11)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting crops,* activities unknown (1, 3)
	Collecting and chopping wood* (8, 9)
	Herding cattle (1-3, 7)
Industry	Mining*†, including panning for gold (3)
	Building walls* (9)
	Making bricks* (1, 9)
Services	Domestic work (1-3, 5, 7-9)
	Street work*, including vending and carrying heavy loads (1, 2, 9)
	Begging (1-3, 7)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation sometimes as a result of human trafficking (3, 5-9)
	Forced labor in fishing sometimes as a result of human trafficking* (3, 12)
	Forced labor in domestic work, herding cattle, begging,* street vending,* and work in agriculture* each sometimes as a result of human trafficking (1-3, 5-8, 13)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Child trafficking occurs primarily within Chad, although children are occasionally trafficked to neighboring countries for forced labor in domestic work and commercial sexual exploitation.(3, 5, 7, 12, 13) Domestically, boys known as *mahadjirine* may be sent to Koranic schools to receive an education. Some of these boys are forced to beg and surrender the money they receive to their teachers.(1-3, 5, 14)

The Constitution and Law N°016/PR/06 Orienting the Education System mandate free and compulsory education in Chad.(15, 16) However, there is a lack of schools throughout the country and parents are often required to pay for part of teachers’ salaries, textbooks, and other school-related fees, which may prevent some children from attending school.(3)







In 2014, Chad was removed from the UN Secretary General’s list of governments that recruit and use child soldiers.(1, 17, 18) The Government fully implemented the June 2011 Action Plan to End the Recruitment and Use of Children in Armed Conflict and there were no new reports of children being recruited into armed groups.(18) Verification visits conducted by UNICEF and the Government of Chad in military zones across the country confirmed this.(1, 13)

During the reporting period, Chad continued to experience food insecurity and hosted an estimated 526,000 foreign refugees, including adults and children associated with armed conflict, displaced by instability in neighboring Nigeria, the Central African Republic (CAR), and South Sudan.(13, 18-22) The influx of refugees, especially children, from CAR has overwhelmed Chad’s existing social services and shelters, detracting from the Government’s efforts to combat child labor.(1) Given Chad’s limited resources, both of these ongoing situations may affect the Government’s ability to address the worst forms of child labor.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Chad has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 52 of the Labor Code; Article 1 of Decree N° 55 PR/MTJS-DTMOPS Relating to Child Labor (23, 24)

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Hazardous Work	Yes	16	Articles 6 and 7 of Decree N° 55 PR/MTJS-DTMOPS Relating to Child Labor (23)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Article 6 of Decree N° 55 PR/MTJS-DTMOPS Relating to Child Labor (23)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution; Article 5 of the Labor Code ; Articles 286 and 290 of the Penal Code (16, 24, 25)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 279-282 of the Penal Code (26)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	Yes	20	Article 32 of Law N° 06-012 2006-03-10 PR 91 on the Organization of the Armed Forces (27)
Minimum Age for Voluntary Military Service	Yes	18	Article 32 of Law N° 06-012 2006-03-10 PR 91 on the Organization of the Armed Forces; Article 52 of Military Statute N°006/PR/06 (27, 28)
Compulsory Education Age	Yes	16	Articles 21, 23, 25 and 28 of Law N° 016/PR/06 Orienting the Education System; Article 35 of the Constitution (15, 16)
Free Public Education	Yes		Article 9 of Law N° 016/PR/06 Orienting the Education System; Article 35 of the Constitution (15, 16)

Decree N°55 PR/MTJS-DTMOPS Relating to Child Labor prohibits certain hazardous activities for children under age 18, and prohibits other activities for children under age 16. Children ages 16 and 17 can legally be employed in hazardous tasks such as working with hand- or foot-powered machinery, operating machinery with sharp blades, and working on scaffolding in construction sites.(23) Additionally, there are no laws prohibiting child pornography.(26) Articles 279 and 280 of the Penal Code penalize the act of placing a child in a position of “debauchery” or commercial sexual exploitation with imprisonment of two to five years and fines ranging from \$200 - \$4,000. This language is not explicit in criminalizing the use of children in illicit activities or pornography, however.(26)

In February 2014, the Government issued Ordinance N° 001/PR/2014, which criminalized the recruitment and use of children in armed conflict.(13, 29, 30) The Ordinance includes penalties of 5 to 10 years imprisonment and a fine ranging from \$200 to \$2,000.(31) In September, the Government and the United Nations signed a protocol that includes protections for children associated with armed groups and/or detained during military operations, regardless of their country of origin.(17, 18)

Existing laws and regulations are not sufficient deterrents against the worst forms of child labor. The Government, UNICEF, and local NGOs all support this assessment.(1) A draft of the Child Protection Code and an amendment to the Penal Code are waiting to be ratified by the National Assembly and signed into law by the President. Both laws contain provisions specifically criminalizing child trafficking, and the Child Protection Code criminalizes the use of children in illicit activities.(1, 13, 17, 32-35) The Ministry of Justice and Human Rights worked with the UNODC to draft specific legislation addressing trafficking in persons, which should be completed in 2015.(1, 13) Existing legislation does not explicitly prohibit differentiate between domestic and international human trafficking or prohibit trafficking in persons for the purposes of commercial sexual exploitation or forced labor. However, the Government of Chad has used Articles 286 and 290 of the Penal Code to prosecute cases of child trafficking.(1, 25) The Government is also revising the Labor Code to extend protection to children working in the informal sector and update its hazardous work list, which has not been reviewed since 1969. The existing hazardous work list is not specific enough to facilitate enforcement and was not drafted in consultation with employers’ and workers’ unions.(2, 23, 36)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Public Service, Labor, and Employment	Implement and enforce child labor laws.(1, 3)
Ministry of Women, Social Action, and National Solidarity's (MWSANS) Coordination Committee's Children and Justice Working Group	Work to prevent child abuse and endangerment and train government personnel on the rights of women and children, including victims of human trafficking.(1, 12) Provide interim accommodation for children removed from dangerous situations, including child soldiers removed from the military, victims of child trafficking, and children removed from situations of exploitative child labor.(1, 3) In the case of the Coordination Committee's Children and Justice Working Group, coordinate MWSANS's efforts on trafficking in persons, including training, community education programs, and improving the nationwide network of government organizations that address trafficking in persons.(37) In December 2014, the Government of Chad, in coordination with UNICEF, developed training modules and drafted police guidelines for handling cases involving women and children. MWSANS also mapped the judicial and security sectors to identify players and gaps in the system, and trained police officers and Child Protection point of contacts assigned to police stations.(12)
Ministry of Justice and Human Rights	Draft and enforce laws, including child labor laws and laws on human trafficking, which include fines and prison sentences.(1, 3) In the case of the Directorate General of Human Rights, coordinate efforts by local and international NGOs to protect human rights. Chair the Inter-Ministerial Committee on Trafficking in Persons (ICTIP).(1, 3)
National Police's Child Protection Brigade	Enforce criminal laws against child labor, including its worst forms. Investigate cases involving women and children, including victims of human trafficking. Brigades are housed in police stations throughout the country.(1, 34)

In 2014, the Ministry of Women, Social Action, and National Solidarity (MWSANS) was combined with the Ministry of Public Health for several months, during which non-emergency programming slowed.(1, 12)

Law enforcement agencies in Chad took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Public Service, Labor, and Employment employed approximately 20 inspectors, who were deployed throughout the country.(1, 34) However, both the Government and local NGOs acknowledge that the number of labor inspectors is insufficient and inspectors receive inadequate training.(1, 3, 38) The International Bureau of Children's Rights (IBCR), in collaboration with MWSANS, held two training sessions from March to April 2014, and November to December 2014, for police officers and Child Protection points of contact at police stations on new police procedures for handling cases involving minors and women.(12) Inspectors did not receive training during the reporting period however, and they do not have adequate financial or material resources, including office equipment, vehicles, and fuel to conduct sufficient investigations outside the capital.(1, 38) The Government also reports labor inspectors spend the majority of their time reconciling disputes, rather than enforcing labor laws.(38) The Labor Code does not grant inspectorates authority to determine or assess penalties for violations.(24)

Although Article 479 of the Labor Code permits inspectors to conduct unannounced visits, this did not occur in 2014. Inspections were typically conducted in response to complaints.(24, 34) Inspectors conducted site visits, primarily to raise awareness on child labor laws rather than inspect work conditions.(1, 34) During the reporting period, the Government did not collect or publish comprehensive statistics on the number of inspections conducted, child labor violations, or citations and penalties.(36) Research did not find evidence of a referral mechanism between labor enforcement and social welfare services.

### ***Criminal Law Enforcement***

In 2014, the National Police's Child Protection Brigade employed 50 labor investigators, and has expanded its presence beyond the original six offices established in 2013. However, the number of investigators remains insufficient to enforce labor laws.(1) UNICEF, MWSANS, and IBCR provided trainings on the rights of children throughout the year. Additionally, MWSANS integrated a mandatory course on child protection into the curricula of training institutions for police, gendarmerie, judges, military personnel, and social workers.(1) In 2014, MWSANS, with support from UNICEF, also provided training on child protection and child trafficking to 1,500 Chadian peacekeepers prior to their deployment to Mali.(13, 18) Despite assistance from UNICEF, which included constructing a headquarters building in N'Djamena and providing computers and other equipment, investigators still had inadequate resources, which hindered their ability to respond to complaints of child labor violations.(1, 13) The judicial

# Chad

## MODERATE ADVANCEMENT

system in Chad is underfunded, which makes prosecuting cases of child labor difficult. Courts are generally weak, and in rural areas are largely still governed by traditional laws. As a result, the judicial system is ill-equipped to enforce laws against the worst forms of child labor.(3, 39)

During the reporting period, the Government demobilized 44 child soldiers who fled from CAR militias and provided them with shelter. Some of these children were reunited with their families.(1, 18, 34) The Government conducted a field assessment and investigation to identify and map trafficking in persons circuits, identifying source, destination, and transit regions within the country.(13) Inspectors conducted investigations in four regions in Southern Chad where child labor is most prevalent, which included domestic work, herding cattle, and *mahadjirine* children from Islamic schools.(1) Three individuals were convicted of child trafficking during the reporting period, including a military officer.(12) The individuals were sentenced to prison terms and at least one individual received a fine as well. Two of the children in these cases were reunited with their families.(1, 12) Additionally, 26 *mahadjirine* children were removed from Koranic schools and returned to their families.(12) The Islamic teacher was tried but acquitted of child labor violations since he was deemed to be acting within the scope of his religious duties.(1) When victims of child labor violations are found, the National Police refer victims to MWSANS for social services and notifies the Ministry of Justice and Human Rights or the Ministry of Public Service, Labor, and Employment for prosecution.(1)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Inter-Ministerial Committee on Child Soldiers	Coordinate government efforts to eliminate the use of children in armed conflict.(36) Located in each of the eight military regions, committees are comprised of representatives from MWSANS; Ministries of Justice and Human Rights; Health; Education; the army; gendarmerie; and civil society organizations.(34, 40) Also conduct awareness-raising activities and trainings in the military.(1, 29, 41)
Inter-Ministerial Committee on Trafficking in Persons (ICTIP)	Coordinate Government efforts to combat exploitative child labor, including its worst forms and propose revision of national legislation to conform to international standards.(1, 37, 42) Led by the Directorate General of Human Rights and includes representatives from the Presidency; Prime Minister's Office; National Assembly; MWSANS; Ministries of Economy; Planning and Cooperation; Foreign Affairs; Territorial Administration; and Public Security; as well as international NGOs and civil society.(13) The ICTIP's structure is based on recommendations by the UN and modeled after the existing Inter-Ministerial Committee on Child Soldiers.(36)
MWSANS's Regional Child Protection Committees	Coordinate regional government efforts to address the worst forms of child labor.(6, 40) Includes representatives from the Ministry of National Education; Ministry of Justice and Human Rights; and MWSANS, as well as a representative from the police.(1)

The Inter-Ministerial Committee on Trafficking in Persons (ICTIP) is the primary body charged with addressing exploitative child labor. Although the Government merged and renamed several ministries during the reporting period, there was no change to ICTIP's structure and it met four times in 2014.(1, 37, 43) Additionally, MWSANS reports the Regional Child Protection Committees were not very active during the reporting period.(34)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Chad has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
2013 Child Soldiers Action Plan	In partnership with the UN, aims to eliminate the use of child soldiers.(33, 41, 44-46) The Government, in collaboration with UNICEF, created a road map of 10 specific objectives to achieve this action plan and successfully implemented seven of the 10 objectives.(36, 41, 47)
N'djamena 2010 Declaration of Regional Conference: Ending Recruitment and Use of Children by Armed Forces and Groups; Contributing to Peace, Justice, and Development	Represents a commitment among six signatory countries, including Chad, to eliminate the use of child soldiers in their territories.(33, 48-50) Forms the basis for the 2013 Child Soldiers Action Plan and accompanying UNICEF Road Map.(34)



**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Child Protection Program (2013-2015)	MWSANS and UNICEF policy which aims to improve the Government's ability to protect women and children in accordance with the Child Protection Code and Ordinance 001/PR/2014, which criminalized the recruitment and use of children in armed conflict.(12) Provides training on child labor and child trafficking issues for police, gendarmes, military, social workers, and the judiciary. Under this program, 22 Child Protection points of contact in 28 police stations and the Child Protection Brigade are responsible for collecting data on child trafficking.(12)
National Development Plan (2013-2015)*	Places emphasis on education, economic growth, poverty reduction, improving food security, developing human capital, and creating additional youth employment opportunities.(33, 51) The African Development Bank-funded Project to Support the Education Sector (PASE) provides ongoing training for teachers and strengthens public administration capacities was consolidated into the NDP in 2014.(1, 52) The Government funded three other projects as part of the NDP: (1) Intermediate Strategy for Education and Literacy (SIPEA); (2) Project in support of reform of the education sector in Chad (PARSET); and (3) Project in support of the implementation of the sectoral policy for education in Chad (PAPST). These projects support educational and institutional reform with the aim of achieving universal quality primary education by 2015 by building 1,500 classrooms per year until 2015 and purchasing textbooks and manuals for students.(33) In 2014, the Government conducted a donor appeal that raised nearly \$200 million for this plan.(1)
Education Initiative (2000-2015)*	Aims to increase access and equity to schooling and improve the quality of teaching and school infrastructure, with an emphasis on girls and other marginalized groups.(52, 53)
UNDAF (2012-2015)*	Aims to alleviate extreme poverty, improve food security, and increase human capital, particularly for youth and women.(54)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Although the Government of Chad has adopted policies on child trafficking and child soldiers, research found no evidence of a policy on other worst forms of child labor such as commercial sexual exploitation or forced labor in domestic work and herding cattle.(3)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Chad funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms.(Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Decent Work Country Program (2013-2015)*	Aims to improve work conditions in Chad through the promotion of employment opportunities and strengthening social protection. Emphasizes quality universal primary education and non-agricultural job opportunities.(55)
Transition Center‡	Centers run by the Ministry of Defense that provides family reunification and reintegration assistance to former child soldiers. MWSANS, in collaboration with UNICEF, implements a program for the demobilization and reinsertion of child soldiers.(33, 42, 56)
Reception Centers‡	Centers run by MWSANS located throughout the country that provide temporary assistance to victims of child trafficking, including food, education, medical and psychological care, and reintegration services.(13)
Awareness-Raising Activities‡	Government program that conducts outreach campaigns to raise awareness and prevent child trafficking, the use of children in armed conflict, and the exploitation of children as herders.(3, 33, 57)
Income-Generating Activities‡	Government program that provides grants to women's groups as part of MWSANS's strategy to empower women and children in the fight against child trafficking and gender based violence.(40)
Birth Registration Campaign*	UN-funded program as part of the National Birth Registry Code that conducts birth registrations and deploys mobile registration units. Includes the development of a 2-year strategy for capacity-building in civil registration.(29, 41, 42) The Government, in collaboration with the Chadian Association for the Promotion of Fundamental Freedoms and UNICEF, launched awareness campaigns in 12 municipalities to promote birth registration.(12) The Government also issued birth certificates to Sudanese and CAR refugees living in Chad in July and August.(12)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Chad.

# Chad

## MODERATE ADVANCEMENT

Although Chad has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem adequately, particularly in agriculture, herding, forced begging, and domestic work.(2)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Chad (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure laws differentiate between domestic and international human trafficking, and prohibits trafficking in persons for the purposes of commercial sexual exploitation or forced labor.	2009 – 2014
	Ensure laws specifically prohibit children from being used, offered, or procured for illicit activities.	2011 – 2014
	Ensure all children under age 18 are prohibited from engaging in hazardous occupations or activities.	2014
	Ensure laws specifically prohibit the production, distribution, possession, and benefiting from the proceeds of child pornography.	2014
	Ensure the draft Child Protection Code, the revised Labor Code, and the revised Penal Code provide protection to all children engaged in work, regardless of sector.	2009 – 2014
	Periodically review and update as necessary the hazardous occupations and/or activities prohibited for children in consultation with employers' and workers' organizations and ensure it is specific enough to facilitate enforcement.	2009 – 2014
Enforcement	Strengthen enforcement of child labor laws by: <ul style="list-style-type: none"> <li>■ Increasing the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce;</li> <li>■ Providing additional training on child labor issues;</li> <li>■ Ensuring inspectors' primary duty is the enforcement of labor laws;</li> <li>■ Providing adequate resources for inspectors to conduct investigations, particularly outside the capital;</li> <li>■ Proactively planning inspections and including unannounced inspections;</li> <li>■ Authorizing inspectorates to determine and/or assess penalties; and</li> <li>■ Establishing a referral mechanism between labor law enforcement and social welfare services.</li> </ul>	2012 – 2014
	Make statistics regarding the enforcement of child labor laws publicly available, including the number of inspections, prosecutions, violations, and citations/penalties.	2009 – 2014
	Provide law enforcement officials and judges with adequate resources to enforce laws against the worst forms of child labor.	2009 – 2014
Coordination	Ensure Regional Child Protection Committees are active.	2014
Government Policies	Adopt a policy to combat all worst forms of child labor in Chad, such as commercial sexual exploitation and forced labor in domestic work and herding cattle.	2009 – 2014
	Integrate child labor elimination and prevention strategies into the National Development Plan, Education Initiative, and UNDAF.	2014
Social Programs	Ensure access to education for all children by eliminating school-related fees and improving access to schools throughout the country.	2014
	Assess the impact that existing programs may have on child labor.	2014
	Establish and expand programs providing services to children engaged in child labor, especially in agriculture, herding, domestic service, and forced begging.	2009 – 2014

### REFERENCES

1. U.S. Embassy- N'Djamena. *Reporting, January 21, 2015.*
2. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chad (ratification: 2000) Published: 2014;* accessed December 31, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
3. U.S. Department of State. "Chad," in *Country Reports on Human Rights Practices-2013.* Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220308.pdf>.
4. U.S. Department of State official. E-mail communication to USDOL official. December 21, 2010.
5. Zwaenepoel, C. *Le phénomène de la traite des personnes au Tchad: Observations Qualitatives.* Geneva, International Organization for Migration; n.d. <http://www.iom.int/files/live/sites/iom/files/pbn/docs/Le-Phenomene-de-la-Traite-des-Personnes-au-Tchad.pdf>.
6. U.S. Embassy- N'Djamena. *Reporting, February 20, 2013.*
7. U.S. Department of State. "Chad," in *Trafficking in Persons Report- 2014.* Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226698.htm>.

8. Sufi, Q. "Chad Human Trafficking Challenge: IOM Report." International Organization for Migration, N'Djamena, June 10, 2014. <http://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2014/pbn-listing/chad-human-trafficking-challenge.html>.
9. UNHCR. "La faim, et des choix difficiles, pour les réfugiés luttant pour leur survie en Afrique." July 1, 2014. <http://www.unhcr.fr/53b2cadcf.html>.
10. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
11. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
12. U.S. Embassy- N'Djamena official. E-mail communication to USDOL official. April 28, 2015.
13. U.S. Embassy- N'Djamena. *Reporting, February 18, 2015*.
14. U.S. Department of State. "Chad," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/ris/tiprpt/2013/index.htm>.
15. Government of Chad. *Orientation du système éducatif Tchadien, Loi No. 016/PR/06*, enacted March 13, 2006.
16. Government of Chad. *Constitution, Loi No. 05-008 2005-07-15 PR*, enacted March 31, 1996. <http://legitchad.cefod-tchad.org/texte/519>.
17. UNHRC. *Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict, Leïla Zerrougui*. Geneva, UNHRC; 2014. [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A\\_HRC\\_28\\_54\\_ENG.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_54_ENG.doc).
18. United Nations Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 -S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
19. WFP. *Chad Overview*, [cited January 5, 2015]; <https://www.wfp.org/countries/chad/overview>.
20. UNHCR. *2015 UNHCR country operations profile: Chad*, UN, [online] [cited January 5, 2015]; <http://www.unhcr.org/pages/49e45c226.html>.
21. Andriamasinoro, LF. "An influx of returnees raises humanitarian needs in Chad." *unicef.org* [online] 2014 [cited January 6, 2015]; [http://www.unicef.org/infobycountry/chad\\_71816.html](http://www.unicef.org/infobycountry/chad_71816.html).
22. IRIN. "Statelessness = invisibility in West Africa." *Integrated Regional Information Networks*, Dakar, July 15, 2014. <http://www.irinnews.org/report/100348/statelessness-invisibility-in-west-africa>.
23. Government of Chad. *PR-MT JS-DTMOPS du février 1969 relatif au travail des enfants, Décret No. 55*, enacted 1969. [source on file].
24. Government of Chad. *Code du Travail, Loi No. 038/PR/96*, enacted December 11, 1996. [www.droit-afrique.com/images/textes/Tchad/Tchad%20-%20Code%20du%20travail.pdf](http://www.droit-afrique.com/images/textes/Tchad/Tchad%20-%20Code%20du%20travail.pdf).
25. Government of the Central African Republic. *Code Penal de la République Centrafricaine, Loi N°10.001*, enacted 2010. <http://www.wipo.int/edocs/lexdocs/laws/fr/cf/cf003fr.pdf>.
26. Government of Chad. *Promulgation d'un code pénal, Loi No. 12-67-PR-MJ*, enacted June 9, 1967.
27. Government of Chad. *Loi 06-012 2006-03-10 PR Loi portant réorganisation des Forces Armées et de Sécurité*, enacted March 10, 2006. <http://legitchad.cefod-tchad.org/textel/716>.
28. Government of Chad. *Statut general des militaires, Loi No. 006/PR/92*, enacted April 28, 1992.
29. Child Soldiers International. *Briefing on the status of implementation of the June 2011 Action Plan on children associated with armed forces and groups and its 10-Point Roadmap*. London; March 13, 2014. [http://www.child-soldiers.org/research\\_report\\_reader.php?id=748](http://www.child-soldiers.org/research_report_reader.php?id=748).
30. Government of Chad. *Ordonnance N° 001/PR/2014 Portant Interdiction et Répression de l'Enrôlement et de l'utilisation des enfants dans les conflits armés*, enacted January 27, 2014. [source on file].
31. U.S. Embassy- N'Djamena official. E-mail communication to USDOL official. June 2, 2014.
32. RFI. "Tchad: le nouveau code pénal pénalise fortement l'homosexualité." September 15, 2014. <http://www.rfi.fr/afrique/20140915-tchad-le-nouveau-code-penal-penalise-fortement-homosexualite/>.
33. UNHRC. *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Chad*. Geneva, United Nations General Assembly, July 17, 2013. [http://www.upr-info.org/sites/default/files/document/chad/session\\_17\\_-\\_october\\_2013/a\\_hrc\\_wg.6\\_17\\_tcd\\_1\\_chad\\_e.pdf](http://www.upr-info.org/sites/default/files/document/chad/session_17_-_october_2013/a_hrc_wg.6_17_tcd_1_chad_e.pdf).
34. U.S. Embassy- N'Djamena official. E-mail communication to USDOL official. February 13, 2015.
35. Government of Chad. *DRAFT Loi Portant Code de Protection de l'Enfant*, enacted Drafted 2014. [source on file].
36. U.S. Embassy- N'Djamena. *Reporting, January 22, 2014*.
37. U.S. Embassy- N'Djamena official. E-mail communication to USDOL official. February 26, 2015.
38. ILO Committee of Experts. *Direct Request concerning Labour Inspection Convention, 1947 (No.81) Chad (ratification: 1965) Published: 2014*; accessed October 26, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
39. U.S. Embassy- N'Djamena. *Reporting, February 14, 2011*.
40. U.S. Embassy- N'Djamena. *Reporting, February 14, 2014*.
41. UN Secretary-General. *Children and armed conflict: Report of the Secretary-General*, May 15, 2014. <http://reliefweb.int/sites/reliefweb.int/files/resources/N1431583.pdf>.
42. UNHRC. *Report of the Working Group on the Universal Periodic Review: Chad*. Geneva, United Nations General Assembly. <http://www.refworld.org/docid/52f8c8f54.html>.
43. U.S. Embassy- N'Djamena. *Reporting, January 13, 2015*.
44. *Un enfant ne doit pas être un soldat!* UNICEF, Child Soldiers International, N'Djamena: UNICEF Tchad; May 2014. <http://www.child-soldiers.org/chad/index.html>.
45. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chad (ratification: 2000) Published: 2014*; accessed December 31, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
46. La Rose, T. "Chad Signs An Action Plan To End Recruitment And Use Of Children In Its National Army And Security Forces." UN Office of the Special Representative of the Secretary General for Children and Armed Conflict, June 16, 2011. <https://childrenandarmedconflict.un.org/press-release/16jun11/>.
47. Tremblay, S. "Chad Commits to an Acceleration of the Action Plan to End the Recruitment and Use of Child Soldiers." UN Office of the Special Representative of the Secretary General for Children and Armed Conflict, May 22, 2013. <https://childrenandarmedconflict.un.org/chad-commits-to-an-acceleration-of-the-action-plan-to-end-the-recruitment-and-use-of-child-soldiers/>.
48. Government of Cameroon, Government of Central African Republic, Government of Chad, Government of Nigeria, Government of Niger, and Government of Sudan. "Ending Recruitment and Use of Children by Armed Forces and Groups; Contributing to Peace, Justice and Development," in N'djamena; June 7-9, 2010;
49. Zulfikar, S, H Calderon. "Chad and five other Central African countries pledge to end use of children in armed conflict." June 11, 2010. [http://www.unicef.org/infobycountry/chad\\_53966.html](http://www.unicef.org/infobycountry/chad_53966.html).
50. U.S. Embassy- N'Djamena. *Reporting, June 29, 2011*.
51. Government of Chad. *Plan National de Développement (PND 2013-2015)*, enacted April 2013. <http://www.td.undp.org/content/dam/chad/docs/docpays/UNDP-TD-PLAN-NAT-DVLP-2013.pdf>.
52. African Development Bank. *Projet d'Appui au Secteur de l'Education (PASE) Rapport d'Achevement de Projet (RAP)*; September 2013. [http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Tchad\\_-\\_Projet\\_d\\_appui\\_au\\_secteur\\_de\\_l\\_education\\_PASE\\_-\\_Rapport\\_d%20E2%80%99ach%3%A8vement\\_de\\_projet.pdf](http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Tchad_-_Projet_d_appui_au_secteur_de_l_education_PASE_-_Rapport_d%20E2%80%99ach%3%A8vement_de_projet.pdf).
53. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chad (ratification: 2000) Published: 2011*; accessed January 14, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
54. Government of Chad. *Cadre intérimaire d'Assistance au Développement 2012-2015: Extension du Cadre 2012-2013 sur la période 2014-2015*. N'Djamena, UNDAF; 2014. [http://www.undg.org/docs/13560/Cadre\\_interimair-undaf-final-version\\_FINAL\\_web.pdf](http://www.undg.org/docs/13560/Cadre_interimair-undaf-final-version_FINAL_web.pdf).
55. Government of Chad. *Programme Pays pour un Travail Décent (PPTD) 2013-2015*; March 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/tchad1315.pdf>.
56. U.S. Embassy- N'Djamena. *Reporting part 2, October 23, 2013*.
57. U.S. Embassy- N'Djamena. *Reporting, November 22, 2013*.

# Chile

## SIGNIFICANT ADVANCEMENT

In 2014, Chile made a significant advancement in efforts to eliminate the worst forms of child labor. The Government created the Social Observatory to Eradicate Child Labor, a coordinating mechanism for research and outreach efforts on child and adolescent labor. As part of the ongoing implementation of Education Decree 280 of 2009, indigenous language and cultural education is now required at schools with 20 percent or more indigenous children. The National Minors' Service (SENAME) assisted 1,290 child victims of commercial sexual exploitation. SENAME registered 386 cases in its Worst Forms of Child Labor Registry. Chile also continued to implement several programs targeting the worst forms of child labor. However, children in Chile are engaged in child labor, including in retail, and in the worst forms of child labor, including in illicit activities. The Government has yet to adopt a new national plan against child labor.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chile are engaged in child labor, including in retail. Children are also engaged in the worst forms of child labor, including in illicit activities.(1-4)

The results of the 2012 National Survey on Activities of Children and Adolescents (*Encuesta de Actividades de Niños, Niñas y Adolescentes*) indicate that 70.6 percent of working children ages 5 to 17 are engaged in work classified as hazardous.(1, 3) Thirty-nine percent of children found in the worst forms of child labor are engaged in illicit activities, including in the production and trafficking of drugs.(5) Table 1 provides key indicators on children's work and education in Chile.

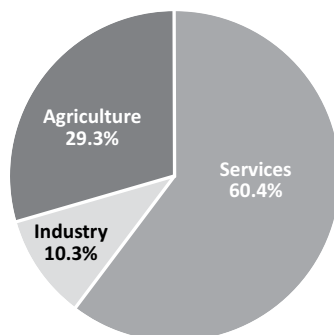
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.8 (94,025)
Attending School (%)	5-14 yrs.	99.5
Combining Work and School (%)	7-14 yrs.	4.5
Primary Completion Rate (%)		97.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Actividades de Niños, Niñas y Adolescentes Survey, 2012.(7)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting crops, selling crops, and working on agricultural loading docks* (3, 8) Livestock rearing* (3, 8)



**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Agriculture	Forestry,*† activities unknown (3, 9)
	Hunting,* activities unknown (3, 9)
	Fishing,* activities unknown (3, 9)
Industry	Construction,* activities unknown (1, 3, 8)
	Production of ceramics,* books,* and garments* (8)
	Domestic work (1-3)
	Washing cars* and repairing shoes* (3, 8)
Categorical Worst Forms of Child Labor‡	Street work, including street vending and work in retail,* activities unknown (1, 3, 8, 10)
	Used in illicit activities, including in the production and distribution of drugs sometimes as a result of human trafficking* (2, 4, 11)
	Forced labor in agriculture,* mining,* domestic work,* and hospitality sectors* each sometimes as a result of human trafficking (2, 8)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 8, 12, 13)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

The commercial sexual exploitation of children occurs in cities, in open public areas, and in other venues, such as bars and dance clubs.(2) Child trafficking occurs internally and, to a lesser extent, from Chile to other Latin American countries for commercial sexual exploitation. Girls from other Latin American countries are also trafficked to Chile for commercial sexual exploitation and domestic work.(14) Children are used to transport drugs in the border area with Peru and Bolivia.(8) Limited evidence suggests that children from Bolivia, Colombia, Ecuador, Paraguay, and Peru are found in forced labor in the agriculture, mining, domestic work, and hospitality sectors.(2) Indigenous children and adolescents from Otavalo, Ecuador, are also vulnerable to trafficking for labor exploitation in Chile.(11)

Data from the Government’s National Minors’ Service (SENAME) indicate that in 2014, approximately 506 children lived on the streets and approximately 2,343 children were found engaging in different activities on streets in the metropolitan region of Santiago. The Santiago region reported the highest incidence of children living and working on the streets.(15-17) However, no information is available on the types of activities children performed while working on the streets.

The Araucania region of Chile experiences the highest levels of poverty; it is also a region with a large indigenous population.(3) There is no recent data available on the percentage of indigenous children engaged in child labor in Chile; the last comprehensive study conducted on child labor among indigenous children in Chile is from 2005.(18)

Limited evidence suggests that access to education is a problem for indigenous children, who are vulnerable to the worst forms of child labor.(19) However, as of 2014, indigenous language and cultural education is required at schools with 20 percent or more indigenous children as a part of the Government’s Indigenous Language Sector Program (*Sector de la Lengua Indígena*) in the following indigenous languages: Aymara, Mapudungun, Quechua, and Rapa nui.(20)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR



Chile has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓



**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 13 of the Labor Code (21)
Minimum Age for Hazardous Work	Yes	18	Articles 13–14 and 18 of the Labor Code; Law No. 20.539 (21, 22)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Law No. 20.189; Law No. 20.539 (22)
Prohibition of Forced Labor	Yes		Article 2 of Law No. 19.812 (23)
Prohibition of Child Trafficking	Yes		Articles 1 and 411 of Law No. 20.507 (24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Chapter 6, Article 367 of the Penal Code; Law No. 20.594; Articles 1 and 411 of Law No. 20.507; Law No. 20.526 (25-27)
Prohibition of Using Children in Illicit Activities	Yes		Paragraph 1, Article 5 and Paragraph 2, Article 19 of Law No. 20.000; Law No. 20.084 (28, 29)
Minimum Age for Compulsory Military Recruitment	Yes	18	Chapter 1, Article 13 of the Armed Forces' Recruitment and Mobilization Law No. 2.306 (30)
Minimum Age for Voluntary Military Service	Yes	17	Chapter 1, Article 13 of the Armed Forces' Recruitment and Mobilization Law No. 2.306 (30)
Compulsory Education Age	Yes	18	Article 4 of the General Education Law No. 20.370 (31)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (31)

Chilean law provides for specific penalties for adults who involve children under the age of 14 in the production or trafficking of illicit drugs.(24, 29, 32)

The minimum age for voluntary and compulsory military service in Chile is 18. Children may register at age 17 for voluntary service, but may enter the service only at age 18.(33, 34) According to the Armed Forces' Recruitment and Mobilization Law, during times of war, the President of Chile may call upon persons of any age to be employed in “services that the nation requires”; however, it is not clear if this provision applies to persons younger than 18 years old. Moreover, the ILO CEACR has suggested that Chile clarify the minimum age for which this provision applies.(30, 34)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Prevision (MINTRAB)	Enforce child labor laws and generate public awareness of child labor and commercial sexual exploitation.(1, 35)
National Minors' Service (SENAME)	Coordinate and provide services for vulnerable children in collaboration with Rights Protection Offices.(36, 37)
National Investigations Police	Oversee regional offices that specialize in investigating sex crimes and cases involving the commercial sexual exploitation of children. Refer children to SENAME.(38, 39)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
National Prosecutor's Office	Enforce laws and prosecute perpetrators of child trafficking and commercial sexual exploitation of children.(38)
Rights Protection Offices	Refer cases of children whose rights have been violated, and monitor and raise awareness of the worst forms of child labor. Located in municipalities throughout the country and overseen by SENAME.(9)

Law enforcement agencies in Chile took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Prevision (MINTRAB) had 112 vehicles and 106 permanent offices and carried out 115,272 inspection visits—a considerable increase from 3,350 in 2013.(11) MINTRAB employs approximately 503 labor inspectors; they inspect for all types of labor violations, including child labor.(1, 11, 40) From January to July 2014, 106 cases of child labor were detected, a decrease from 184 in 2013.(4) MINTRAB imposed 604 fines for child labor violations, including 113 found in retail, 91 in hotels and restaurants, and 92 in manufacturing industries.(4) Six fines were imposed for cases involving minors under age 15, and 131 were for cases involving minors ages 15 to 17.(4, 10)

### *Criminal Law Enforcement*

In 2014, 192 cases of commercial sexual exploitation, including cases of child prostitution, pornography, and trafficking for commercial sexual exploitation, were investigated in the Chilean judicial system. A total of 25 criminal convictions for the commercial sexual exploitation of minors also occurred during the same period.(4) In 2014, SENAME assisted 1,290 child victims of commercial sexual exploitation, compared with 1,095 during 2013. SENAME assisted an additional 386 children involved in undisclosed activities whose cases were found in the Worst Forms of Child Labor Registry but were detected by agencies other than SENAME.(4) During the reporting period, there were 291 cases of children and adolescents involved in the worst forms of child labor. Thirty-one percent were involved in illicit activities, including in drug production and drug trafficking; 17 percent were found in hazardous activities; 4.9 percent were found in commercial sexual exploitation; and 10.6 percent were found in other worst forms of child labor not categorized.(11, 41) Thirty-one percent of the reports involved girls and 54 percent involved children over age 15.(4)

In 2014, there were 118 total criminal prosecutions for trafficking in persons, including 115 for the prostitution of minors. There were no convictions for cases involving minors under Chile's trafficking statute during the reporting period.(11) However, there were 22 convictions for the prostitution of minors and 15 for the use of minors in the production of pornography.(11)

SENAME and the Inter-American Institute for Children provided training for technical staff on identifying commercial sexual exploitation and human trafficking. As a result, the Institute developed a new online course for regional cities, which had 134 users, and an additional 300 participants in its regular in-person courses in 2014.(4, 42) SENAME also conducted a number of trainings with a special focus on immigrant children and trafficking in persons issues, and on child labor prevention, with the Department of Juvenile Justice, the Ministry of Education, and the Ministry of the Interior.(4)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Advisory Committee to Eradicate Child Labor	Formulate the National Action Plan to Combat Child Labor.(9, 43) Led by MINTRAB and includes the following members: SENAME, the Ministry of Education, the Ministry of Justice, the Ministry of Agriculture, and the National Statistics Institute and National Tourism Service (SERNATUR), as well as the National Investigations Police and the National Uniformed Police.(43)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Worst Forms of Child Labor Task Force	Evaluate and promote programs that prevent and protect children from the worst forms of child labor. Receive financial and technical assistance from the ILO.(36, 44) Oversee the Worst Forms of Child Labor Registry, which tracks incidents of the worst forms of child labor and provides information on programs designed to assist child workers.(45, 46) Includes implementing a multisector protocol for the identification, registration, and care of victims of the worst forms of child labor.(31)
Interagency Task Force on Trafficking in Persons	Coordinate the Government's anti-human trafficking efforts; led by the Ministry of the Interior. Members include law enforcement agencies, the National Prosecutor's Office, the Ministry of Foreign Relations, the Ministry of Justice, and SENAME, among others.(47)
National Observatory of Commercial Sexual Exploitation	Conduct and publish research on the commercial sexual exploitation of children, in collaboration with the Government and civil society; led by SENAME.(1)
Social Observatory to Eradicate Child Labor*	Established by Decree No. 131 to coordinate child and adolescent labor issues among working groups, foundations, educational study centers, and institutions. Conduct technical studies on child and adolescent labor issues and evaluate current child labor elimination policies.(48) Disaggregate child labor survey data from the 2012 National Survey on Activities of Children and Adolescents.(48) Includes two full-time staff members and an operating budget of \$150,808.(4)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the Worst Forms of Child Labor Task Force met nine times.(4)

The National Observatory of Commercial Sexual Exploitation met eight times in 2014. The Interagency Task Force on Trafficking in Persons also worked with SENAME to provide assistance for a possible case of human trafficking involving an Ecuadorian minor.(4)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Chile has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Second Framework for Action Against the Commercial Sexual Exploitation of Children (2012–2014)	Aims to prevent the commercial sexual exploitation of children and promote coordination among government agencies and NGO service providers. Adopted by the Ministry of Justice, SENAME, and other government agencies and NGO partners in 2012.(9, 49, 50)
National Action Plan Against Trafficking in Persons	Implements actions to prevent and combat trafficking in persons, with a focus on women and children.(11) Encompasses four strategic areas: (1) prevention and awareness raising, (2) control (prosecution), (3) victims' assistance and protection, and (4) interinstitutional cooperation and coordination.(11)
Cooperative Agreement for the Prevention and Eradication of Child Labor and Protection of Adolescent Workers in Chile Between the Ministry of Labor and Social Prevision and the Ministry of Education	Creates mechanisms to detect child labor within the school system in the capital region. The Ministry of Education and MINTRAB are signatories to the agreement.(51)
Chilean Ministry of the Interior and Public Security and U.S. Department of Homeland Security Joint Statement on Trafficking in Personst	Proposes to increase collaboration among enforcement agencies to target and eliminate human trafficking enterprises. Seeks to enhance information exchanges between Chile and the United States on human trafficking.(52)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor† (2014-2020)	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Chile at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(53-55)

† Policy was approved during the reporting period.

Although the Government has policies aimed at trafficking in persons and commercial sexual exploitation, it has still not enacted a second National Action Plan to Combat Child Labor. However, during the reporting period, the National Advisory Committee began drafting this plan.(4, 43)

In September 2014, Chile participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(56)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
SENAME Programs for Children at Risk of or Engaged in the Worst Forms of Child Labor‡	More than 90 SENAME programs for disadvantaged youth and children at risk of or engaged in the worst forms of child labor.(9, 44) In 2014, SENAME continued funding 17 projects to treat victims of commercial sexual exploitation in 10 regions, as well as the Regional Initiatives Against Commercial Sexual Exploitation of Children (CSEC), run by Raices, the EU, and the Chilean Agency for International Cooperation, and other organizations.(1, 4) Projects are implemented in collaboration with municipal governments and involve 126 local branches of the Office for the Protection of Children's Rights. Programs also include continued support and sponsorship of a program.(4, 36)
Caring Chile Programs ( <i>Chile Solidario</i> )*‡	Ministry of Social Development programs implemented by Chilean NGOs to combat poverty. Includes several social welfare programs, including the Bridge Program (Programa Puente), which helps families in extreme poverty, and the Opening Paths (Abriendo Caminos) program for children who are separated from their families.(57)
Child Labor Survey on Commercial Sexual Exploitation	Collaboration of the Government with the ILO to collect data from police and other governmental agencies for a preparatory study on commercial sexual exploitation.(1, 13)
Education and Monitoring Program for the Eradication of Child Labor (2012–2014)	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen capacity and decisionmaking to meet the goals of the Hemispheric Agenda for Decent Work in Latin America.(58)
Eradication of Child Labor in Latin America (Phase 4) (2011–2015)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC that aims to contribute to the Prevention and Elimination of Child Labor and Protection of Permitted Adolescent Work in Latin America.(58)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labor (2012–2015)	\$760,000 Government of Ireland-funded, 3-year project implemented by ILO-IPEC that focuses on strengthening social dialogue on the worst forms of child labor in different regions of the world, including Benin, Chile, Fiji, Ghana, and Zambia.(58)
24 Hours Program ( <i>Programa 24 Horas</i> ), formerly called the New Life Program ( <i>Vida Nueva</i> )*‡	Ministries of Education and Health, Department of Juvenile Justice, and Service for Clinical Intervention program in eight cities that aims to address delinquency among children age 14 and younger.(59) Targets children who have been used by adults to carry out illegal activities.(9, 50) Aims to provide integrated intervention for children who have been detained by the police for such activities, but are not subject to the juvenile justice channels because of their age.(59)
Regional Action Group for the Americas	Prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(60, 61) Administered in Chile by SERNATUR, which conducts child labor prevention and awareness-raising campaigns in the tourism sector.(1)
Indigenous Language Sector Program ( <i>Sector de la Lengua Indígena</i> )*‡	Ministry of Education program that aims to increase the quality of education available to indigenous children. In 2014, pedagogical guides for the fourth basic education course were published in Aymara, Mapudungun, Quechua, and Rapa nui.(20)
Extended School Day Program ( <i>Programa 4 a 7</i> )*‡	National Women's Service extended school day program that aims to keep children off the streets while their parents are at work, among other goals.(62)
MERCOSUR Southern Child Initiative	Initiative to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states on the worst forms of child labor and migrant labor, by improving the country's legal frameworks to harmonize them with international conventions affecting children, and by exchanging best practices.(63)
Ethical Family Income Program‡	Ministry of Social Development income assistance and conditional cash transfer program to assist 170,000 families in extreme poverty.(9, 64) Other programs provide scholarships and social services to children from low-income families, and to adolescent parents and children of incarcerated parents who are at high risk of leaving school to enter work.(9)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Guides on Eliminating Child Labor and Safe Work for Adolescent Workers	MINTRAB collaboration with the Confederation of Production and Commerce (CPC), one of the country's largest business associations, and the Chilean Safety Association (ACHS) to fight against child labor. The CPC distributes guides to employers on eliminating child labor through public-private partnerships, and the ACHS has developed a manual promoting safety for adolescent workers and has distributed this information widely.(38, 65)
Government Projects for At-Risk Youth in the Dominican Republic ( <i>Proyecto de Emprendimiento Juvenil</i> )*‡	Government project supported by the Government of Chile that improves the employability of disadvantaged, at-risk youth through training and internship opportunities to promote entrepreneurial and job-related skills.(66, 67) In 2014, designed a training course on self-employment for youth and trained 25 training facilitators in two towns in the Dominican Republic.(42)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Chile.

Results from the Child Labor Survey on Commercial Sexual Exploitation are still not available.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Chile (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Government Policies	Adopt a new national plan against child labor.	2011 – 2014
Social Programs	Assess the impact that various social protection programs may have on the worst forms of child labor.	2010 – 2014
	Conduct research to determine the activities carried out by children working on the street and in retail to inform policies and programs.	2013 – 2014
	Conduct research on the prevalence of child labor in the Araucania region and on vulnerable populations' access to education in the region.	2013 – 2014

## REFERENCES

- Government of Chile. *Responses of Chile*. Submitted in response to U.S. Department of Labor Federal Register Notice "Request for Information on Child Labor and Forced Labor". Santiago; January 28, 2014.
- U.S. Department of State. "Chile," in *Trafficking in Persons Report- 2014*. Washington, DC; June 19, 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- Government of Chile- ILO. *Magnitud y Características del Trabajo Infantil en Chile*; 2013. [http://www.ilo.org/ipecc/Informationresources/WCMS\\_IPEC\\_PUB\\_23635/lang-es/index.htm](http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_23635/lang-es/index.htm).
- U.S. Embassy- Santiago. *reporting, January 15, 2015*.
- ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chile (ratification: 2000) Published: 2015*; accessed February 8, 2015; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO:::>
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta de Actividades de Niños, Niñas y Adolescentes, 2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Chile," in *Country Reports on Human Rights Practices- 2013*. Washington, DC 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220428EXECUTIVE>
- Government of Chile. *Responses of Chile*. Submitted in response to U.S. Department of Labor Federal Register Notice "Request for Information on Child Labor and Forced Labor". Santiago; February 6, 2013.
- U.S. Embassy- Santiago. E-mail communication to USDOL official. January 30, 2015.
- U.S. Embassy- Santiago. Santiago March 5, 2015.
- U.S. Embassy- Santiago. *reporting, February 28, 2014*.
- Government of Chile District Attorney's Office. *Responses of Chile: Request of Information on Child Labor and Forced Labor- U.S. Department of Labor*; January 28, 2014.
- U.S. Department of State. "Chile," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210738.pdf>.
- Government of Chile- SENAME. *Boletín Temático Niños/as y Adolescentes Primer Trimestre 2014*; 2014. [http://www.sename.cl/wsename/otros/bestnacionales/2014/TEMATICO\\_201409.pdf](http://www.sename.cl/wsename/otros/bestnacionales/2014/TEMATICO_201409.pdf).
- Government of Chile- SENAME. *Boletín Temático Niños/as y Adolescentes Segundo Trimestre 2014*; 2014. [http://www.sename.cl/wsename/otros/bestnacionales/2014/2/BE\\_DEPRODE\\_201406.pdf](http://www.sename.cl/wsename/otros/bestnacionales/2014/2/BE_DEPRODE_201406.pdf).
- Government of Chile- SENAME. *Boletín Temático Niños/as y Adolescentes Tercer Trimestre 2014*; 2014. [http://www.sename.cl/wsename/otros/bestnacionales/2014/1/TEMATICO\\_201403.pdf](http://www.sename.cl/wsename/otros/bestnacionales/2014/1/TEMATICO_201403.pdf).
- ILO. *Sistemización del Proyecto Trabajo Infantil y Pueblo Originarios en Chile: Experiencia en zonas aymara y mapuche (Tarapacá y Araucanía)*. hardcopy on file 2005.
- ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chile (ratification: 2000) Published: 2011*; accessed February 8, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO:::>



20. UNICEF. *La Lengua Indígena Entra en la Escuela: Cartilla de Apoyo para el Sector de la Lengua Indígena*; 2013. <http://unicef.cl/web/la-lengua-indigena-entra-en-la-escuela/>.
21. Government of Chile. *Código del Trabajo de Chile*, enacted November 15, 2007. <http://bit.ly/zrXHdz>.
22. Government of Chile. *Aprueba reglamento para la aplicación del artículo 13 del Código del Trabajo*, enacted September 11, 2007. <http://bit.ly/Ag6soQ>.
23. Government of Chile. *Constitución Política de 1980 incluidas las Reformas hasta el 2005*, enacted 2005. <http://pdba.georgetown.edu/Constitutions/Chile/chile05.html>.
24. Government of Chile. *Tipifica los Delitos de Tráfico Ilícito de Migrantes y Trata de Personas y Establece Normas para su Prevención y Más Efectiva Persecución Criminal*, No. 20.507, enacted 2011. <http://www.leychile.cl/Navegar?idNorma=1024319>.
25. Government of Chile. *Código Penal de la República de Chile*, enacted March 1, 1875. <http://www.leychile.cl/Navegar?idNorma=1984>.
26. Government of Chile. *Sanciona el acoso sexual de menores, la pornografía infantil virtual y la posesión de material pornográfico infantil*, No. 20.526, enacted 2011. <http://bit.ly/wDxXeE>.
27. Chile. *Ley 20594 Crea Inhabilidades para Condenado por Delitos Sexuales contra Menores y Establece Registro de Dichas Inhabilidades* enacted June 19, 2012. <http://www.leychile.cl/Navegar?idNorma=1041136>.
28. Government of Chile. *Sustituye la ley No. 19.366 que sanciona el tráfico ilícito de estupefacientes y sustancias sicotrópicas*, No. 20.000, enacted February 2, 2005. <http://bit.ly/xN08YQ>.
29. Government of Chile. *Establece un Sistema de Responsabilidad de los Adolescentes por Infracciones a la Ley Penal*, No. 20.084, enacted November 28, 2005. <http://bcn.cl/4tx0>.
30. Government of Chile. *Dicta Normas Sobre Reclutamiento y Movilización de las Fuerzas Armadas*, No. 2306, enacted August 2, 1978. [http://www.dgmn.cl/transparencia/leyes\\_dgmn/nuevas/D.Ley%202.306%20Dicta%20normas%20sobre%20reclutamiento.pdf](http://www.dgmn.cl/transparencia/leyes_dgmn/nuevas/D.Ley%202.306%20Dicta%20normas%20sobre%20reclutamiento.pdf).
31. Government of Chile. *General Education Law*, No. 20.370, enacted August 17, 2009. <http://www.leychile.cl/Navegar?idLey=20370#180>.
32. U.S. Embassy- Santiago official. E-mail communication to USDOL official. June 20, 2012.
33. Child Soldiers International. "Appendix II: Data Summary Table on Recruitment ages of National Armies," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global-report\\_reader.php?id=562](http://www.child-soldiers.org/global-report_reader.php?id=562).
34. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties under Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, Concluding Observations: Chile*. Geneva; February 13, 2008. Report No. CRC/C/OPAC/CHL/CO/1. <http://www2.ohchr.org/english/bodies/crc/crcs47.htm>.
35. Government of Chile- Ministerio del Trabajo y Previsión Social. *MINTRAB Summary* 2014 [cited January 12 2015,]; <http://www.mintrab.gob.cl/trabajo-infantil/>.
36. U.S. Embassy- Santiago. Santiago February 7, 2014.
37. Servicio Nacional de Menores. *Nuestra Institución -Servicio Nacional de Menores*, Servicio Nacional de Menores,, [online] 2014 [cited January 12, 2015]; <http://www.sename.cl/wsename/estructuras.php?name=Content&pa=showpage&cpid=1>.
38. U.S. Embassy- Santiago. *reporting, February 8, 2010*.
39. Chilean Investigative Police- Department of Community Support and Action (DACOM). *Department of Community Support and Action (DACOM)*, [cited January 12, 2015]; <http://www.policia.cl/jenafam/index.html>.
40. U.S. Embassy- Santiago official. E-mail communication to USDOL official. June 11, 2014.
41. Government of Chile, District Attorney's Office. *Responses of Chile*. Submitted in response to U.S. Department of Labor Federal Register Notice "Request for Information on Child Labor and Forced Labor". Santiago; January 28, 2014.
42. U.S. Embassy- Santiago official. E-mail communication to USDOL official. May 20, 2015.
43. Government of Chile- Ministerio del Trabajo y Previsión Social. *Comité Asesor para la Erradicación del Trabajo Infantil y la Protección del Menor Trabajador*, 2014 [cited January 12, 2015]; <http://www.noaltrabajoinfantil.cl/comite-asesor/>.
44. Government of Chile. *Report on Status of Child Labor in Chile*. Submitted in response to U.S. Department of Labor Federal Register Notice "Request for Information on Child Labor and Forced Labor". Washington, DC; February 3, 2012.
45. ILO-IPEC. *Engaging the Public Health Sector in the Fight Against Child Labor: Good Practices*. Geneva; 2010. <http://unpan1.un.org/intradoc/groups/public/documents/icap/unpan043527.pdf>.
46. U.S. Embassy- Santiago. *reporting, February 7, 2011*.
47. U.S. Embassy- Santiago. *reporting, February 23, 2012*.
48. Government of Chile- Ministerio del Trabajo y Previsión Social. *Observatorio Social 2014* [cited <http://www.noaltrabajoinfantil.cl/observatorio-social/>].
49. Government of Chile. *Segundo Marco para la Acción: Contra la explotación sexual comercial de niños, niñas y adolescentes 2012 - 2014*. Santiago; N.D. [http://www.mineduc.cl/usuarios/convivencia\\_escolar/doc/201211161022490.2do-marco-16-8-2012.pdf](http://www.mineduc.cl/usuarios/convivencia_escolar/doc/201211161022490.2do-marco-16-8-2012.pdf).
50. U.S. Embassy- Santiago. *reporting, February 13, 2013*.
51. Government of Chile. *U.S. Department of Labor Request for Information on Child Labor and Forced Labor*. Submitted in response to U.S. Department of Labor Federal Register Notice "Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Production of Goods in Foreign Countries and Efforts by Certain Countries To Eliminate the Worst Forms of Child Labor". Washington, DC; April 08, 2011.
52. U.S. Embassy- Santiago. *New Pacts Aim to Enhance U.S.-Chilean Cooperation*, [cited January 5 2015,]; <http://iupdigital.usembassy.gov/st/english/inbrief/2014/07/20140702303126.html#axzz3NynNIOjly>.
53. UN News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." "un.org [online] 2014 [cited October 15, 2014]; <http://www.un.org/apps/news/printnews.asp?nid=49082>.
54. "Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas, October 14, 2014." "wordpress.com [online] October 14, 2014 [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
55. ILO. "18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour." October 17, 2014, [cited November 17, 2014 [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm)].
56. OAS. *Agenda, First Meeting of the Working Group of the XVIII IACML*; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
57. Government of Chile, CS-. *What is Chile Solidario?*, [cited January 12, 2015]; [http://www.chilesolidario.gob.cl/en/chs\\_en.php](http://www.chilesolidario.gob.cl/en/chs_en.php).
58. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
59. Government of Chile. *Informe de gestión programa Vida Nueva año 2013*. Santiago, Departamento de Protección de Derechos Servicio Nacional de Menores; 2013. [http://www.sename.cl/wsename/otros/03\\_DOC\\_PUB\\_VN/02\\_Informes\\_Gestion/IGA\\_2013.pdf](http://www.sename.cl/wsename/otros/03_DOC_PUB_VN/02_Informes_Gestion/IGA_2013.pdf)
60. Mercosur. *Reunión de la Comisión Permanente para la Coordinación e Implementación de las Acciones Relativas a la Iniciativa Niñ@ Sur para la Protección y Promoción de los Derechos de los Niños y Niñas y Adolescentes*. Buenos Aires; 2012 March 27, 2012. [source on file].
61. Mercosur. *Grupo de Acción Regional de las Américas. Países Participantes, Grupo de Acción Regional de las Américas*. Buenos Aires; 2010. [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=article&id=529%3Aquienes-somos&catid=38&Itemid=73&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=article&id=529%3Aquienes-somos&catid=38&Itemid=73&lang=es).
62. Government of Chile- National Women's Service. *Programa 4 a 7*, 2013 [cited January 12 2015, ]; <http://portal.sernam.cl/?m=programa&ci=5>.
63. UNICEF. "Iniciativa Niñ@Sur: recomendaciones sobre derechos y asistencia a las niñas, niños, y adolescentes víctimas de trata, tráfico, explotación sexual y/o venta." un.org [online] [cited [source on file].
64. Government of Chile. *¿Qué es el Ingreso Ético Familiar?*, [cited January 8, 2015, ]; <http://www.ipc-undp.org/pub/IPCPolicyResearchBrief26.pdf>.
65. U.S. Embassy- Santiago official. E-mail communication to USDOL official. May 20, 2013.
66. USAID. *USAID/Dominican Republic Cross-Sectoral At-Risk Youth Assessment: Final Report*. Washington, DC; 2010. [http://www.usaid.gov/dr/docs/Education/Youth\\_Needs\\_Assessment\\_Author\\_EDC.pdf](http://www.usaid.gov/dr/docs/Education/Youth_Needs_Assessment_Author_EDC.pdf).
67. Government of the Dominican Republic. *Written communication 2014*. Submitted in response to U.S. Department of Labor's Federal Register Notice "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor"; 2014.

# Colombia

## SIGNIFICANT ADVANCEMENT

*In 2014, Colombia made a significant advancement in efforts to eliminate the worst forms of child labor. The Government passed Law 1719, which guarantees access to legal services for victims of commercial sexual exploitation and armed conflict; implemented Child Labor Pacts to assist in the formulation of child labor policies and laws and improve coordination between the Ministry of Labor and other government agencies; and launched the Network Against Child Labor campaign to unite 14 businesses in efforts to eliminate child labor in their supply chains. The Government also continued to participate in a project to combat child labor and improve workplace health and safety in mining. However, children in Colombia are engaged in child labor, including in agriculture and street work, and in the worst forms of child labor as they continue to be forcibly recruited by illegal non-state armed groups. Limited interagency coordination and inadequate resources hinder Government efforts to combat child labor.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Colombia are engaged in child labor, including in agriculture and street work.(1, 2) Children are also engaged in the worst forms of child labor, including in armed conflict, as they continue to be forcibly recruited by illegal non-state armed groups.(3, 4)

The 2014 National Household Survey, released in 2015, includes estimates of the number of working children in Colombia. The results show a small reduction in child labor, from 9.7 percent in 2013 to 9.3 percent in 2014.(5) However, the results do not disaggregate information on health, occupational safety, geographical areas, or sectors in which children work, particularly the priority sectors identified by the Government for child labor reduction such as coffee, sugarcane, and tobacco. Data are also not collected on child labor for hard-to-reach populations, including street children and children involved in illicit activities. Government survey data on working children include limited information on indigenous populations, and obtaining these data in these communities may be challenging due to the Government’s political relationship with different indigenous groups.(6)

Several government officials in different departments of Colombia reported that due to a lack of training and resources, they have not updated the Ministry of Labor’s (MOL) Information System for Identification, Registration, and Characterization of Child Labor (SIRITI) in the past three years. Therefore, comprehensive data on child labor available to the public is incomplete and outdated.(7-9) Table 1 provides key indicators on children’s work and education in Colombia.

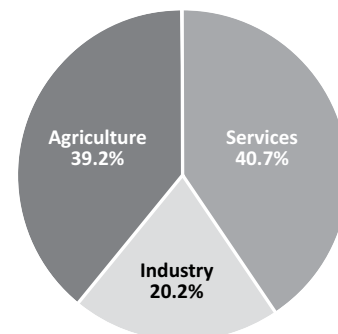
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	5.9 (514,092)
Attending School (%)	5-14 yrs.	93.2
Combining Work and School (%)	7-14 yrs.	5.9
Primary Completion Rate (%)		105.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(10)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from GEIH-MTI Survey, 2012.(11)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of coffee,† sugarcane,† cotton,*† and rice*† (12-15)
	Logging,*† activities unknown (12)
	Hunting and fishing,* activities unknown (2)
Industry	Mining coal,† emeralds,† gold,† gypsum,*† salt,*† talc*†, and clay to make bricks† (16-18)
	Construction,*† activities unknown (19)
Services	Street work,† including vending, begging, washing cars, and motorcycles (19-23)
	Garbage scavenging*† (19, 24, 25)
	Domestic work† (19, 23, 26, 27)
	Working in retail establishments, hotels, and restaurants, activities unknown (2, 5)
	Commercial sexual exploitation, sometimes as a result of human trafficking (23, 28, 29)
	Used in the production of pornography (28)
Categorical Worst Forms of Child Labor‡	Production of coca, marijuana,* and poppies* (12, 22)
	Used in armed conflict, sometimes as a result of force, in illegal non-state armed groups, to perform intelligence and logistical activities, store and transport weapons, and engage in commercial sexual exploitation (3, 4, 30, 31)
	Used in illicit activities, including by gangs to commit homicides and traffic drugs (32)
	Illegal sale of gasoline*† (12)
	Forced begging* (29)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Indigenous and Afro-Colombian children are considered the most vulnerable children in Colombia and are engaged in the worst forms of child labor.(12, 23) There are an estimated 102 indigenous groups, of which 87 are recognized by the State and indigenous organizations, 12 are recognized only by indigenous organizations, and 3 are self-recognized.(33) Indigenous children in Colombia sometimes migrate temporarily to cities and work in street vending, garbage scavenging, construction, and commercial sexual exploitation.(19, 29) They are also sometimes trafficked to Peru to cultivate coca.(9, 19)

The commercial sexual exploitation of minors, especially females, is a problem in Colombia, primarily in the departments of Amazonas, Antioquia, Atlántico, Cundinamarca, Bolívar, Magdalena, and Valle Del Cauca.(34) Colombian government officials reported that school classmates, children's friends, gang members, school teachers, parents, local officials, hotel receptionists, and motorcycle taxi drivers sometimes recruit and use children for commercial sexual exploitation. Officials also reported that children's school classmates and other adults falsely recruit children to participate in musical performances and take vacations, but exploit those children in commercial sexual exploitation.(35, 36)

Research indicates that in the Triple-Border region (Colombia, Peru, and Brazil) of Colombia, young Colombian girls and boys often enter alone Tabatinga, Brazil by foot and Santa Rosa, Peru by canoe where they engage in commercial sexual exploitation and illicit activities. Children cannot return to Colombia at night, as canoe access to Colombia closes from 6 pm to 6 am every day.(7, 36) As a result, children are exploited in commercial sexual exploitation in Peru as they are unable to return to Colombia at night.(7, 36) Boys in the city of Leticia, Amazonas also engage in commercial sexual exploitation outside of hair salons, where perpetrators pay them less than \$1 to perform sexual acts.(35, 36) Data from cases from the Colombian Administrative Process for Reestablishing Rights indicate that from 2011 to 2013, there were 1,061 cases of commercial sexual exploitation of female adolescents and 113 cases of male adolescent victims.(37) In other cities such as Cartagena, children who are also gang members, are used by other gang members to commit homicides. If the children do not commit homicides, they are then forced to engage in commercial sexual exploitation.(32)

# Colombia

## SIGNIFICANT ADVANCEMENT

Research indicates that few child victims of commercial sexual exploitation file complaints with officials, and therefore, the scope of the problem is underestimated in the country. Some officials report that some children are intimidated and do not file complaints since many of their recruiters are children's classmates and friends.(38)

Children from the departments of Amazonas and Nariño frequently travel across the border to Peru to work in the cultivation of coca and illegal drug production. Sometimes these children are trafficked to perform these activities.(23, 35) A government official estimated that children were engaged in this activity during the reporting period, but no information is available on how many children were trafficked to perform this work.(23)

Reports indicate that in the cities of Cali and Medellín, numerous children work on the streets.(20, 21) A report also indicates that many children ages 10 to 17 are engaged in domestic service in third-party homes. These children may work up to 60 hours per week with little to no pay, access to school, or health benefits.(39, 40) In the beach areas of the city of Cartagena, children, many of whom are Afro-Colombians, sell fruits and handicrafts and offer services such as massages and hair braiding to tourists. Many times, individuals purchase the children's goods and services in exchange for sexual acts.(9, 32) In addition, government officials in Cartagena reported that children sell food and carry heavy loads in urban markets, beginning work as early as 3 am.(9, 32)







The Government of Colombia and the Armed Revolutionary Forces of Colombia (FARC) began peace negotiations in 2012. Despite a temporary halt in peace talks in November 2014, negotiations resumed in early December.(41-47) In 2014, 250 children were recruited by the FARC and the National Liberation Army (ELN).(31) The Colombian Institute for Family Well-Being (ICBF) reported that 277 children were separated from the FARC and ELN during the reporting period.(47) The peace negotiation does not address the continued recruitment of children into the ranks of the FARC. There is also evidence that illegal non-state armed groups use bullying as a strategy to recruit children from schools, and underage girls as couriers to collect extortion payments.(48-50)

In Colombia, access to education is hindered by the internal armed conflict and sometimes impassable routes and long distances between children's homes and schools in rural areas.(51-53) In 2014, the UN reported that there were 12 cases of schools damaged in the cross-fire as a result of confrontations between illegal non-state armed forces and the Colombian Armed Forces.(46) The 2012 National School Desertion Survey for children enrolled in primary and secondary school identified child labor as one of the primary causes of school desertion in the Caribbean and Pacific regions of Colombia.(54) Access to education is also a problem for children from different ethnic groups. There are 68 native languages in Colombia; a 2014 report from a Colombian NGO indicates that more than 80 percent of ethnic groups in the country do not have access to a culturally and linguistically relevant education.(55)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Colombia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In May 2014, Colombia ratified ILO Convention 189, Concerning Decent Work for Domestic Workers.(56)

The Government of Colombia has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 35 of the Code of Childhood and Adolescence (57)
Minimum Age for Hazardous Work	Yes	18	Article 117 of the Code for Children and Adolescents (57)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Resolution 3597 of 2013 (58)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Article 141 of the Penal Code; Article 5 of Resolution 3597 of 2013 (58, 59)
Prohibition of Child Trafficking	Yes		Article 17 of the Constitution; Articles 188–188C of the Penal Code; Article 5 of Resolution 3597 (58-60)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209 and 213–219-B of the Penal Code (60)
Prohibition of Using Children in Illicit Activities	Yes		Articles 162, 188D, and 344 of the Penal Code; Article 5 of Resolution 3597 (58, 60)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 13 of Law 418 of 1997; Article 2 of Law 548 of 1999 (61, 62)
Minimum Age for Voluntary Military Service	Yes	18	Article 13 of Law 418 of 1997; Article 2 of Law 548 of 1999 (61, 62)
Compulsory Education Age	Yes	18	Decision C-376/10 of the Colombian Constitutional Court (63, 64)
Free Public Education	Yes		Article 1 of Decree 4807 of 2011 (64)

In 2014, the Government issued the Victims Assistance Decree, which aims to regulate the procedures for government entities responsible for protecting and providing assistance to victims of human trafficking. It also addresses victims' access to services, protection, and assistance through interagency coordination and partnerships with civil society members.(65) However, the law stipulates that human trafficking victims must file an official complaint against their trafficker within 5 days of initiating the immediate assistance program in order to receive extended assistance and services.(65) The limited time allowance and the requirement to file an official complaint may prevent victims from receiving sufficient assistance.

The Government also enacted Law 1719 of 2014, which guarantees access to legal services for victims of commercial sexual exploitation and armed conflict. Article 5 of Law 1719 stipulates that persons found guilty of using victims of armed conflict in commercial sexual exploitation may incur 160 to 324 months of imprisonment, and a fine of \$169,000 to \$380,000.(66) Article 6 of Law 1719 also stipulates penalties for perpetrators of trafficking in persons for commercial sexual exploitation of 156 to 276 months of imprisonment and a fine of \$203,000 to \$380,000.(66)

Colombian legislation relevant to the worst forms of child labor undergoes frequent changes. However, it is not clear whether those changes are effectively disseminated to the general public or to relevant groups including enforcement officials, employers, and civil society organizations.(67)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL) Inspection, Monitoring, Control, and Territorial Management Department	Receive complaints of labor law violations and conduct labor inspections, including inspections to verify labor conditions for adolescent workers and compliance with other child labor provisions. Operate a child labor monitoring system, independently of the labor inspection system, that identifies children engaged in or at risk of child labor.(68) In 2014, created the Internal Working Group on Child Labor Eradication with inspectors to focus on the eradication of child labor, including by carrying out prevention activities; conducting child labor inspections; and compiling data on child labor.(69)



**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Ministry of the Interior (MOI)	Operate a hotline to report and track cases of human trafficking, coordinate investigations, and facilitate access to social services for victims.(70)
National Police	Investigate cases of commercial sexual exploitation and human trafficking.(22, 68)
Colombian Institute for Family Well-Being (ICBF)	Receive complaints regarding child labor, operate hotlines to report cases of child labor, including commercial sexual exploitation, and provide social services to children engaged in or at risk of child labor. Operate 40 mobile units to coordinate government actions to protect children's rights, including with respect to child labor. Partner with civil society organizations to operate an Internet hotline to combat child commercial sexual exploitation and pornography.(71, 72)
Attorney General's Office	Investigate cases of child recruitment for armed conflict, commercial sexual exploitation, and human trafficking.(57) In 2014, the Articulation Group for Combatting Trafficking in Persons was created to focus on investigation and prosecution of international trafficking and other related crimes. The Group includes four prosecutors from specialized directorates in the Attorney General's Office.(4)
Office of the Ombudsman	Promote rights of children and adolescents and monitor policies related to children's human rights. Operate an early warning system to prevent the recruitment of children by non-state armed groups.(57)
Ministry of Health and Social Protection	Provide health services to victims of sexual violence, including child victims of commercial sexual exploitation and human trafficking.(73)
National Training Service (SENA)	Collect fines imposed by the MOL for labor law violations.(74)

Law enforcement agencies in Colombia took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

For 2014, the MOL reported that there are 904 inspector positions, with 726 filled during the reporting period; however, the MOL has also verbally reported other numbers that are lower. Given the size of the Colombian workforce, the number of inspectors per worker is inadequate.(47)

Some reports indicate that all inspectors received training in child labor issues during the reporting period; however, in departments such as Amazonas and Bolívar, regional MOL officials indicated that labor inspectors have not received training in child labor issues in the past several years.(7, 47) In 2014, labor inspectors conducted 1,527 inspections related to child labor.(47) As a result of these inspections, from January to November 2014, five child labor violations were found, some of which involved more than one child. The MOL removed 3 children and 87 adolescents from worksites that did not comply with labor laws; it also issued five sanctions for a total of approximately \$100,000.(47) The MOL did not report whether these children and adolescents were referred to any social services. In addition, the National Training Service did not report whether fines were collected for these or any child labor infractions.(47) Inspections are conducted reactively, through complaint mechanisms, and can also occur unannounced. Inspectors may also conduct follow-up inspections of past labor violations. However, data are not disaggregated on the number of unannounced and complaint-driven labor inspections.(47) Reports indicate that labor inspectors still lack the resources to fully carry out all their duties.(7, 8, 75)

No information is available on how many children the MOL's Fundamental Labor Rights Monitoring system identified in child labor.(76) Research also did not uncover the number of child labor complaints that the ICBF received, nor how many children were provided with services.(72) Although the ICBF refers cases of apparent child labor violations to the MOL for further action, it is unclear whether the MOL conducts any follow-up, including whether labor inspectors use this information to target their inspections.(72)

In some departments of Colombia, inspectors only carry out inspections in a small fraction of the department. For example, in Amazonas, inspectors only conduct inspections in the municipality of Leticia. Inspectors do not have resources to carry out inspections in any other areas of the department, which are only accessible by canoe trips or by small, private planes.(7)

In order to combat child labor in the mining sector, the ICBF requires its regional offices to coordinate with the MOL's regional offices and other government agencies. It also requires its regional offices to collaborate with labor inspectors in the periodic inspections of mines and quarries, provide social services to children found working, and notify the relevant MOL authorities of any apparent child labor infractions that the ICBF identifies.(77) However, it is unclear whether such coordination occurs in practice.

Recent National Household Surveys have found that many adolescents work without permits, despite a requirement that adolescent workers between 15 and 17 years old obtain a work permit. In 2012 and 2013, 5,753 and 2,193 work permits respectively, were issued to adolescents.<sup>(6)</sup> The Government has suggested that it needs to target inspections where adolescents are working.<sup>(6)</sup>

### *Criminal Law Enforcement*

In 2014, the National Police had 657 officers, 53 police guards, and 57 referral officers dedicated to investigating crimes against children, including child labor and its worst forms. Agents carried out 1,753 investigations.<sup>(47)</sup> As a result of the investigations, child victims were assisted, but no information is available on the exact number of children.<sup>(47)</sup>

During the year, the National Police initiated nine trafficking investigations, which remain under investigation with the Attorney General's Office. Six of the cases were for transnational human trafficking for the purposes of commercial sexual exploitation and three were for internal human trafficking for the purposes of commercial sexual exploitation involving 26 suspects.<sup>(4)</sup> No information is available on whether these cases involved minors.<sup>(4)</sup> The MOI's Anti-TIP Operations Center identified 74 victims of transnational human trafficking; 12 of the victims were minors.<sup>(4)</sup> No information is available on whether these transnational trafficking cases involved labor or commercial sexual exploitation, or on whether they were prosecuted or any convictions were made. The MOI's Human Trafficking Hotline received 6,043 calls in 2014, and Colombian authorities identified 62 victims of human trafficking, including at least 2 children.<sup>(4, 34)</sup> No information is available on whether the children were victims of commercial sexual exploitation or forced labor, or how many of these children received services.<sup>(4)</sup> The Government has acknowledged that it lacks adequate resources to effectively conduct investigations and prosecutions of human trafficking cases. Furthermore, the Government has limited resources to assist victims.<sup>(4)</sup>

The ICBF identified 108 cases of child commercial sexual exploitation in which 54 cases were related to child pornography. Research did not uncover whether these cases were a result of calls to a hotline.<sup>(70)</sup> No information is available about how many investigations, prosecutions, or convictions the Government conducted related to the commercial sexual exploitation of children.

In 2014, there were reports of 48 convictions for illegal forced recruitment in armed conflict and 7 convictions for commercial sexual exploitation. However, it is not clear if the convictions included children.<sup>(47)</sup> Research also did not uncover whether the convictions were a result of investigations carried out in 2014. Child victims of commercial sexual exploitation and illegal forced recruitment for armed conflict received assistance from the ICBF.<sup>(70)</sup> The Attorney General's Office reported 327 new cases of illegal forced recruitment during the reporting period, and 217 of these cases involved children.<sup>(4)</sup> The Ministry of Defense, in partnership with UNICEF, trained members of the Colombian Armed Forces on children's rights. As of April 2014, 25 battalions received training.<sup>(78, 79)</sup>

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National System of Family Well-Being	Promote interagency coordination to protect children's rights, including related to child labor. Design, implement, monitor, and evaluate policies that affect children from early childhood to adolescence. <sup>(80)</sup>
Interagency Committee for the Elimination of the Worst Forms of Child Labor (CIETI)	Coordinate efforts to combat the worst forms of child labor. Chaired by the MOL; includes 13 government agencies and representatives from trade unions, business associations, and civil society organizations. <sup>(81)</sup>
National Interagency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation	Implement direct efforts to combat the commercial sexual exploitation of children. Coordinated by the MOL; includes 11 government agencies and representatives from business associations, trade unions, and civil society organizations. <sup>(82, 83)</sup>
Interagency Committee to Combat Trafficking in Persons	Lead efforts to combat human trafficking. Chaired by the MOI and includes 14 government agencies. <sup>(84)</sup> In 2014, the MOI presided over a committee meeting for the first time since the creation of the committee in 2005. <sup>(85)</sup>
Interagency Committee for the Prevention of the Recruitment and Use of Children by Illegal Armed Groups	Coordinate efforts to prevent child recruitment by non-state armed groups, including for purposes of commercial sexual exploitation. Led by the Office of the Vice President and composed of more than 21 government agencies. <sup>(86, 87)</sup>

# Colombia

## SIGNIFICANT ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Office of the Inspector General	Monitor the implementation of child labor laws and policies, including the National Strategy to Eradicate the Worst Forms of Child Labor.(57)

In 2014, the Government created a permanent group made up of the Food and Agriculture Organization (FAO), ILO, Department of National Planning, National Department of Statistics, Ministry of Agriculture, Ministry of Health, and MOL to coordinate with universities to research the types of labor that may be permitted for minors in the coffee, cotton, sugar, and rice sectors.(47)

During the reporting period, the National Interagency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation conducted numerous outreach and training activities for a multitude of stakeholders, including government officials, children, and parents.(47)

The 2013 evaluation of the National Strategy to Eradicate the Worst Forms of Child Labor (2008–2015) indicates that the ICBF, CIETI, and the MOL demonstrated the highest rates of participation in coordination activities.(6) However, regional Government officials recognize that there continues to be a lack of coordination and information exchange between regional ICBF and MOL offices and the national headquarters.(7-9)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Colombia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy to Prevent and Eradicate the Worst Forms of Child Labor (2008–2015)	Lays out Colombia’s strategy to combat the worst forms of child labor in nine priority sectors: coffee, tobacco, sugarcane, mining, street work, garbage scavenging, illegal sale of gasoline, commercial sexual exploitation, and recruitment of children by illegal non-state armed groups.(81, 88) In 2014, the Department of National Planning (DNP) published the results of the 2013 evaluation of the National Strategy to Eradicate the Worst Forms of Child Labor, which highlights advances in training and awareness raising of child labor among government officials and society in general.(6)
National Policy to Prevent the Recruitment of Children and Adolescents by Illegal Armed Groups	Directs actions to prevent the recruitment and use of children by illegal non-state armed groups. Calls for the Government to develop strategies to protect children from recruitment, address violence against children (including the worst forms of child labor), and improve interagency coordination.(89)
National Development Plan (2010–2014)	Outlines Colombia’s strategy to promote economic growth and social inclusion. Includes the goal of reducing the number of working children by 35 percent (from 1,768,153 to 1,149,300).(90) In December 2014, members of the DNP met with academic and industry stakeholders and drafted the National Development Plan for 2014–2018.(91, 92)
10-Year National Plan for Children and Adolescents (2004–2015)	Aims to increase children’s access to social services and reduce the number of children engaged in child labor.(93)
National Strategy to End Extreme Poverty	Seeks to lift 1.4 million families out of extreme poverty by 2014 and includes combating child labor as a goal.(94, 95) By 2014, 3.8 million families were calculated to be in situations of extreme poverty, which is a reduction of 2 million families since the inception of the strategy.(96)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014-2024)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories’ efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Colombia at the ILO’s 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(97-99)
Colombia Network Against Child Labor ( <i>Red Colombia contra el Trabajo Infantil</i> )†	Forms collaboration between Colombian businesses, MOL, and the ICBF to eliminate child labor in supply chains. Initiated with 14 business in 2014, and aims to include 500 businesses in 2015.(100, 101)
Fight against Human Trafficking Agreement between the Government of Colombia and the Government of Argentina†	Establishes a work plan between the governments of Colombia and Argentina to collaborate in the fight against human trafficking. Signed in July 2014, aims to prevent human trafficking and to strengthen efforts to assist Colombian human trafficking victims found in forced labor in Argentina.(102)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Illegal Mining, Drug Trafficking, Inequality, and Poverty Elimination Agreement between the Governments of Colombia Peru†	Outlines 11 objectives to combat issues of illegal mining, drug trafficking, inequality, and poverty in Colombia and Peru. Several objectives focus on child and adolescent labor protection, including identifying and assisting children and adolescents working in mining activities and in vulnerable situations.(103) In addition, establishes a roadmap to apply concepts from the Cooperation Agreement on the Exchange of Experiences and Good Practices regarding labor and labor relations, including child labor.(103) As part of the agreement, officials from both countries developed an information and coordination exchange to develop a Binational Peru-Colombia Child Labor Registration System.(103, 104)
Territorial Assistance Plant†	Increases interinstitutional capacity to address child labor issues in regions and departments. Coordinates regional working groups in 17 departments to collaborate with the Interagency Committee for the Elimination of the Worst Forms of Child Labor on the implementation of public policies related to child labor and children's rights.(47) Provides training on child labor laws and policies in distant regional areas.(47)
Child Labor Pacts (2014-2018)†	Calls for formulation and design of policies on the prevention and eradication of child labor and for improved coordination between the MOL and other government agencies such as the ICBF; Ministry of Education; Ministry of Health; as well as the ILO and Colombia's National Association of Industries. Also calls for awareness-raising activities in capital cities and tourist destination to address forced child labor issues in priority sectors and for provision of technical assistance to departments for training on services and laws related to combatting child labor.(47)

† Policy was approved during the reporting period.

A report from the Colombian Office of the Inspector General indicates that some of the country's departments and main cities have neither fully implemented the National Strategy to Prevent and Eradicate the Worst Forms of Child Labor nor allocated funding for child labor initiatives.(105) Moreover, officials in some of the country's departments correlate difficulties in implementing child labor policies to the lack of current reliable data available on child labor in their department. Regional government officials report that a lack of resources and training on the updating of the MOL's SIRTÍ has contributed to this situation.(7-9) The Child Labor Pacts, approved in 2014, aim to address implementation and policies in the country's departments; however, research indicates that departmental government officials have no information on how to implement the Child Labor Pacts.(47)

During the reporting period, the National Strategy to Combat Trafficking in Persons (2013–2018) remained in draft form. This strategy outlines the responsibilities of the Interagency Committee for the Fight Against Trafficking in Persons, departmental committees, international organizations, civil society, and academia to address human trafficking.(4)

In September 2014, Colombia participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(106)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Colombia funded and participated in programs that include the goal of eliminating and preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
More Families in Action ( <i>Más Familias en Acción</i> )‡	Development for Social Prosperity (DPS) conditional cash transfer program that seeks to combat poverty and build human capital. Implements specific strategies to prevent child labor in mining and fight teen pregnancy; supports poor families with disabled members; and improves child nutrition.(107) In 2014, served 2,676,386 families and 4,807,772 children and adolescents.(108) Also provided support to 100 percent of the homes (1,050 homes) in the indigenous community of Totoró.(109, 110)

# Colombia

## SIGNIFICANT ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
United Network program ( <i>Red Unidos</i> )‡	National Agency to Combat Extreme Poverty program that coordinates actions to reduce inequality and end extreme poverty, including through access to education, health, and job training. Continued projects under agreement with the Telefónica Foundation to prevent child labor in eight cities.(95)
Healthy Generations ( <i>Generaciones con Bienestar</i> )‡	Children's rights program by DPS and the Colombian Institute for Healthy Families that offers cultural and recreational activities to children ages 6 to 17 identified as vulnerable to child labor and recruitment by non-state armed groups.(109)
Thriving Cities for Children and Adolescents ( <i>Ciudades Prósperas de los Niños, Niñas y Adolescentes</i> )‡	DPS and ICBF program that prevents child labor, including commercial sexual exploitation and the recruitment of children by non-state armed groups.(109, 111)
Youth in Action ( <i>Jóvenes en Acción</i> )*‡	DPS technical job training and conditional cash transfer program for vulnerable urban youth ages 16 to 24. In 2014, 152,370 youth benefitted from the program.(108, 109)
We are a Treasure ( <i>Somos Tesoro Project</i> )	USDOL-funded, \$9 million, 4-year project to combat child labor and promote safe work in the mining sector, implemented by Pact, Inc., in partnership with the Alliance for Responsible Mining, Mi Sangre Foundation, and Fund for Environmental Action and Childhood. Works with the Government of Colombia to 1) strengthen national policies to combat child labor in the mining sector; 2) improve governmental capacity to identify and address violations of child labor and occupational safety and health laws in the sector; and 3) provide education and livelihood opportunities for households vulnerable to child labor in mining communities in the departments of Antioquia and Boyacá.(112) In 2014, initiated baseline studies to collect information in intervention areas on the prevalence of child labor, mining practices, institutional capacity to combat child labor, and attitudes toward child labor; aims to benefit more than 20,000 children and 10,000 households.(113)
National Household Survey‡	National Administrative Department of Statistics annual national household survey that includes questions on child labor.(1)
Decent Work Program‡	MOL project implemented by the ILO to promote decent work, including combating child labor, and social dialogue.(114, 115)
Education Assistance*‡	In 2014, the Government's budget for education was increased by 9.1 percent, from \$12.21 million to \$13.32 million.(116)
School Meals Program ( <i>Programa de Alimentación Escolar [PAE]</i> )*‡	Ministry of Education program that provides meals to more than 4 million school children to increase school retention. In 2014, project members met to discuss objectives and strategies with different partners and institutions working on nutrition and food security policy.(117, 118)
Fund to Assist Children and After-School programs ( <i>Foníñez</i> )*‡	Superintendency of Family Subsidy afterschool programs for children. Research did not uncover how many families participated in the program in 2014.(119)
I Have Rights ( <i>Yo Tengo Derechos</i> )	Department of Atlántico child labor awareness raising program that actively searches for children who work or are at risk of working, and strengthens interagency coordination through a one-stop center to handle child labor cases.(120)
Ingruma Indigenous Training Center	ICBF and USAID social reintegration program for demobilized indigenous youth. Provides specialized services for indigenous youth who were victims of child soldiering.(121)
Child Labor in Mining Prevention Program	Secretariat of Mining and Office of Infancy, Adolescence, and Youth program in Antioquia that has provided 438 children with life skills training, legal and psychological support, and recreational activities to prevent and eradicate child labor in the mining sector.(122)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Colombia.

Although the Government of Colombia has implemented programs to eliminate child labor in mining, the commercial sexual exploitation of children, and the recruitment of child soldiers, research found no evidence that it has carried out programs to assist children in sectors such as coffee, tobacco, sugarcane, garbage scavenging, and the illegal sale of gasoline.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Colombia (Table 9).



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested		
Legal Framework	Provide up-to-date information about changes in child labor laws to the general public and relevant groups, including enforcement officials, employers, and civil society organizations.	2009 – 2014		
	Ensure that victims of human trafficking have sufficient time to, or are not required to, file official complaints against their traffickers to receive services beyond emergency care.	2014		
Enforcement	Strengthen monitoring and enforcement of laws related to child labor, including by:	2009 – 2014		
	<ul style="list-style-type: none"> <li>■ Increasing the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.</li> <li>■ Making information publicly available about child labor law enforcement efforts, such as the number and amount of fines imposed by the MOL and collected by SENA for child labor violations, as well as the number of investigations, prosecutions, and convictions related to commercial sexual exploitation and trafficking of children.</li> <li>■ Using information from the child labor monitoring system to target labor inspections and taking enforcement actions to follow up on child labor cases reported by the ICBF.</li> <li>■ Improving coordination between the ICBF and the MOL to enforce child labor laws in the mining sector.</li> <li>■ Ensuring that labor inspectors have adequate resources to perform inspections and that inspectors receive training on child labor issues.</li> <li>■ Providing disaggregated data on the number of unannounced and complaint-driven inspections.</li> <li>■ Providing adequate resources to criminal law enforcement officials to conduct investigations and secure convictions for cases of commercial sexual exploitation of children and child trafficking.</li> </ul>			
	Coordination		Ensure that there is an exchange of information among coordinating bodies at the national and regional levels.	2012 – 2014
	Government Policies		Encourage municipalities and departments—including through financial and technical assistance incentives—to implement the National Strategy to Prevent and Eradicate the Worst Forms of Child Labor, with a focus on identified priority sectors.	2010 – 2014
	Social Programs		Institute programs to address child labor and the worst forms of child labor in the identified priority sectors for child labor eradication and assess the impact that existing programs may have on child labor.	2012 – 2014
			Expand awareness-raising efforts to encourage filing of complaints against commercial sexual exploitation of children.	2014
			Ensure that all children identified by the MOL through inspections and its child labor monitoring system and child victims of commercial sexual exploitation receive appropriate social services.	2012 – 2014
Expand efforts to improve access to education for all children, particularly for indigenous and Afro-Caribbean children, and for children in rural areas and in the Caribbean and Pacific regions.		2013 – 2014		
Ensure that children are protected from internal armed conflict while in school.		2013 – 2014		
Collect more disaggregated survey information about activities in which children and adolescents work—including information about health, occupational safety, and other risks—as well as about geographical areas and sectors where children work, particularly in priority sectors.		2010 – 2014		
	Conduct studies on the worst forms of child labor about which information is currently lacking, including activities such as adolescent work, street work, recruitment of children by illegal non-state armed groups, and children's involvement in other illicit activities.	2009 – 2014		

### REFERENCES

- National Department of Statistics. *Resultados Módulo de Trabajo Infantil*. Bogotá, Republic of Colombia; February 4, 2014. <http://bit.ly/1li4jyy>.
- Government of Colombia. *Response to USDOL Request for Information*. Bogota; February 27, 2015.
- El Tiempo. "ONU pide a Colombia reforzar acciones contra reclutamiento infantil." Bogota, February 4, 2015. <http://www.eltiempo.com/estilo-de-vida/educacion/informe-de-la-onu-alerta-sobre-reclutamiento-infantil-en-colombia/15194615>.
- U.S. Embassy- Bogota. *reporting, February 24, 2015*.
- Colombia, Go. *DANE, Boletín Técnico*; 2015 April 16, 2015. hardcopy on file
- Government of Colombia. *Evaluación de la Estrategia Nacional de erradicación de las peores formas del trabajo infantil y protección al joven trabajador 2008 – 2015*. Bogota; 2014. <https://sinergia.dnp.gov.co/Sinergia/Archivos/3c207dec-ef06-433a-be8b-6fb46f64e00d/INFORME%20FINAL%20EVALUACION%2093N%20ENETI.pdf>
- Ministry of Labor official Interview with USDOL official (June 3, 2015).
- Ministry of Labor official Interview with USDOL official (June 4, 2015).
- Colombian Institute for Family Well-Being (ICBF) official Interview with USDOL official (June 4, 2015).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from GEIH-MTI Survey, 2012 Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- ILO-IPEC. *Trabajo Infantil Indígena en Colombia: Una síntesis de las miradas sobre el problema desde las comunidades indígenas, los académicos y las instituciones*. Geneva, IPEC South America; 2010. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productid=15555>.
- ILO-IPEC. *El trabajo infantil en la agricultura: el caso del sector café: Particularidades y Recomendaciones de Política*. Bogota; October 2007.
- Salcedo, P. "En Colombia trabajan más de un millón de niños." *latarde.com* [online] June 12, 2011 [cited March 7, 2014]; <http://www.latarde.com/historico/43274-en-colombia-trabajan-mas-de-un-millon-de-ninos.html>.
- Recrear Palmira. *Levantamiento de la Línea de Base de Niños, Niñas y Adolescentes, trabajadores en Agricultura, en los corregimientos de Naranjal y Primavera del Municipio de Bolívar – Valle*. Palmira; May 15, 2008.
- TeleSUR. "Cerca de 16 mil niños trabajan en minería en Colombia," *teleSUR video*. Bogota: TeleSUR; September 24., 2011; 02 min., 23 sec., online video; [cited March 07, 2014]; <https://www.youtube.com/watch?v=BCGWNk70WsM>.
- Hurtado, HR. "La dura historia de los niños mineros de Ataco." *El Tiempo*, Bogota, July 14, 2013; Colombia. [http://www.eltiempo.com/colombia/tolima/ARTICULO-WEB-NEW\\_NOTA\\_INTERIOR-12929304.html](http://www.eltiempo.com/colombia/tolima/ARTICULO-WEB-NEW_NOTA_INTERIOR-12929304.html).
- El Tiempo. "1,390 Niños Trabajan en las Minas de Boyacá Arriesgando sus Vidas." *El Tiempo*, Bogota, June 14, 2007. <http://www.eltiempo.com/archivo/documento/CMS-3595477>.
- ILO. *Trabajo Infantil en Colombia 2010* <http://oitcolombia.org/Descargas/Peores-Formas/OIT-%20trab%20inf%20colombia%20COMPLETO%20baja.pdf>.
- Guadrón, Y. "Niños de la calle, blanco de explotadores en Medellín." *El Tiempo*, Bogota, April 18, 2012. [http://www.eltiempo.com/colombia/medellin/ARTICULO-WEB-NEW\\_NOTA\\_INTERIOR-11595581.html](http://www.eltiempo.com/colombia/medellin/ARTICULO-WEB-NEW_NOTA_INTERIOR-11595581.html).
- "Niños que trabajan en las calles de Cali siguen siendo un problema preocupante." *El País*, Cali, Colombia, August 24, 2012; Cali. <http://www.elpais.com.co/elpais/cali/noticias/ninos-trabajan-calles-cali-siguen-siendo-problema-preocupante>.
- UNODC. *Estudio Nacional Exploratorio Descriptivo sobre el Fenómeno de Trata de Personas en Colombia*. Vienna; February 2009. <http://www.tratadepersonas.gov.co/files/estudio-nacional-sobre-la-trata.pdf>.
- Colombian Institute for Family Well-Being (ICBF) official Interview with USDOL official (June 2, 2015).
- RCN La Radio. "En Bogotá hay unos 9 mil niños recicladores." *mineducacion.gov.co* [online] December 23, 2010 [cited January 9, 2013]; <http://www.mineducacion.gov.co/observatorio/1722/article-259486.html>.
- Colombian Ministry of Education. *Comunicado de la Alcaldía Mayor de Riohacha y el Instituto Colombiano de Bienestar Familiar- ICBF respecto a la Conmemoración del Día Mundial Contra el Trabajo Infantil*, Colombian Ministry of Education, [online] June 10, 2011 [cited March 10, 2014]; <http://www.mineducacion.gov.co/cvn/1665/w3-article-273873.html>.
- Los niños que trabajan en las calles [Youtube Video]. Colombia: Universidad Autónoma de Occidente; November 16, 2012, 11 min., 40 sec., [accessed March 07, 2014] <http://www.youtube.com/watch?v=MFJJyAebpNg>.
- Colombian Institute for Family Well-Being (ICBF) official Interview with USDOL official (June 9, 2015).
- Government of Colombia. *Análisis de la Situación de Explotación Sexual Comercial en Colombia: Una Oportunidad para Asegurar la Protección de Niños, Niñas y Adolescentes*. Bogota; December 2013.
- U.S. Department of State. "Colombia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 19, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/>.
- Ejército encontró guerrilleros menores con fisiles de madera*, *El Colombiano*, [online] June 3, 2013 [cited March 07, 2014]; <http://m.elcolombiano.com/article/154018>.
- United Nations Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926-S/2015/409)*; June 5, 2015. [http://www.un.org/gal/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/gal/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
- Office of the Ombudsmen official Interview with USDOL official (June 4, 2015).
- Colombia, ONId. *Pueblos Indígenas*, [online] [cited June 18, 2015]; <http://cms.onic.org.co/pueblos-indigenas/>.
- U.S. Embassy- Bogota official. "E-mail communication to", USDOL official. April 1, 2015).
- Colombian District Attorney's Office official Interview with USDOL official (June 2, 2015).
- Governorship of Amazonas official Interview with USDOL official (June 1, 2015).
- Colombian Institute for Family Well-Being (ICBF). *Análisis de la Situación de Explotación Sexual Comercial en Colombia: Una oportunidad para Garnatizar la Protección de Niños, Niñas y Adolescentes 2014*. <http://www.icbf.gov.co:9005/observatorio/publico/publicacion/51/guardar>.
- Renacer Foundation official Interview with USDOL official (June 4, 2015).
- Nuevo Siglo. *Reafirman compromiso contra trabajo infantil*, Colombian Ministry of Labor, [online] June 12, 2013 [cited February 05, 2014]; <http://www.mintrabajo.gov.co/medios-junio-2012.html?start=20>.
- Colombian Ministry of Labor. *Uno de cada 10 niños sufre el drama del trabajo infantil*, Governmnet of Colombia, [online] June 12, 2013 [cited March 10, 2014]; <http://www.mintrabajo.gov.co/medios-junio-2012.html?start=20>.
- UN General Assembly. *Report of the Secretary-General on children and armed conflict in Colombia*. Geneva; May 15, 2013. <http://childrenandarmedconflict.un.org/countries/colombial>.
- Ardila, L. *La verdad que deben las Farc: siguen reclutando menores*, *La Silla Vacía*, [online] January 29, 2013 [cited March 2014]; <http://bit.ly/VZUqv4>.
- Monroy, JC. "Reclutamiento de menores no da tregua en Colombia." *El Colombiano*, Medellín, February 12, 2014; Inicio. <http://bit.ly/1n3hqdb>.
- U.S. Embassy-Quito. *reporting, February 18, 2014*.
- UN Secretary-General. *Children and Armed Conflict: Report of the Secretary-General*; May 15, 2014. [http://www.un.org/gal/search/view\\_doc.asp?symbol=a/68/878](http://www.un.org/gal/search/view_doc.asp?symbol=a/68/878).
- United Nations, r, April-June 2014. 2014.
- U.S. Embassy- Bogota. *reporting, March 17, 2015*.

48. El Espectador. "Matoneo escolar en Bogotá terminó en reclutamiento de 'bacrim'." El Espectador, Bogotá, February 1, 2014; Bogotá. <http://www.elspectador.com/noticias/bogota/matoneo-escolar-bogota-termino-reclutamiento-de-bacrim-articulo-472257>.
49. Malaver, C. "Mediante matoneo, obligan a jóvenes de colegios a unirse a bandas." El Tiempo, Bogotá, February 4, 2014. [http://www.eltiempo.com/colombia/bogota/jovenes-son-obligados-a-unirse-a-bandas-con-matoneo\\_13428238-4](http://www.eltiempo.com/colombia/bogota/jovenes-son-obligados-a-unirse-a-bandas-con-matoneo_13428238-4).
50. El Tiempo. "Eln recluta niñas para que les cobren a mineros ilegales." El Tiempo, Bogotá, March 3, 2014. [http://www.eltiempo.com/justicia/reclutamiento-de-ninas-del-eln\\_13589958-4](http://www.eltiempo.com/justicia/reclutamiento-de-ninas-del-eln_13589958-4).
51. Melguizo, MC. *El trabajo infantil y el derecho a la educación en Colombia*. Bogotá, ILO and Telefonica Foundation; March 1, 2011.
52. Corporación Colombia Digital. *Evento de socialización de actores claves para promover las iniciativas del programa de permanencia escolar y en particular mostrar las experiencias del trabajo en campo del proyecto de apropiación y uso del sistema de información para el monitoreo, la prevención y el análisis de la deserción escolar SIMPADE*, Corporación Colombia Digital, [online] December 6, 2012 [cited March 7, 2014]; <http://bit.ly/ZRhuAi>.
53. El Tiempo. "Historias de cómo se ir a estudiar por trochas minadas y sin puentes." El Tiempo, Bogotá, February 8, 2013; Justicia. [http://www.eltiempo.com/justicia/ARTICULO-WEB-NEW\\_NOTA\\_INTERIOR-12586004.html](http://www.eltiempo.com/justicia/ARTICULO-WEB-NEW_NOTA_INTERIOR-12586004.html).
54. Colombian Ministry of Education. *Deserción escolar en Colombia: factores de riesgo por región*, Colombian Ministry of Education, [online] November 22, 2012 [cited February 4, 2014]; <http://bit.ly/MrrOur>.
55. Pandi, Adc. *En Colombia también se raja la etnoeducación*; 2014 September 11, 2014. <http://www.agenciapandi.org/en-colombia-tambien-se-raja-la-etnoeducacion/>.
56. ILO. *Colombia ratifica el Convenio sobre las trabajadoras y trabajadores domésticos* [cited [http://www.ilo.org/lima/sala-de-prensa/WCMS\\_243855/lang-es/index.htm](http://www.ilo.org/lima/sala-de-prensa/WCMS_243855/lang-es/index.htm)].
57. Government of Colombia. *Código de la Infancia y la Adolescencia*, Ley 1098 of 2006, enacted November 8, 2006. <http://web.presidencia.gov.co/leyes/2006/noviembre/ley1098081106.pdf>.
58. Government of Colombia. *Resolución 3597*, enacted October 3, 2013. [http://www.icbf.gov.co/cargues/avance/docs/resolucion\\_mtra\\_3597\\_2013.htm](http://www.icbf.gov.co/cargues/avance/docs/resolucion_mtra_3597_2013.htm).
59. Government of Colombia. *Constitución (with modifications until 2013)*, enacted July 6, 1991. <http://bit.ly/P9JBs0>.
60. Government of Colombia. *Ley 599 of 2000 - Código Penal (with modifications until 2013)*, enacted 2000. [http://www.secretariasenado.gov.co/senado/basedoc/ley\\_0599\\_2000.html](http://www.secretariasenado.gov.co/senado/basedoc/ley_0599_2000.html).
61. Government of Colombia. *Ley 418 of 1997*, enacted December 26, 1997. [http://www.secretariasenado.gov.co/senado/basedoc/ley\\_0418\\_1997.html](http://www.secretariasenado.gov.co/senado/basedoc/ley_0418_1997.html).
62. Government of Colombia. *Ley 548 of 1999*, enacted December 23, 1999. [http://200.75.47.49/senado/basedoc/ley/1999/ley\\_0548\\_1999.html](http://200.75.47.49/senado/basedoc/ley/1999/ley_0548_1999.html).
63. Colombian Constitutional Court. *Sentencia C376-10*. Bogotá; 2010 May 19, <http://www.corteconstitucional.gov.co/relatoria/2010/c-376-10.htm>.
64. Government of Colombia. *Decreto 4807 of 2011*, enacted December 20, 2011. [http://www.mineducacion.gov.co/1621/articles-293375\\_archivo\\_pdf\\_decreto4807.pdf](http://www.mineducacion.gov.co/1621/articles-293375_archivo_pdf_decreto4807.pdf).
65. Government of Colombia. *Decreto No. 1069 of 2014*, enacted June 12, 2014. <http://wsp.presidencia.gov.co/Normativa/Decretos/2014/Documents/JUNIO/12/DECRETO%201069%20DEL%2012%20DE%20JUNIO%20DE%202014.pdf>.
66. Colombia Law 1719 of 2014, enacted [http://www.secretariasenado.gov.co/senado/basedoc/ley\\_1719\\_2014.html](http://www.secretariasenado.gov.co/senado/basedoc/ley_1719_2014.html).
67. USDOL official. *Trip Report on Meetings Attended in Colombia*. Washington, DC; March 7, 2013.
68. U.S. Embassy- Bogotá. *reporting, January 30, 2014*.
69. *Resolución No. 1128.15 Integración Unidades Especiales IVC*, enacted hardcopy on file.
70. U.S. Embassy- Bogotá. *reporting, February 24, 2014*.
71. Colombian Institute for Family Well-Being (ICBF). *ICBF ha atendido a 605 niños, niñas y adolescentes trabajadores en 2013*, Government of Colombia, [online] June 12, 2013 [cited February 05, 2014]; [http://www.icbf.gov.co/portal/page/portal/Descargas1/Prensa1/Com\\_TrabajoInf\\_EdAF\\_100612.pdf](http://www.icbf.gov.co/portal/page/portal/Descargas1/Prensa1/Com_TrabajoInf_EdAF_100612.pdf).
72. Colombian Institute for Family Well-Being (ICBF). *Ampliación Información U.S. Department of Labor* Bogotá; April 14, 2014
73. Ministry of Health and Social Protection. *Resolución 0459 of 2012*, enacted March 6, 2012. <http://bit.ly/10A1C6d>.
74. National Training Center (SENA). *Resolución 2126 of 2013*. Bogotá; 2013. [http://www.icbf.gov.co/cargues/avance/docs/resolucion\\_sena\\_2126\\_2013.htm](http://www.icbf.gov.co/cargues/avance/docs/resolucion_sena_2126_2013.htm).
75. U.S. Embassy- Bogotá. *reporting, February 5, 2013*.
76. Colombian Ministry of Labor. E-mail communication to USDOL official. May 29, 2014.
77. Instituto Colombiano de Bienestar Familiar-ICBF. *Resolución 316*, enacted January 28, 2011. <http://bit.ly/UWckBS>.
78. Colombian Ministry of Defense. *Informe Departamento de Trabajo 2014*. Bogotá; April 11, 2014.
79. UNICEF official Interview with USDOL official (June 10, 2015).
80. Government of Colombia. *Decreto 936 of 2013*, enacted May 3, 2013. <http://bit.ly/1fVgyNQ>.
81. Interagency Committee for the Elimination of Child Labor and the Protection of Young Workers. *Estrategia Nacional para Prevenir y Erradicar las Peores Formas de Trabajo Infantil y Proteger al Joven Trabajador - 2008-2015*. Bogotá; January 2008. [http://white.oit.org.pe/ipecc/documentos/estrategia\\_ti\\_colombia.pdf](http://white.oit.org.pe/ipecc/documentos/estrategia_ti_colombia.pdf).
82. Government of Colombia. *Ley 1336 de 2009*, enacted July 21, 2009. [http://200.75.47.49/senado/basedoc/ley/2009/ley\\_1336\\_2009.html](http://200.75.47.49/senado/basedoc/ley/2009/ley_1336_2009.html).
83. Government of Colombia. *Resolución No. 3256*, enacted December 19, 2012. <http://www.mintrabajo.gov.co/normatividad/resoluciones/2012.html>.
84. Government of Colombia. *Estrategia Nacional Integral de Lucha contra la Trata de Personas 2007-2012*. Bogotá; February 2008. <http://www.tratadepersonas.gov.co/files/normas/nacional/estrategia-2007-2012.pdf>.
85. Colombian Ministry of the Interior. *Comité Interinstitucional de Lucha contra la Trata de Personas*, December 15, 2014 [cited <http://www.mininterior.gov.co/sala-de-prensa/galeria-multimedia/comite-interinstitucional-de-lucha-contra-la-trata-de-personas>].
86. Government of Colombia. *Decreto 552 of 2012*, enacted March 15, 2012. <http://bit.ly/1eeMfSx>.
87. Government of Colombia. *Decreto 4690 of 2007*, enacted December 3, 2007. [http://www.icbf.gov.co/cargues/avance/docs/decreto\\_4690\\_2007.htm](http://www.icbf.gov.co/cargues/avance/docs/decreto_4690_2007.htm).
88. Colombian Ministry of Labor. *Respuestas Cuestionario de la Embajada de los Estados Unidos: Insumo Anual de Derechos Humanos 2011*. Bogotá; January 25, 2013.
89. Government of Colombia. *Conpes 3673*, enacted July 19, 2010. <http://bit.ly/101R4Mo>.
90. Government of Colombia. *Plan Nacional de Desarrollo (2010-2014): Prosperidad para Todos*. Bogotá; 2010. <https://www.dnp.gov.co/PND/PND20102014.aspx>.
91. Government of Colombia. *Arrancan los encuentros sectoriales para debatir el Plan Nacional de Desarrollo*, December 2, 2014 [cited December 19, 2014]; <https://www.dnp.gov.co/Paginas/Arrancan%20los%20encuentros%20sectoriales%20para%20debatir%20el%20Plan%20Nacional%20de%20Desarrollo.aspx>.
92. Government of Colombia. *Bases Plan Nacional de Desarrollo 2014-2018*; 2014. <https://colaboracion.dnp.gov.co/CDT/Prensa/Bases%20Plan%20Nacional%20de%20Desarrollo%202014-2018.pdf>.
93. Government of Colombia. *Plan Decenal de Infancia 2004-2015: un país para los niños*. Bogotá.
94. Government of Colombia. *Plan Nacional de Prosperidad Social: La Hoja de Ruta hacia una Colombia sin extrema pobreza*. Bogotá; 2011. <http://bit.ly/1imfLJh>.
95. National Agency to End Extreme Poverty. *Informe de Gestión (Vigencia 2013) Enero -Diciembre 2013*. Bogotá; 2013. <http://bit.ly/PeAyGg>.
96. National Agency to End Extreme Poverty. *DANE anuncia importantes resultados en los índices de superación de la pobreza y la pobreza extrema por ingresos en Colombia* Bogotá; 2014 September 16, 2014. <http://anspe.gov.co/es/sala-de-prensa/noticia/dane-anuncia-importantes-resultados-en-los-indices-de-superacion-de-la>.
97. ILO. "18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour." October 17, 2014, [cited

- November 17, 2014 [http://www.ilo.org/caribbean/WCMS\\_314428/lang--en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang--en/index.htm).
98. UN News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." un.org [online] 2014 [cited October 15, 2014]; <http://www.un.org/apps/news/printnews.asp?nid=49082>.
99. "Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas, October 14, 2014." wordpress.com [online] October 14, 2014 [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
100. Government of Colombia. *Conformación Red Colombia contral el Trabajo Infantil*; 2014
101. Government of Colombia. *Reglamento Red Colombia contral el Trabajo Infantil*; 2014.
102. Colombian Ministry of the Interior. *Colombia y Argentina comprometidos en la lucha contra la trata de personas*, Government of Colombia, [online] [cited December 18, 2014]; <http://www.mininterior.gov.co/sala-de-prensa/noticias/colombia-y-argentina-comprometidos-en-la-lucha-contra-la-trata-de-personas>.
103. La W Radio. "Colombia y Perú firmaron 11 acuerdos de cooperación binacional." wradio.com.co [online] September 30, 2014 [cited May 5, 2015]; <http://www.wradio.com.co/noticias/actualidad/8203colombia-y-peru-firmaron-11-acuerdos-de-cooperacion-binacional/20140930/nota/2440352.aspx>.
104. Fox News Latino. "Perú, Colombia y Brasil coordinan ofensiva contra la explotación sexual de menores." foxnews.com [online] November 14, 2014 [cited November 17, 2014]; <http://latino.foxnews.com/latino/espanol/2014/11/14/peru-colombia-y-brasil-coordinan-ofensiva-contra-la-explotacion-sexual-de/>.
105. Colombian Office of the Inspector General. *Informe Prevención y Erradicación del Trabajo Infantil*. Bogota; 2013.
106. OAS. *Agenda, First Meeting of the Working Group of the XVIII IACML*; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
107. Colombian Department for Social Prosperity. *Más Familias en Acción*, Colombian Department for Social Prosperity, [online] [cited March 07, 2014]; [http://www.dps.gov.co/Ingreso\\_Social/FamiliasenAccion.aspx](http://www.dps.gov.co/Ingreso_Social/FamiliasenAccion.aspx).
108. Colombian Department for Social Prosperity. *Informe de Gestión 2014*. Bogota; January 2015. [http://www.dps.gov.co/documentos/11058\\_Informe\\_Gesti%C3%B3n\\_DPS\\_-\\_2014.pdf](http://www.dps.gov.co/documentos/11058_Informe_Gesti%C3%B3n_DPS_-_2014.pdf)
109. Colombian Department for Social Prosperity. *Informe de Gestión 2013*. Bogota; January 2014. <http://bit.ly/1eePxp2>.
110. Colombian Department for Social Prosperity. *Más Familias en Acción brindará 100 por ciento de cobertura al resguardo indígena Totoró en Cauca*; 2014 December 10, 2014 <http://www.dps.gov.co/contenido/contenido.aspx?conID=10854&catID=127>.
111. Maza, RM. "ICBF lanzará programa "Ciudades Prósperas"." El Universal, Cartagena, March 28, 2012; Cartagena. <http://bit.ly/HffQ3l>.
112. Pact, Inc. *Project to Reduce Child Labor in Colombia- Somos Tesoro*. Technical Proposal- Redacted; November 25, 2013.
113. USDOL. 2014 December 2014.
114. Ministry of Labor and ILO. *Carta Acuerdo No. 270*. Bogota; May 8, 2013.
115. Government of Caquetá. *Ordenanza 002*, enacted February 10, 2014.
116. Government of Colombia. *Este es el presupuesto de la nación para 2014*, Government of Colombia, [online] September 19, 2013 [cited February 05, 2014]; <http://www.urnadecristal.gov.co/gestion-gobierno/presupuesto-colombia-2014-sena-agro>.
117. Colombian Ministry of Education. *Programa de Alimentación Escolar: Aspectos Generales*, Colombian Ministry of Education, [online] January 10, 2014 [cited March 07, 2014]; <http://www.mineducacion.gov.co/1621/w3-article-327088.html>.
118. Colombian Ministry of Education. *MinEducación le apuesta a la articulación intersectorial para consolidar el Programa de Alimentación Escolar*, May 28, 2014 [cited December 17, 2014]; <http://www.mineducacion.gov.co/1621/w3-article-341990.html>.
119. Colombian Superintendency of Family Subsidy. *Informe Rendición de Cuentas: Superintendencia del Subsidio Familiar 2013*. Bogota; November 22, 2013. <http://bit.ly/1gi74gi>.
120. Gobernación del Atlántico. *No Mas Trabajo Infantil*, Gobernación del Atlántico, [online ] January 24, 2014 [cited March 10, 2014]; <http://bit.ly/1hYxtDE>.
121. USAID official. E-mail communication to USDOL official. April 1, 2015.
122. Antioquia digital. "Proyecto de prevención del trabajo infantil asociado con la minería." antioquiadigital.edu.co [online] 2013 [cited May 5, 2015]; <http://www.antioquiadigital.edu.co/Red-Prevenir-es-mejor/Programas-y-Proyectos/>.



In 2014, Comoros made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government approved the Law to Combat Child Labor and Trafficking, which strengthened penalties for child labor and child trafficking. The Law also provides legal protection and social assistance to victims of the worst forms of child labor and child trafficking. The Government also increased the coverage of the Police Morals and Minors Brigade by establishing new brigades on the islands of Anjouan and Moheli, where the majority of human trafficking cases reportedly occur. However, children in Comoros are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in domestic work. A gap between the minimum age for work and the age for compulsory education leaves children ages 13 to 15 vulnerable to child labor. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Comoros are engaged in child labor, including in agriculture.(1-3) Children are also engaged in the worst forms of child labor, including in domestic work.(1-5) Table 1 provides key indicators on children's work and education in Comoros.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	23.0 (42,145)
Attending School (%)	5-14 yrs.	81.5
Combining Work and School (%)	7-14 yrs.	20.8
Primary Completion Rate (%)		79.8

Source for primary completion rate: Data from 2008, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey (DHS), 2012.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Seeding,*† weeding,*† and harvesting,*† particularly in the production of manioc,* beans,* vanilla,*† cloves,*† and ylang-ylang*† (1, 2, 8, 9)
	Capturing and processing fish*† (1, 8, 10)
Industry	Extracting and selling marine sand*(1)
Services	Domestic work*† (1, 2, 8-10)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work,* street vending,* baking,* fishing* and agriculture* (1, 2)
	Used in illicit activities, including drug trafficking *(2)
	Commercial sexual exploitation*sometimes as a result of human trafficking*(1, 2)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined hazardous by national law or regulation.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.



# Comoros

## MODERATE ADVANCEMENT




Some parents who are unable to care for their children send them to wealthy families that are expected to provide food, shelter, and schooling to the children in exchange for housework. In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse.(1, 2, 10) In Comoros, it is a traditional practice to send children to Koranic teachers to receive an education. However, some Koranic teachers, force their students to work; girls usually perform domestic work, while boys perform agricultural labor.(2, 10, 11)

Although the Constitution guarantees free compulsory primary education, in practice this provision is not enforced effectively, as many children do not attend school.(1, 8) Also, the lack of school infrastructure and limited availability of teachers impede access to education, which may increase the vulnerability of children to the worst forms of child labor.(1, 8, 9, 12)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Comoros has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 129 of the Labor Code(13)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Law 14-034 to Combat Child Labor and Trafficking (14)
Prohibition of Hazardous Occupations or Activities for Children	Yes		List of Dangerous Occupations (15)
Prohibition of Forced Labor	Yes		Article 2.1 of the Labor Code (13)
Prohibition of Child Trafficking	Yes		Article 131 of the Labor Code; Articles 345-348 of the Penal Code; Article 13 of Law 14-034 to Combat Child Labor and Trafficking (13, 14, 16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 131 of the Labor Code; Article 323 of the Penal Code; Article 8 of Law 14-034 to Combat Child Labor and Trafficking (1, 10, 13, 14)
Prohibition of Using Children in Illicit Activities	Yes		Article 131 of the Labor Code; Article 6 of Law 14-034 to Combat Child Labor and Trafficking (13, 14)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 41 of Law No. 97-06/AF (17)
Compulsory Education Age	Yes	12	Article 2 of the Outline Act on the Education System (18)
Free Public Education	Yes		Article 1 of the Outline Act on the Education System; Preamble of the Constitution (18, 19)

\* No conscription (20)

Article 129 of the Labor Code establishes the minimum age for work and apprenticeship as 15, but this does not apply to children performing light work in domestic work or agriculture, as long as the work does not interfere with the children's education, or with their physical or moral development.(8, 13, 16, 21) Children in Comoros are required to attend 6 years of primary school, through age 12. Since the minimum age for children to work is 15, children ages 13 to 15 are particularly vulnerable to the worst forms of child labor, as they may have completed primary school but are not legally permitted to work.(3, 8, 16, 22)

In December 2014, the Government adopted the Law to Combat Child Labor and Trafficking, bringing Comoran law into compliance with international standards on the worst forms of child labor.(14, 23) The law prescribes penalties of up to 10 years' imprisonment and a fine up to \$11,000 for those convicted of the worst forms of child labor, a punishment sufficiently stringent and commensurate with the penalties prescribed for other serious crimes, such as rape. The Law also provides legal protection and social assistance to victims of the worst forms of child labor and child trafficking.(14)

A new Anti-Trafficking in Persons law has been developed, but it was not approved during the reporting period.(2, 24) A proposal to ratify the Palermo Protocol on Trafficking in Persons was submitted to the National Assembly, but it was also not approved during the reporting period.(5, 23)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce child labor laws, investigate allegations of child labor, and refer cases for investigation.(1, 10)
Police Morals and Minors Brigade (PMMB)	Investigate allegations of child abuse, including child trafficking, and refer cases for prosecution.(1, 2, 5)
Ministry of Justice	Prosecute criminal cases.(10)

Law enforcement agencies in Comoros took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor (MOL) employed three labor inspectors, one for each of the three islands.(25) Given the prevalence of child labor in the country, the number of labor inspectors is inadequate. MOL inspectors organized training workshops for the Regional Committees Against Child Labor on laws and regulations on child labor, including its worst forms.(25) No labor inspections were conducted and no citations were issued for violations of child labor law during the reporting period.(8) In addition, reports indicate a lack of equipment, transportation, and funding to conduct effective child labor inspections and legal proceedings.(23)

#### *Criminal Law Enforcement*

In 2014, the Government of Comoros established new Police Morals and Minors Brigades (PMMB) to investigate child abuse and exploitation on the islands of Anjouan and Moheli, where the majority of trafficking cases reportedly occur.(2, 5) No information was found regarding the total number of criminal investigators. PMMB investigators in Grand Comore Island were trained on trafficking in persons issues.(23) The number of criminal investigations, prosecutions, and convictions related to the worst forms of child labor is unavailable. Research did not find whether a referral mechanism exist between criminal law enforcement and social welfare services. In addition, reports indicate a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(23)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee Against Child Labor	Coordinate government efforts on child labor, including the implementation of the National Action Plan to Combat Child Labor.(10)
Regional Committees Against Child Labor	Identify cases of child labor and violence against children, and educate communities on child labor.(26)
Monitoring Group for the Fight Against Trafficking in Persons	Coordinate actions against trafficking in persons and provides rehabilitation services to victims at the national level.(2) Headed by the Secretary General of the Government and reports to the Cabinet on a weekly basis on progress in implementing the Anti-Trafficking in Persons Action Plan.(10) Members include the Government Human Rights Officer, and representatives of the Ministries of Education, Interior, Justice, Foreign Affairs, and Health; the Police, Gendarmes and child protection NGOs.(10)

In 2014, the Monitoring Group for the Fight Against Trafficking in Persons organized a series of public awareness and education campaigns on child trafficking and abuse.(2, 24) The Regional Committees Against Child Labor were active to various extents; for example, the regional committee in Anjouan organized workshops to raise awareness on child labor in the fishing and marine sand extraction sectors.(25) Research did not determine whether the National Committee Against Child Labor was active during the reporting period.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Comoros has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Child Labor (NAP) (2010-2015)	Aims to harmonize labor laws, mobilize groups to combat the worst forms of child labor, promote universal primary education, address family poverty, and collect systematic information on the worst forms of child labor.(8, 27)
Anti-Trafficking in Persons Action Plan	Includes the goals of enhancing the legal framework to prevent human trafficking and commercial sexual exploitation; effectively implementing laws, providing effective protection and care for victims; and raising awareness of trafficking in persons.(10, 28)
National Plan on Education for All in 2015	Includes the goal of universal primary education, and integrates strategies that target child labor.(3, 8, 16)
Poverty Reduction and Growth Strategy Paper*	Includes goals such as reducing poverty and increasing access to social services, such as education and preventative health.(29, 30)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

A new Poverty Reduction and Growth Strategy Paper that includes the goal of eliminating the worst forms of child labor has been developed, but it was not approved during the reporting period.(25)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Comoros funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues	USDOL-funded project implemented by the ILO in approximately 40 countries, to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the Government and develop strategic policies to address the elimination of child labor and forced labor in Comoros.(31) In 2014, the project supported the Government in organizing awareness raising campaigns and training workshops on child labor.(32, 33)

Although Comoros has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in agriculture and domestic work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Comoros (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014
	Establish a minimum age for children performing light work in domestic work and agriculture.	2012 – 2014
	Raise the compulsory education age to 15 to be equivalent to the minimum age for work.	2009 – 2014
Enforcement	Increase the resources, training, and number of criminal law investigators and labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2009 – 2014
	Collect and make publicly available information on the number of PMMB criminal investigators; law violations and penalties assessed; as well as criminal investigations, prosecutions, and convictions related to the worst forms of child labor.	2009 – 2014
	Establish a referral mechanism between criminal law enforcement agencies and social welfare services.	2014
	Carry out inspections to enforce compliance with the laws addressing child labor.	2009 – 2014
Coordination	Ensure that the National Committee Against Child Labor actively carries out responsibilities related to the worst forms of child labor.	2014
Government Policies	Integrate child labor elimination and prevention strategies into existing education and child protection policies.	2014
Social Programs	Ensure that all children have access to education by establishing and implementing a program to address the lack of teachers and schools.	2014
	Expand existing programs to address the scope of the child labor problem, particularly in agriculture and domestic work.	2009 – 2014

## REFERENCES

- U.S. Department of State. "Comoros," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- U.S. Department of State. "Comoros," in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child, 1999 (No. 182) Comoros (ratification: 2004) Published: 2014*; accessed November 6, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Comoros (ratification: 2004) Published: 2012*; accessed January 7, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- U.S. Embassy- Antananarivo. *reporting, January 14, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey (DHS), 2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Comoros (ratification: 2004) Published: 2014*; accessed November 5, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- UNICEF. *Comoros Country Programme Document Program Report*. Geneva; September 11, 2014. [http://www.unicef.org/about/execboard/files/2014-PL5\\_Comoros\\_CPD-final\\_approved-EN.pdf](http://www.unicef.org/about/execboard/files/2014-PL5_Comoros_CPD-final_approved-EN.pdf).
- U.S. Embassy- Antananarivo. *reporting, January 24, 2014*.
- U.S. Department of State. "Comoros," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210738.pdf>.
- Ministry of Education, Research, Culture and Arts, in Charge of Youth and Sports. *Diagnostic du Système éducatif comorien pour une politique nouvelle dans le cadre de l'EPT: Rapport d'Etat du Système Éducatif Comorien (RESEN)*. Moroni; February 12, 2012. [http://www.unicef.org/evaldatabase/files/Comoros\\_RESEN\\_2012-101\\_vf.pdf](http://www.unicef.org/evaldatabase/files/Comoros_RESEN_2012-101_vf.pdf).
- Government of Comoros. *Loi N 12- Abrogeant, Modifiant et Complétant Certaines Dispositions de la Loi N 84-108/PR Portant Code du Travail, 84-108/PR*, enacted June 28, 2012. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/1515/64795/F84COM01.htm>.
- Government of Comoros. *Loi N° 14- 034/AU Portant lutte contre le travail et la traite des enfants* enacted December 22, 2014. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/98176/116722/F962391713/COM-98176.pdf>.
- Government of Comoros. *Liste des travaux dangereux aux Comores*, enacted 2012.
- African Committee of Experts on the Rights and Welfare of the Child (ACERWC). *Harmonisation of Children's Laws in Comoros*. Country Brief. Addis Ababa; May 15, 2012. <http://www.acerwc.org/wp-content/uploads/2012/05/English-ACERWC-Comoros-Harmonisation-of-Laws-on-Children.pdf>.
- Government of Comoros. *Loi N° 97- 006/AF Portant Statut des personnels militaires de la République Fédérale Islamique des Comores*, enacted July 21, 1997.

# Comoros

## MODERATE ADVANCEMENT

18. Government of Comoros. *Loi N°94-035/AF Portant orientation sur l'éducation*, enacted January 20, 1995.
19. Government of Comoros. *Constitution*, enacted December 23, 2001. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/72696/74026/F-92095240/COM-72696.pdf>.
20. Child Soldiers International. *Louder than words: An Agenda for Action to End State Use of Child Soldiers*. London; 2013. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
21. Government of Comoros. *Relative à l'apprentissage*, Loi No. 88-014/AF, enacted December 10, 1980.
22. U.S. Embassy- Antananarivo. *reporting, May 13, 2013*.
23. U.S. Embassy- Antananarivo. *reporting, February 17, 2015*.
24. U.S. Embassy- Antananarivo. *reporting, December 4, 2014*.
25. U.S. Embassy- Antananarivo official. E-mail communication to USDOL official. April 16, 2015.
26. U.S. Embassy- Antananarivo. *reporting, February 4, 2013*.
27. Ministère de l'Economie du Travail de l'Emploi du Commerce Extérieur. *Plan d'Action National pour l'Elimination des Pires Formes de Travail des Enfants aux Comores: 2010-2015*. Moroni; October 2009.
28. Government of Comoros. *Lettre d'engagement et plan d'action sur la traite des être humains*. Moroni; May 24, 2013.
29. International Monetary Fund. *Union of the Comoros: Poverty Reduction Strategy Paper- Review of the Second Year of Implementation*. Washington, DC; February 2013. Report No. 13/39. <http://www.imf.org/external/pubs/ft/scr/2013/cr1339.pdf>.
30. International Monetary Fund. *Union of the Comoros: Poverty Reduction Strategy Paper: Review of the Second Year of Implementation*. Washington, DC; 2013. <http://www.imf.org/external/pubs/ft/scr/2013/cr1339.pdf>.
31. U.S. Embassy- Antananarivo. *reporting, October 14, 2014*.
32. Obrien & Associates International. *External interim evaluation of the global action program on child labor* April 2014. [http://www.dol.gov/ilab/projects/summaries/GAP\\_FY11\\_meval.pdf](http://www.dol.gov/ilab/projects/summaries/GAP_FY11_meval.pdf).
33. U.S. Embassy- Antananarivo. *reporting, January 22, 2015*.



# Congo, Democratic Republic of the

MODERATE ADVANCEMENT

*In 2014, the Democratic Republic of the Congo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government took steps to implement a UN-backed action plan to end the recruitment and use of child soldiers, including by convening national and provincial working groups, appointing a presidential adviser on sexual violence and child recruitment, and arresting several individuals on charges of recruiting and using child soldiers. However, children in the Democratic Republic of the Congo continue to engage in child labor, including in domestic work, and in the worst forms of child labor, including in the forced mining of gold, cassiterite (tin ore), coltan (tantalum ore), and wolframite (tungsten ore). The Government failed to prosecute or convict any individual of child labor violations, and the prescribed penalties for forced or compulsory labor remain low and do not serve as a deterrent. There are few social programs to assist child laborers, and laws and regulations mandating free primary education are not enforced.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Democratic Republic of the Congo are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in forced mining of gold, cassiterite (tin ore), coltan (tantalum ore), and wolframite (tungsten ore).<sup>(1-5)</sup> Children are also forcibly recruited by armed groups, including through abduction, for use in armed conflict.<sup>(2, 3, 6-8)</sup> Table 1 provides key indicators on children's work and education in the Democratic Republic of the Congo.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	16.9 (3,327,806)
Attending School (%)	5-14 yrs.	67.1
Combining Work and School (%)	7-14 yrs.	16.2
Primary Completion Rate (%)		72.8

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.<sup>(9)</sup>

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010.<sup>(10)</sup>

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of manioc,* corn,* peanuts,* cassava leaves,* and other vegetables* (1, 11)
	Animal husbandry* (1)
Industry	Mining,† including sifting, cleaning, sorting, transporting, and digging of diamonds, copper, heterogenite (cobalt ore), gold, cassiterite (tin ore), coltan (tantalum ore), and wolframite (tungsten ore) (1, 4, 12-19)
	Work in quarries,† breaking stone into gravel* (16, 20)
Services	Domestic work (1, 2, 18, 20-22)
	Work in bars* and restaurants* (23)
	Street work, including vending, carrying packages, and unloading vehicles (1, 18, 24, 25)
Categorical Worst Forms of Child Labor‡	Forced mining of gold, cassiterite, coltan, and wolframite (1, 4, 23, 26-28)
	Commercial sexual exploitation (1, 2, 4, 24, 29-31)

# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced domestic work* (32)
	Hereditary servitude in forestry and agriculture (20, 33, 34)
	Used in illicit activities, including for spying, smuggling minerals, and distributing drugs (1, 18, 35)
	Used as child soldiers, sometimes as a result of forced recruitment by armed groups (2, 3, 8, 36-39)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In 2014, members of indigenous and foreign armed groups—including Rayia Mutomboki, Allied Democratic Forces (ADF), *Forces Democratiques de Liberation du Rwanda* (FDLR), *Nduma Defense du Congo* (NDC/Cheka), *Union des Congolais Patriotes pour la Paix* (UPCP), *Force de Résistance Patriotique en Ituri* (FRPI), the Lord’s Resistance Army (LRA), *Forces populaires congolaises* (FPC/AP), and various Mayi Mayi groups (Nyatura, Shetani, Simba “Morgan,” Kifuafua, Kata Katanga, Yakutumba, Cheka, *Alliance des patriotes pour un Congo libre et souverain* (APCLS), *Forces de defense des droits humains* (FDDH), and *Forces de defense Congolaise* (FDC)—continued to abduct and recruit children in North Kivu, South Kivu, and Orientale Provinces to be used in their units; the recruitment of children in Katanga Province is assessed to be largely underreported.(3, 8, 38-40) Children associated with armed groups serve as combatants and bodyguards for army commanders, as well as porters of ammunition, cooks, spies, miners, domestic workers, and sex slaves. Children also monitor military check points, cultivate crops, transmit messages, and loot villages after attacks.(3, 18, 23, 39, 41-46) The LRA abducted Congolese children for use by the group in the country, as well as in Sudan, South Sudan, and Central African Republic.(2, 3, 45, 47) The ADF kidnapped children, known as *bazana* or slaves, from areas peripheral to their control, who then became the personal property of the group’s leader.(39) The UN confirmed one case of child recruitment by the Congolese National Army (FARDC) in 2014—a 17-year-old in Rutshuru Territory in January 2014 who participated in combat against Mayi Mayi Nyatura before being demobilized in April 2014—which marks a significant reduction from previous years.(1, 3, 8, 48)

Armed conflict hinders children’s access to education in the eastern region of the Democratic Republic of the Congo. Some children are forcibly recruited from schools to serve as child soldiers, and some are victims of sexual violence on their way to and from school.(8, 25, 35, 49) Some schools have closed or have been destroyed because of armed conflict.(8, 23, 38, 40, 49, 50) Some schools are also physically occupied by armed forces and used as barracks and operations bases, which places children in the vicinity at risk of engaging in the worst forms of child labor.(8, 37, 38, 40, 49, 50) In addition, the dearth of schools and long travel distances to get to schools prevent some children from receiving an education.(51)

Article 43 of the Constitution establishes the right to free education in all public establishments. President Kabila’s August 2010 declaration and circular of September 2010—under which all direct costs of primary education are to be waived outside of Kinshasa and Lubumbashi—are not being universally implemented.(27, 51-53) In practice, schools generally require payment of tuition and additional fees, including funds to cover teachers’ salaries, for all grades.(1) Even in areas where free primary education is provided, it is often oversubscribed and under-resourced.(54) Children engage in various kinds of work, such as artisanal mining, to pay their school fees.(13) The cost of uniforms may also deter children’s enrollment.(55) In addition, because the compulsory education law is not systematically enforced, children – including those below the minimum age of employment – may enter the workforce and engage in the worst forms of child labor.(56)

Access to education may also be constrained by the lack of birth registration. Unable to prove citizenship, nonregistered children may have difficulty accessing services, such as education, and are more vulnerable to being recruited into armed conflict and other forms of child labor.(44) According to the Government’s 2010 Multiple Indicator Cluster Survey, only 29 percent of children in rural areas and 24 percent of children in urban areas are registered at birth.(57) UNICEF noted that only 25 percent of attended births in medical facilities were registered by the Government between 2013 and 2014; in certain provinces, the percentage of children under age 10 who were not registered was nearly 90 percent.(3) Moreover, lack of identification documents makes age verification difficult during FARDC recruitment campaigns and also hinders efforts to identify and separate children associated with armed groups.(48) Approximately 2.6 million people were internally displaced in the Democratic Republic of the Congo in 2014.(58) Internally displaced children may have difficulty accessing education, which puts them at increased risk of engaging in child labor.

# Congo, Democratic Republic of the




MODERATE ADVANCEMENT

A comprehensive, stand-alone child labor survey has never been conducted in the Democratic Republic of the Congo.(42)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Democratic Republic of the Congo has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 6 of the Labor Code; Article 50 of the Child Protection Code (33, 59)
Minimum Age for Hazardous Work	Yes	18	Article 10 of Ministerial Order No. 12 (60)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Ministerial Order No. 68/13; Articles 10-16 of Ministerial Order No. 12; Article 26 of the Mining Code (60-62)
Prohibition of Forced Labor	Yes		Article 2 of the Labor Code; Article 53 of the Child Protection Code; Articles 16 and 61 of the Constitution; Article 8 of Ministerial Order No. 12 (33, 52, 59, 60)
Prohibition of Child Trafficking	Yes		Article 3 of the Labor Code; Articles 53 and 162 of the Child Protection Code; Article 174 of the Penal Code; Article 8 of Ministerial Order No. 12 (33, 59, 60, 63)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Labor Code; Articles 53 and 61 of the Child Protection Code; Article 174 of the Penal Code; Article 8 of the Ministerial Order No. 12 (33, 59, 60, 63)
Prohibition of Using Children in Illicit Activities	Yes		Article 3 of the Labor Code; Article 8 of Ministerial Order No. 12; Article 53 of the Child Protection Code (33, 59, 60)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 7 of the Defense and Armed Forces Act (64)
Minimum Age for Voluntary Military Service	Yes	18	Articles 7 and 10 of Act No. 04/23; Article 71 of the Child Protection Code (59, 64, 65)
Compulsory Education Age	Yes	15	Act No. 86/005 (56, 66)
Free Public Education	Yes		Article 43 of the Constitution (52)

The laws of the Democratic Republic of the Congo are not completely consistent with international standards regarding child labor. Penalties prescribed for the use of forced or compulsory labor in Article 326 of the Labor Code—a maximum penalty of up to 6 months' imprisonment and/or a fine—are low and do not deter violations.(32, 43, 50, 67)

Children are required to attend school only up to age 15. This standard makes children who are 15 years of age who do not have an apprenticeship particularly vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work either.(59, 66) In addition, the Government did not pass the necessary implementing decree for the Child Protection Code, which contains many relevant protections for children.(25)

# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

In April 2014, the Council of Ministers approved a draft law to establish specialized mixed chambers to try war crimes and crimes against humanity, including the recruitment and use of child soldiers, and presented it to the National Assembly for adoption and enactment in May. Citing technical concerns, Parliament rejected the legislation and awaits resubmission of corrected text.(68)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Insurance (MOL)	Investigate cases related to child labor, including its worst forms.(3, 18, 46)
Ministry of Gender, Family and Children (MOGFC)	Oversee and investigate cases related to the commercial sexual exploitation of children.(3, 27, 46) Provide social services to vulnerable populations, including street children and child soldiers.(3) Receive referrals of child workers found during inspections, and work with NGOs to reintegrate them into communities and reunite them with their families.(3, 7, 18) Sensitize communities to welcoming and reintegrating former child soldiers.(3) A technical team within the Ministry's Secretary General's office is responsible for overseeing and investigating child trafficking cases.(3) In the case of the Department of Child Protection, operate a database to monitor and coordinate children's rights activities and implement programs targeting orphans and vulnerable children.(69, 70)
Ministry of Justice and Human Rights (MOJ)	Enforce criminal laws related to forced labor, human trafficking, commercial sexual exploitation, and the use of children in illicit activities.(18, 46)
National Police	Enforce laws related to the worst forms of child labor.(7)
Special Police Commissariats in Kinshasa, Kisangani, and Goma	Run by female police officers, these units protect victims of rape, assist children abandoned by their families after being denounced as witches, help abandoned women, and pursue husbands who have abandoned their families.(45)
Ministry of Defense	Investigate and use military courts to prosecute military officials suspected of recruitment and use of child soldiers or forced labor of civilians. Implement the UN-backed action plan to end the recruitment and use of child soldiers.(3)

Criminal law enforcement agencies in the Democratic Republic of the Congo took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor (MOL) employed 200 labor inspectors, 75 percent of whom were posted in Kinshasa.(1, 3) There are also 20 labor controllers in the Katanga mining region.(7) According to the Government, the number of labor inspectors is not sufficient given the size and remoteness of the country.(1, 3, 7) Labor inspectors often do not have adequate funding, staff, facilities, communications infrastructure, and means of transportation to conduct inspections.(1, 3, 7, 46, 71) Labor inspectors did not receive training on the worst forms of child labor during 2014.(18) The MOL does not have a system to track child labor complaints and did not keep records of child labor investigations during the reporting period.(1) Research did not find information regarding the type of inspections conducted, the quality of inspections, or the number of unannounced inspections made. Each inspector is required to prepare one annual inspection report, but this report does not necessarily include information on child labor.(27) Information on the number of complaints, inspections, citations, and prosecutions related to child labor is not publicly available.(11, 18) The Government does not facilitate cooperation between inspection services and the justice system, resulting in a lack of information on whether penalties were applied to labor violations.(71, 72) In 2012, the last date for which information is available, the Department of Child Protection within the Ministry of Social Affairs, Humanitarian Action and National Solidarity (MINAS) employed 57 people at the national level and 8 at the provincial level.(70) Research found no information on whether MINAS investigated cases of child trafficking or whether there were any trafficking prosecutions or convictions during the year.(3) Research was also unable to uncover whether MINAS employees received training. In December 2014, MINAS was eliminated as a ministry in a government reshuffle and its responsibilities were assumed by the Ministry of Gender, Family, and Children (MOGFC).(73)

## *Criminal Law Enforcement*

Research found no information on whether the Ministry of Justice (MOJ) and MOGFC investigated cases involving the worst forms of child labor. The justice system faces major challenges with regard to independence, resources, and training, which leads to impunity for crimes committed in the country.(3, 18) Investigators in the MOGFC and the MOJ were not trained on the worst forms of child labor during the reporting period.(18) In 2012, the last date for which information is available, the MOJ was allocated a budget of less than 2 percent of the national budget, an increase of 1 percent from 2011.(70, 74) The Government lacks procedures for identifying victims of the worst forms of child labor and referring them to social services.(44)

Military courts have failed to prosecute any individual for suspected recruitment and use of child soldiers since 2006, despite holding numerous individuals in custody based, in part, on allegations of such crimes.(48) The Government did, however, take steps to initiate criminal proceedings in several cases during the reporting period. Following an arrest warrant issued by the Military Prosecutor in November 2013, former rebel group Nyatura Commander Sieru Muchomba Bahani—accused of recruitment and use of children—was arrested in Equateur Province in February 2014 and awaits trial.(40) In 2014, FARDC Brigadier General Goda Supka Emery was indicted by the High Military Court in Kinshasa with crimes against humanity and war crimes, including the recruitment of children.(8) In April 2014, suspected child recruiter Mahanganiko Kasai (alias “Manga”), of the armed group *Patriotes Résistants Mayi Mayi* (PRM) was arrested and awaits trial in Ndolo military prison.(75) In August 2014, Colonel Habarugira Rangira Marcel, a senior Nyatura commander accused of recruitment and use of children, was arrested by the FARDC in North Kivu.(40) After years of delay, the trial against Lieutenant Colonel Bedi Mobuli Engangela commenced in August 2014 in the Military Court of South Kivu. In December 2014, he was charged with and convicted of crimes against humanity, but not with child recruitment, despite existing evidence and advocacy by the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).(40)

Some children associated with armed groups were detained, interrogated, and beaten, despite the enactment of a directive that requires that all children in detention for their association with armed groups be immediately transferred to the UN.(8, 38, 46) For example, in March 2014, the Commander of FARDC’s Kamina Camp refused to hand over 44 children identified as associated with Mayi Mayi groups that surrendered to the FARDC. In April 2014, in response to a letter from the Vice Prime Minister requesting the FARDC to facilitate UNICEF and its partners’ efforts to demobilize and reintegrate children, 24 children were separated, but 20 remained at a military base for an additional period of time.(38, 46) In another documented case, a 17-year-old boy formerly associated with FRPI was severely beaten by a FARDC soldier.(40) In 2014, the UN and Congolese partners secured the release of 121 children from government detention centers; many of these children were detained because of alleged association with armed groups.(3, 8)

In 2014, MONUSCO trained 183 members of the Congolese National Police, as well as 1,514 FARDC soldiers, on child protection and the UN-backed action plan to end the recruitment and use of child soldiers.(3) A foreign government provided training on human rights law, including human trafficking, to 121 police officials, who were subsequently deployed to the mining, border, and territorial police; the foreign government also trained more than 585 FARDC members on the issue of child soldiers.(3)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee to Combat the Worst Forms of Child Labor (NCCL)	Coordinate activities that include compiling data on the nature and extent of child labor, preventing and withdrawing children from engaging in the worst forms of child labor, conducting public awareness campaigns, and building the capacity of Government officials and civil society to combat exploitative child labor.(27, 70) Led by the MOL and composed of members from the Ministry of Social Affairs, Humanitarian Action and National Solidarity (MINAS); MOJ; local NGOs; and civil society.(18)
Ministry of Defense’s Disarmament, Demobilization, and Reintegration Commission (UEPNDDR)	Coordinate the identification, verification, and release of child soldiers by collaborating with the UN Organization Stabilization Mission in the Democratic Republic of the Congo, UNICEF, and NGOs.(3, 46) Refer identified children to these partners. U.S. Embassy contacts report, however, that coordination is not led by UEPNDDR, but by international and local partners in the field.(3) Provide a signed “attestation” stating the demobilized children have completed a reintegration program.(3)



# Congo, Democratic Republic of the

MODERATE ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Joint Technical Working Group (JTWG) on the Implementation of the UN-backed Action Plan	Coordinate implementation of the UN-backed action plan to end the recruitment and use of child soldiers. Led by Ministry of Defense and includes representatives from the Ministry of Interior, MOJ, MINAS, MOL, and MOGFC, among others. Held 12 meetings and was replicated on the provincial level in three provinces in 2014.(3)
Provincial Worst Forms of Child Labor Committees in Kasai Oriental, Kolwezi, and Mongbwalu	Coordinate activities to combat child labor at the provincial level.(70)
Provincial JTWG on the implementation of the UN-backed Action Plan	Coordinate implementation of the UN-backed action plan to end the recruitment and use of child soldiers at the provincial level. Established in North Kivu, South Kivu, and Orientale in 2014.(3)

During the reporting period, the National Committee to Combat the Worst Forms of Child Labor (NCCL) neither met nor received funding from the central Government.(1, 11, 18) In 2010, the MOL issued a decree nominating members for the NCCL's permanent secretariat. However, research found no evidence demonstrating that this decree had been implemented.(27, 70) In October 2013, the Government published a decree authorizing the creation of committees to combat child labor at the provincial level and extending applicable MOL activities to the provinces.(3, 18) However, the Government has not funded the three existing provincial committees and did not establish additional committees during the reporting period; research found no evidence that the existing committees were operational in 2014.(11, 70)

The national Joint Technical Working Group (JTWG) that oversees implementation of the UN-backed action plan to end the recruitment and use of child soldiers held 12 meetings during the year and appointed two FARDC officers to serve as child protection focal points in North Kivu.(3) In March 2014, the Ministry of Interior and Security issued a letter to provincial governors requesting they put in place provincial JTWGs in order to ensure the implementation of the action plan.(40) Provincial JTWGs were established in South Kivu in June, in North Kivu in August, in Orientale in September, and in Katanga in October.(3, 40) In July 2014, President Kabila appointed Jeanine Mabunda Liyoko as presidential adviser on sexual violence and child recruitment, and provided funding for the establishment of her office.(1, 3, 8, 68)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Democratic Republic of the Congo has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (2012 – 2020)	Aims to eliminate the worst forms of child labor in the Democratic Republic of the Congo by 2020. Promotes the enforcement of legislation on the worst forms of child labor, awareness raising, education, prevention and reintegration services, and monitoring and evaluation efforts.(27, 36)
UN-Backed Action Plan to End the Recruitment and Use of Child Soldiers	Seeks to end the recruitment and use of child soldiers within the Government's security services, including the armed forces. Implemented by the Ministry of Defense, the four components of this action plan include identifying children serving in the armed forces, providing reintegration services to those children, establishing accountability measures against the perpetrators, and creating a partnership framework for the UN and the Government.(3, 18, 37, 46, 76, 77)
National Disarmament, Demobilization, and Reintegration Plan	Established in December 2013; amended in July 2014 to revise the process of disarmament and demobilization to require the verification and separation of children associated with armed groups as soon as their armed groups surrender or they are captured.(3, 40)
Human Rights Due Diligence in Mineral Supply Chains	In 2011, the Government, representatives of artisanal miners, mineral buyers and traders, and civil society groups signed a code of conduct to increase transparency and prohibit the employment of children in mines.(70, 78) The Ministry of Mines established a multi-stakeholder validation process to provide baseline certification of artisanal sites as free of illegal taxation by armed groups or criminal Congolese National Army (FARDC) elements, dangerous work conditions, and child labor. Of the more than 175 sites that had been assessed by the end of 2014, well over 100 mines received a "green" or acceptable rating following the baseline assessment, indicating, among other things, that child labor was not present.(3, 79) The initiative does not include protocols for assisting child victims of forced labor on the inspected sites.(79)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Action Plan for Orphans and Vulnerable Children (2010 – 2014)*	Aims to provide orphans and vulnerable children with improved access to education and psychosocial, medical, and nutritional support.(69, 80)
Growth and Poverty Reduction Strategy Paper (2011 – 2015)*	Seeks to improve living conditions and access to social services for vulnerable groups, including children, by 2015.(51)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The National Action Plan to Combat the Worst Forms of Child Labor has not been comprehensively implemented, largely due to the Government’s failure to budget adequate funding. As a result, implementation is dependent on external support, which has not been received. In addition, Parliament has not passed legislation implementing the action plan, limiting the plan’s effectiveness.(1, 81) In addition, although three provincial committees have action plans to combat the worst forms of child labor, research was unable to obtain any information to assess the implementation of those plans.(27, 70)

UN sources reported that the Government cooperated fully and collaborated closely with the UN to identify and remove children from the FARDC, allowing frequent and often unfettered access to its bases. During the reporting period, FARDC commanders proactively requested that UN agencies and partners screen for children in certain locations.(3) The UN recorded the removal of at least 1,030 children from armed groups in 2014, largely as a result of surrenders following the FARDC’s military efforts against armed groups.(3) In February 2014, the FARDC issued a special edition of its newsletter dedicated to children and the actions taken to implement the UN-backed action plan.(40)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of the Democratic Republic of the Congo funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Program to Demobilize, Disarm, and Reintegrate	Government program that receives support from USAID, the World Bank, Sweden, and Japan through the end of 2015; aims to reintegrate children associated with armed groups in North and South Kivu.(27) Throughout 2014, the Government worked with the UN and local partners to separate at least 1,030 children from armed groups and transport them to NGO-run centers for temporary housing, care, and vocational training prior to returning them to their home communities.(1, 3, 8) With USAID support, UNICEF provided services to 2,172 children who separated from armed groups during 2014.(82)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the Government and develop strategic policies to address the elimination of child labor in the Democratic Republic of the Congo.(83)
Growth with Governance in the Mineral Sector Project‡	Government-implemented project that aims to eliminate child labor and the presence of children from mines in Kolwezi by raising awareness of child labor among parents and by providing children with extracurricular activities, school catch-up classes, school clubs, and income-generating activities for families.(84)
Street Children Project	\$10 million World Bank–funded, 5-year project to prevent children from engaging in street work and provide support services for street children.(69)
Decent Work Country Program (2013 – 2016)	\$44.5 million ILO-implemented program to contribute to the consolidation of peace and reconstruction in the Democratic Republic of the Congo by promoting decent work that integrates social protection in a context of broader social dialogue and respect for national and international labor standards. Prioritizes the promotion of decent work for girls and boys in a post-conflict context of sustainable development and improved labor productivity by promoting social dialogue, fundamental principles and rights at work, and social protection. Will provide advocacy for the adoption and the implementation by the Government of a National Action Plan to combat the worst forms of child labor.(85)
School Rehabilitation Project*‡	Government project that provided \$100 million to rehabilitate 1,000 schools across the country.(86)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of the Democratic Republic of the Congo.

# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

The Government works with international partners to provide assistance and support to demobilized child soldiers, but the programs are not sufficient to fully address the extent of the problem. Reintegrated child soldiers remain vulnerable to re-recruitment, as stigmatization, threats from former colleagues, and lack of adequate rehabilitation services for children suffering severe psychological trauma may lead them to rejoin their old unit or to be recruited by another armed group. UNICEF partners report that nearly 10 percent of child soldiers who completed their programs are re-recruited by armed groups.(2, 3, 39) More than half of the child soldiers returning from armed conflict do not have access to reintegration services, and the programs available do not adequately respond to the medical, psychological, and economic needs of former child soldiers.(42) Limited evidence also suggests that girls do not enter Disarmament, Demobilization, and Reintegration (DDR) programs because they fear being stigmatized and lack awareness about their rights and options.(35, 87) The UN and other organizations have called on the Government to make DDR more accessible and effective for girls.(42, 88)

Despite the Katanga Provincial Ministry of Interior's effort to manage a center for street children in Lubumbashi, children continued to live and work on the streets in Katanga and throughout the country. There is a need for the Government to strengthen its efforts to provide street children with food, shelter, and health care.(24, 25, 70, 73) Child labor in artisanal mining is prevalent in the provinces of Katanga, Eastern and Western Kasai, North and South Kivu, and Orientale.(1, 2). However, research did not find evidence of any social programs to protect these children. The existing multi-stakeholder validation process of artisanal mining sites does not include protocols for assisting child victims of forced labor identified on the inspected sites.(79)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Democratic Republic of the Congo (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Laws	Raise penalties for the use of forced or compulsory labor to deter violations.	2013 – 2014
	Raise the compulsory education age to 16 to be equivalent to the minimum age for work.	2013 – 2014
	Issue appropriate decrees to ensure that enacted laws are implemented.	2013 – 2014
Enforcement	Implement President Kabila's August 2010 declaration and Circular No. MINEPSP/CABMIN/008/2010 that provide for free and compulsory education.	2009 – 2014
	Ensure that the MOJ; MOGFC; and MOL have sufficient funding, staffing levels, communications infrastructure, facilities, transportation, and training to carry out their mandate and address the worst forms of child labor.	2011 – 2014
	Systematically collect, monitor, and make available information on child labor complaints, types and numbers of inspections conducted, citations issued, prosecutions undertaken, and the application of penalties.	2009 – 2014
	Facilitate increased cooperation between the inspection services and the justice system to enable appropriate law enforcement action to be carried to completion.	2014
	Establish procedures for identifying victims of the worst forms of child labor and referring them to social services.	2013 – 2014
	Bring to justice and hold accountable those individuals who have recruited and used child soldiers, including through timely and systematic investigation and prosecution.	2014
	Implement directive N05/00/CAG/ANR/195/2013, which requires that children in detention for their association with armed groups be handed over to UN child protection actors for reintegration.	2013 – 2014
Coordination	Implement the 2010 decree to nominate members of the NCCL's permanent secretariat and ensure that the NCCL meets on a regular basis.	2014
	Establish committees to combat the worst forms of child labor in all provinces and ensure that the committees and the NCCL are funded.	2012 – 2014
Government Policies	Continue to implement the code of conduct that prohibits the employment of children in mines through the multi-stakeholder validation process, which assesses mining sites for the presence of child labor.	2012 – 2014
	Provide funds for the implementation of local and national plans to combat the worst forms of child labor.	2011 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014
	Ensure the full implementation of the action plan to end the recruitment and use of child soldiers, including at the provincial level.	2009 – 2014
Social Programs	Improve access to education by registering all children at birth, developing programs that assist internally displaced children, building additional schools, and ensuring that schools are safe.	2012 – 2014
	Conduct a stand-alone child labor survey.	2013 – 2014
	Assess the potential impact of existing social programs on addressing the worst forms of child labor.	2013 – 2014
	Ensure adequate medical, psychological, economic, and other support services for children demobilizing from armed groups and integrate stigmatization, gender, and re-recruitment concerns into programs to reintegrate such children.	2009 – 2014
	Raise awareness of relevant child labor laws to increase the likelihood of compliance.	2012 – 2014
	Expand efforts to address the needs of former child soldiers, children working in artisanal mining, and children working on the streets and in other informal settings.	2009 – 2014

## REFERENCES

- U.S. Embassy-Kinshasa. *reporting, February 5, 2015.*
- U.S. Department of State. "Democratic Republic of the Congo," in *Trafficking in Persons Report-2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/>.
- U.S. Embassy-Kinshasa. *reporting, February 27, 2015.*
- Jocelyn Kelly, NG, Daniel Sabet, and Jordan Fulp., *Assessment of Human Trafficking in Artisanal Mining Towns in Eastern Democratic Republic of the Congo*, USAID August 2014. [http://pdf.usaid.gov/pdf\\_docs/PA00K5R1.pdf](http://pdf.usaid.gov/pdf_docs/PA00K5R1.pdf).
- Amnesty International. *Profits and Loss: Mining and Human Rights in Katanga, Democratic Republic of the Congo*. London; June 18, 2013. <http://www.amnestyusa.org/research/reports/profits-and-loss-mining-and-human-rights-in-katanga-democratic-republic-of-the-congo>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Democratic Republic of the Congo (ratification: 2001) Published: 2012*; accessed January 10, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- U.S. Embassy- Kinshasa. *reporting, February 13, 2013.*
- United Nations Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 - S/2015/409)*; June 5, 2015. [http://www.un.org/gal/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/gal/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total for Democratic Republic of the Congo*. [accessed February 18, 2015]; <http://www.uis.unesco.org>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2010. <http://www.ucw-project.org/Pages/Tables.aspx?id=1535>. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy official. E-mail communication to USDOL official. April 2, 2015
- Walther, C. *Protection and assistance for children working in DR Congo's diamond mines*, UNICEF, [online] April 10, 2012 [cited January 29, 2014]; [http://www.unicef.org/infobycountry/drcongo\\_62197.html](http://www.unicef.org/infobycountry/drcongo_62197.html).
- Nicolas Tsurukawa, Siddharth Prakash, and Andreas Manhart. *Social impacts of artisanal cobalt mining in Katanga, Democratic Republic of Congo*. Freiburg; November 2011. <http://www.oeko.de/oekodoc/1294/2011-419-en.pdf>.
- World Vision. *Les enfants travaillant dans les mines s'expriment: Recherche sur les enfants dans les mines artisanales à Kambove, en RDC*. Kinshasa; May 2013. [http://www.visiondumonde.fr/sites/default/files/etc/Visiondumonde-Enfantsdesmines\\_2013.pdf](http://www.visiondumonde.fr/sites/default/files/etc/Visiondumonde-Enfantsdesmines_2013.pdf).
- UNICEF. *Aider les enfants des mines à échapper à leur condition en République démocratique du Congo*, [online] February 26, 2013 [cited January 10, 2014]; [http://www.unicef.org/french/infobycountry/drcongo\\_67998.html](http://www.unicef.org/french/infobycountry/drcongo_67998.html).
- Free the Slaves. *Congo's Mining Slaves: Enslavement at South Kivu Mining Sites*. Washington, DC; June 2013. <http://www.freetheslaves.net/document.doc?id=305>.
- Hannah Poole Hahn, Karen Hayes, and Azra Kacapor. *Breaking the Chain: Ending the supply of child-mined minerals*. Washington, DC, Pact International; October 2013. <http://www.pactworld.org/sites/default/files/PACT%20Child%20Labor%20Report%20English%202013.pdf>.
- U.S. Embassy- Kinshasa. *reporting, February 26, 2014.*
- Marrion, M. *In the Democratic Republic of the Congo, helping children of the mines find a way out*; November 11, 2014. [http://www.unicef.org/infobycountry/drcongo\\_67998.html?p=printme](http://www.unicef.org/infobycountry/drcongo_67998.html?p=printme).
- International Trade Union Confederation. *Internationally Recognized Core Labour Standards in the Democratic Republic of Congo*. Geneva; 2010. [http://www.ituc-csi.org/IMG/pdf/final\\_DR\\_Congo.pdf](http://www.ituc-csi.org/IMG/pdf/final_DR_Congo.pdf).
- Save the Children, and Solidarity Center. *Enquete Socio Economique sur les Sites de Mongwalu: Abelkoko, Mongwalu Centre, Saio, Nzebi, Pluto, Pilipili et Lodjo District de l'Ituri*. Geneva; February 2010.
- Taty, C. "Les Moineaux" enfants exploités pour les travaux ménagers aux homes de l'Université de Kinshasa." *speakjhr.com* [online] September 18, 2013 [cited January 10, 2014]; <http://speakjhr.com/2013/09/les-moineaux-enfants-exploites-pour-les-travaux-menager-aux-homes-de-luniversite-de-kinshasa/>.
- U.S. Department of State. "Democratic Republic of the Congo," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- UNICEF. *In DR Congo, poverty pushes thousands of children on to the streets of Kinshasa*, [online] June 16, 2011 [cited January 29, 2014]; [http://www.unicef.org/infobycountry/drcongo\\_58942.html](http://www.unicef.org/infobycountry/drcongo_58942.html).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Democratic Republic of the Congo (ratification: 2001) Published: 2012*; accessed January 10, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.



# Congo, Democratic Republic of the

## MODERATE ADVANCEMENT

26. Free the Slaves. *Findings of Slavery Linked with Mineral Extraction in Eastern DRC*. Washington, DC; July 2010. [http://www.endingslavery.com/celworx/DRC/docs/FTS\\_DRC\\_Findings-July\\_2010.pdf](http://www.endingslavery.com/celworx/DRC/docs/FTS_DRC_Findings-July_2010.pdf).
27. U.S. Embassy- Kinshasa. *reporting, January 19, 2012*.
28. Umuhumuza, C. *From Child Miner to Jewelry Store: The Six Steps of Congo's Conflict Gold*, Enough Project, [online] October 25, 2012 [cited 2014]; <http://www.enoughproject.org/blogs/child-miner-jewelry-store-six-steps-conflict-gold-congo>.
29. Integrated Regional Information Networks. "DRC: Reducing the HIV Risk of Girls Living on the Street." IRINnews.org [online] May 8, 2012 [cited January 29, 2014]; <http://www.irinnews.org/Report/95427/DRC-Reducing-the-HIV-risk-of-girls-living-on-the-street>.
30. War Child. *Supporting Street Children in Kinshasa*, [cited March 11, 2015 2015]; <http://www.warchild.org.uk/what-we-do/democratic-republic-of-congo/kinshasa-project>.
31. Fletcher, M. "Charity gives new hope to teenage girls of Kinshasa's squalid streets." *The Times*, London, November 30, 2011. <http://www.thetimes.co.uk/tto/public/timesappeal/article3243664.ecc>.
32. ILO Committee of Experts. "Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Democratic Republic of the Congo (ratification: 1960) Published: 2014." [http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3143500:YES](http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3143500:YES).
33. Government of the Democratic Republic of the Congo. *Code du Travail*, No. 015/2002, enacted October 16, 2002 <http://www.ilo.org/dyn/natlex/docs/SERIAL/62645/52447/F1638018233/COD-62645.pdf>.
34. ILO Committee of Experts. *Direct Request concerning Forced Labour Convention, 130 (No.29) - Democratic Republic of the Congo*; 2014. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3189893](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3189893).
35. MONUSCO. *Child Recruitment by Armed Groups in DRC From January 2012 to August 2013*. Kinshasa; October 24, 2013. <http://watchlist.org/wordpress/wp-content/uploads/131024-MONUSCO-CPS-public-report-on-Armed-Group-recruitment-2012-2013.pdf>.
36. U.S. Embassy- Kinshasa. *reporting, March 2, 2012*.
37. UN General Assembly Security Council. *Children and armed conflict: Report of the Secretary-General*. Geneva; May 15, 2013. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/67/845](http://www.un.org/ga/search/view_doc.asp?symbol=A/67/845).
38. UN Secretary-General. *Children and armed conflict: Report of the Secretary-General*, May 15, 2014. [http://www.un.org/ga/search/view\\_doc.asp?symbol=a/68/878](http://www.un.org/ga/search/view_doc.asp?symbol=a/68/878).
39. Group of Experts on the Democratic Republic of the Congo. *Final Report of the Group of Experts on the Democratic Republic of the Congo*. UN Security Council. January 12, 2015. Report No. S/2015/19. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2015/19](http://www.un.org/ga/search/view_doc.asp?symbol=S/2015/19).
40. United Nations. *reporting; 2014*.
41. ILO Committee of Experts. *Individual Observation concerning Forced Labor Convention, 1930 (No. 29) Democratic Republic of the Congo (ratification: 1960) Published: 2012*; accessed January 10, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
42. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 8, Paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Democratic Republic of the Congo*. Geneva; March 7, 2012. <http://www2.ohchr.org/english/bodies/crc/crcs59.htm>.
43. ILO Committee of Experts. *Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Democratic Republic of the Congo (ratification: 1960) Published: 2013*; accessed January 10, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
44. U.S. Department of State. "Democratic Republic of the Congo," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/2013/>.
45. UN Security Council. *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*. New York; September 30, 2013. [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2013\\_581.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_581.pdf).
46. U.S. Embassy- Kinshasa. *reporting, February 20, 2014*.
47. Invisible Children. *LRA Crisis Tracker: Quarter 1 2014 Security Brief (January - March 2014)*; 2014. <http://reports.lracrisistracker.com/pdf/2014-Q1-LRA-Crisis-Tracker-Quarterly-Security-Brief.pdf>.
48. U.S. Embassy-Kinshasa. *reporting, December 19, 2014*.
49. Global Coalition to Protect Education from Attack. *Education Under Attack 2014*. New York; February 2014. [http://protectingeducation.org/sites/default/files/documents/eua\\_2014\\_full\\_0.pdf](http://protectingeducation.org/sites/default/files/documents/eua_2014_full_0.pdf).
50. ILO Conference Committee on the Application of Standards. *Observation regarding Forced Labour Convention, 130 (29) - Democratic Republic of the Congo*; 2014. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3175037](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3175037).
51. Government of the Democratic Republic of the Congo. *Second Generation Growth and Poverty Reduction Strategy Paper (GPRSP 2) (2011-2015)*. Washington, DC, International Monetary Fund; July 2013. <http://www.imf.org/external/pubs/ft/scr/2013/cr13226.pdf>.
52. Government of the Democratic Republic of the Congo. *Constitution de la Republique Democratique du Congo*, enacted February 18, 2006. [http://democratie.francophonie.org/IMG/pdf/Constitution\\_de\\_la\\_RDC.pdf](http://democratie.francophonie.org/IMG/pdf/Constitution_de_la_RDC.pdf).
53. ILO Committee of Experts. *Individual Direct Request regarding Minimum Age Convention, 1973 (No. 138) - Democratic Republic of the Congo*; 2014. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3185708:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3185708:NO).
54. Perks, R. "Towards a Post Conflict Transition: Women and Artisanal Mining the the Democratic Republic of Congo," in Lahiri-Dutt K, editor. *Gendering the Field: Towards Sustainable Livelihoods for Mining Communities*. Canberra: Australian National University Press; 2011. p. 191; <http://press.anu.edu.au/apps/bookworm/view/Gendering+the+Field%3A+Towards+Sustainable+Livelihoods+for+Mining+Communities/5521/ch10.xhtml>.
55. Nkinsi, A. "Students Torn Between School and Work in DR Congo." ipsnews.net [online] October 30, 2012 [cited February 4, 2014]; <http://www.ipsnews.net/2012/10/students-torn-between-school-and-work-in-dr-congo/>.
56. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Democratic Republic of the Congo (ratification: 2001) Submitted: 2011*; accessed January 10, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
57. Government of the Democratic Republic of the Congo. *Democratic Republic of the Congo Multiple Indicator Cluster Survey MICS - 2010: Preliminary Findings*. Kinshasa, UNICEF; September 2010. [http://www.childinfo.org/files/MICS-RDC\\_2010\\_Preliminary\\_Results\\_final\\_EN\\_imprime.pdf](http://www.childinfo.org/files/MICS-RDC_2010_Preliminary_Results_final_EN_imprime.pdf).
58. UNHCR. *2015 Country Operations Profile - Democratic Republic of the Congo*, [cited <http://www.unhcr.org/pages/49e45c366.html>].
59. Government of the Democratic Republic of the Congo. *Portant Protection de L'Enfant*, No. 09/001, enacted January, 2009. <http://www.leganet.cd/Legislation/JO/2009/L.09.001.10.01.09.htm>.
60. Government of the Democratic Republic of the Congo. *Arrêté Ministériel*, No. 12/CAB.MIN/TPSI/045/08, enacted August 8, 2008.
61. *Law No. 007/2002 Relating to the Mining Code*, enacted July 11, 2002 <http://www.resourcegovernance.org/sites/default/files/Mining%20Code.pdf>.
62. Government of the Democratic Republic of the Congo. *Arrête Ministeriel 68/13 du 17 mai 1968 relatif aux conditions de travail des femmes et enfants*, enacted May 17, 1968. <http://www.leganet.cd/Legislation/DroitSocial/AM.68.13.17.05.1968.htm>.
63. Government of the Democratic Republic of the Congo. *Code Penal Congolais*, No. 06/018, enacted July 20, 2006. [http://www.droitcongolais.info/iii\\_droit\\_penal\\_proc\\_congo.html](http://www.droitcongolais.info/iii_droit_penal_proc_congo.html).
64. Government of the Democratic Republic of the Congo. *Portant Organisation Generale de La Defense et Des Forces Armees*, No. 04/023, enacted November 12, 2004. [http://www.droitcongolais.info/iv\\_securite.html](http://www.droitcongolais.info/iv_securite.html).
65. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. Washington, DC; September 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).



66. UNESCO. *EFA Global Monitoring Report 2013/4: Teaching and Learning Achieving Quality for All*. 2014. <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>.
67. ILO Committee of Experts. *Individual Observation concerning Forced Labour Convention, 1930 (No. 29) - Democratic Republic of the Congo* 2014. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3189960:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3189960:NO).
68. Human Rights Watch. *World Report 2015: Democratic Republic of the Congo*. January 2015. <http://www.hrw.org/world-report/2015/country-chapters/democratic-republic-of-congo>.
69. World Bank. *Project Appraisal Document on a Proposed Grant in the Amount of SDR 6.6 million (US\$10 Million Equivalent) to the Democratic Republic of Congo for a Street Children Project*. Washington, DC; May 4, 2010. [http://www-wds.worldbank.org/external/default/WDSCContentServer/WDSP/IB/2010/05/14/000020953\\_20100514135654/Rendered/PDF/537820PAD0P115101Official0Use0Only1.pdf](http://www-wds.worldbank.org/external/default/WDSCContentServer/WDSP/IB/2010/05/14/000020953_20100514135654/Rendered/PDF/537820PAD0P115101Official0Use0Only1.pdf).
70. U.S. Embassy- Kinshasa official. E-mail communication to USDOL official. February 26, 2013.
71. ILO Committee of Experts. *Individual Direct Request concerning Labor Inspection Convention, 1947 (No. 81) - Democratic Republic of the Congo*; 2014. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3142043:YES](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3142043:YES).
72. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Democratic Republic of the Congo (ratification: 1968) Published: 2012*; accessed January 10, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
73. U.S. Embassy-Kinshasa official. E-mail communication to USDOL official. April 2, 2015.
74. ASADHO, Eastern Congo Initiative, APPG, Enough Project, Eurac, FIDH, et al. *The Democratic Republic of the Congo: Taking a Stand on Security Sector Reform*. London; April 16, 2012. <http://www.enoughproject.org/publications/democratic-republic-congo-taking-stand-security-sector-reform>.
75. MONUSCO Child Protection Unit. *List of Child Soldier Recruiters*, December 2014.
76. UN Office of the SRSR for Children and Armed Conflict. *DRC Signs Agreement to End Child Recruitment and other Conflict-related Violations against Children*, [online] October 5, 2012 [cited February 4, 2014]; <http://childrenandarmedconflict.un.org/press-releases/drc-signs-agreement-to-end-child-recruitment-and-other-conflict-related-violations-against-children/>.
77. Joint Technical Working Group on Children and Armed Conflict. *UN/GoDRC Action Plan to stop and prevent underage recruitment, sexual violence and other grave child rights violations*; October 4, 2012.
78. Integrated Regional Information Networks. "Democratic Republic of the Congo: New rules for miners." IRINnews.org [online] 2011 [cited February 4, 2014]; <http://www.irinnews.org/report/92224/drc-new-rules-for-miners>.
79. U.S. Embassy- Kinshasa official. E-mail communication to U.S. Department of State official. May 11, 2015
80. Government of the Democratic Republic of the Congo. *Plan D'Action National En Faveur Des Orphelins Et Enfants Vulnerables Vivant En RDC (2010-2014)*. Kinshasa; October 2009. <http://sites.google.com/site/oevrdc/>.
81. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) - Democratic Republic of the Congo; 2014*. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3146370:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3146370:NO).
82. U.S. Embassy-Kinshasa. *reporting, December 16, 2014*.
83. ILO-IPEC. *Global Action Program on Child Labour Issues*. Technical Progress Report. Geneva; October 31, 2014.
84. Government of the Democratic Republic of the Congo. *La Prévention et l'Élimination du Travail et Présence des Enfants dans l'Exploitation Artisanale et à Petites Échelle (EAPE) à Kolwezi et ses alentours*. Kinshasa, Ministère des Mines; October 18, 2013. [http://www.prominesrdc.cd/ft/passation/TDR\\_AMI34.pdf](http://www.prominesrdc.cd/ft/passation/TDR_AMI34.pdf).
85. ILO. *Programme Pays pour un Travail Decent (2013-2016)*. <http://www.ilo.org/public/english/bureau/program/dwcp/download/thecongo.pdf>.
86. International Bureau for Children's Rights. *Newsletter on Children in Armed Conflict*. Montreal; June 2013. <http://www.ibcr.org/editor/assets/Newsletter%20on%20Children%20in%20Armed%20Conflict%20June%202013-%20Final.pdf>.
87. Coalition to Stop the Use of Child Soldiers. *Report to the Committee on the Rights of the Child in advance of the DRC initial report on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*. London; April 2011. [http://www2.ohchr.org/english/bodies/crc/docs/ngos/DRC\\_CSUCS\\_OPAC.pdf](http://www2.ohchr.org/english/bodies/crc/docs/ngos/DRC_CSUCS_OPAC.pdf).
88. UN Security Council. *Conclusions on children and armed conflict in the Democratic Republic of the Congo*. New York; March 1, 2011. Report No. S/AC.51/2011/1. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/247/99/PDF/N1124799.pdf?OpenElement>.

# Congo, Republic of the

## MODERATE ADVANCEMENT

*In 2014, the Republic of the Congo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched the National Action Plan to Fight Against Trafficking in Persons, which aims to improve enforcement activities related to child trafficking. The Government also began implementing a social safety net program to improve access to health and education services for poor families, and assumed a greater financial responsibility for a school feeding program that targeted 215,000 children. However, children in the Republic of the Congo are engaged in child labor, including in domestic work and the worst forms of child labor, including in commercial sexual exploitation.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Republic of the Congo are engaged in child labor, including in domestic work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-7) Table 1 provides key indicators on children’s work and education in the Republic of the Congo.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	27.9 (286,137)
Attending School (%)	5-14 yrs.	90.2
Combining Work and School (%)	7-14 yrs.	29.9
Primary Completion Rate (%)		73.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Deuxième Enquête Démographique et de Santé du Congo (EDSC-II) Survey, 2011-2012.(9)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cassava,* sugar cane,* white beans,* endives,* bananas,* and pineapples* (10)
	Catching and smoking fish* (3, 4, 11, 12)
	Raising livestock* (10)
Industry	Production of charcoal by burning wood* (10)
	Work in stone quarries, including breaking stones* (1, 3, 12)
Services	Domestic work (3, 4)
	Working in bakeries* (1, 3, 12)
	Market vending (3, 4, 12)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1, 3-6, 13)
	Farming, including the production of cocoa, as a result of human trafficking* (1, 4, 13)
	Forced labor in domestic work, bakeries, fishing, and market vending each sometimes as a result of human trafficking* (1-4, 7, 13)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Many children are trafficked to the Republic of the Congo, mainly from West African countries such as Benin or the Democratic Republic of the Congo, for forced labor and commercial sexual exploitation.(1-3, 5, 14) Fewer victims were identified during the reporting period than in the previous year, especially from Benin. However, this could be due to the efficacy of public awareness campaigns and increased training for law enforcement officials, or it could be a result of human trafficking rings developing more sophisticated methods.(13) Children are also trafficked internally from rural areas to the cities of Brazzaville and Pointe-Noire for forced labor, with the expectation that they will receive an education and care.(1, 3, 13) Additionally, information on children’s work is limited as there has never been a national child labor survey or similar research conducted in the Republic of the Congo.(15)







Although the Constitution stipulates that free and compulsory education be provided until age 16, parents may be required to pay for books, uniforms, and school fees, which may limit children’s access to education.(3, 4, 16) During the reporting period, there were reports of sexual abuse in schools.(4) Education access was also a challenge for refugees and indigenous children, who were largely excluded from accessing public education due to long distances from established schools and a lack of means to pay for school-related fees.(4, 17, 18) Discrimination, linguistic barriers, lack of birth certificates, and academic calendars that conflict with seasonal patterns of hunting and gathering also presented challenges for indigenous children’s access to school.(18)

Additionally, *Mbata ya Bakolo*, a law enforcement operation launched in April 2014 to deport illegal immigrants, has been criticized for its use of physical violence and creating an environment that prevents nationals from the Democratic Republic of the Congo (DRC) living in Brazzaville from enjoying their rights, such as access to education.(19-21) Amnesty International documented allegations that police asked school personnel to refuse education to children from the DRC. Other parents from the DRC stopped sending their children to school out of fear of deportation.(19)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Republic of the Congo has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 116 of the Labor Code (24)
Minimum Age for Hazardous Work	Yes	16	Order 2224 of 1953; Article 68 of the Child Protection Code (6, 25)

# Congo, Republic of the

MODERATE ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Article 68 of the Child Protection Code; Order 2224 of 1953 (6, 25)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Article 68 of the Child Protection Code (24, 25)
Prohibition of Child Trafficking	Yes		Article 60 of the Child Protection Code (25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 334 of the Penal Code; Articles 65-68 of the Child Protection Code (25, 26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 68-70 of the Child Protection Code (25)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Legislation title unknown (15, 27)
Compulsory Education Age	Yes	16	Article 23 of the Constitution of 2002 (16)
Free Public Education	Yes		Article 23 of the Constitution of 2002 (16)

\* No conscription (15, 27, 28)

The Labor Code allows the Ministry of Education to issue waivers allowing the employment of a child under age 16 after consulting with a labor inspector and examining the type of work.(15, 24) Although ILO C. 182 requires signatory countries to periodically review and revise their list of hazardous work for children, the Republic of the Congo's list of hazardous work dates back to Order 2224 of 1953. Research did not find a publicly available version of this law.(6, 25) Additionally, Article 68 of the Child Protection Code only prohibits hazardous work for children under age 16. This means that children ages 17 to 18 may be legally employed in work that is likely to jeopardize their physical, mental, or moral health.(25)

The Government drafted a comprehensive anti-trafficking law in 2013 that is being considered by the Parliamentary Committee.(3) Article 60 of the Child Protection Code currently prohibits the recruitment, harboring, transportation, transfer, and receipt of victims of child trafficking. It also criminalizes child trafficking for the purposes of sexual exploitation and forced labor.(25)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security	Enforce child labor laws and monitor officially registered businesses.(3)
National Police	Enforce criminal laws against child labor, forced labor, human trafficking, and the use of children in illicit activities.(3)
Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA)	Enforce laws related to child trafficking, and identify and provide social welfare assistance victims.(3) In the case of the MSA's Departmental Directorate of Social Affairs (DDAS), lead efforts to combat human trafficking in Pointe-Noire, including trafficking in persons for the purposes of commercial sexual exploitation and forced labor.(13)
Ministry of Justice and Human Rights	Enforce criminal laws against the worst forms of child labor.(3)

Law enforcement agencies in the Republic of the Congo took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Security (MOL) employed 12 full-time inspectors and an unknown number of part-time inspectors, a decrease from the 17 full-time and 11 part-time inspectors employed in 2013, which is insufficient to adequately enforce labor laws throughout the country.(3, 10) The inspectors did not receive any training in 2014, nor have they received any

recent training specifically focused on child labor. The MOL received less funding in 2014 than in prior years, although the exact amount is not known.(3) Resources were limited and inspectors were not routinely reimbursed for travel-related expenses.(3, 29) Article 155 of the Labor Code permits unannounced visits, but inspections occurred infrequently, were typically carried out only in response to complaints, and were limited to the formal sector in urban areas—although the Labor Code extends to the informal sector.(3, 4, 24) Inspectors have the ability to assess penalties according to Article 154 of the Labor Code, but it is not known how many penalties were assessed in 2014.(3, 24) There is no official referral mechanism between labor enforcement agencies and social welfare services. The Government also did not provide any information about the number of inspections carried out or the number of violations of child labor laws.(3)

### ***Criminal Law Enforcement***

The Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA), MOL, the Ministry of Justice and Human Rights, and the National Police work together to enforce criminal laws against child labor. The MSA did not provide information regarding the number of investigators or its funding in 2014, although it noted that its funding had been significantly decreased since 2013 and was insufficient to adequately address the scope of the child labor problem.(3) Local police and National Police academies provide training for officers on identifying victims and perpetrators of human trafficking, as well as the arrest and prosecution of violators, using a procedures manual created by the MSA and UNICEF in 2011. In November, UNODC provided training to more than three dozen law enforcement, judicial personnel, and government officials on the draft anti-trafficking law.(13) However, the MOL noted that additional training is needed, since a limited understanding of the Child Protection Code among criminal law enforcement officials and judges continues to hinder enforcement.(1, 13)

There were no prosecutions during the reporting period, although investigators conducted at least four investigations related to child trafficking.(3, 10, 13) The MSA reported that five children had been rescued from child trafficking in 2014, at least three of whom had been repatriated or reunited with their families.(13) There were 10 cases pending against child traffickers in early 2014, but they were all released without prosecution and there were no convictions during the reporting period.(3) It is difficult to prosecute offenders because the high court that hears all child trafficking cases did not meet regularly during the reporting period. Thus, penalties for violating child labor laws may not serve as a sufficient deterrent to child labor.(1, 3) Moreover, falling oil prices have decreased the Government’s budget, which depends greatly on oil revenue; so budgets for ministries responsible for child labor issues were diminished in 2014.(3, 13)

Although there was no formal referral mechanism, the National Police and the MSA coordinated with local NGOs when victims of child trafficking were identified. After victims were rescued, the Magistrate of Pointe-Noire worked with the Anti-Trafficking Coordinating Committee for Pointe-Noire to assign the victim to a foster family or to a children’s shelter for care.(1, 13)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established a Task Force and Anti-Trafficking Coordinating Committee, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
MSA Task Force	Coordinate efforts to combat child trafficking, including training law enforcement, raising public awareness, and repatriating and reintegrating victims of child trafficking. Composed of the representatives of the MSA, other government agencies, the National Police, border patrol agents, and NGOs.(3, 10)
Anti-Trafficking Coordinating Committee for Pointe-Noire	Coordinate all anti-trafficking efforts in Pointe-Noire; comprising government representatives and civil society organizations.(30) In 2014, comprised representatives from the DDAS; the Social and Cultural Advisor to the mayor of Pointe-Noire; an Imam; and a representative from a local NGO that combats human trafficking.(13)

Although the MSA continues to maintain its Task Force to combat child trafficking, it is in danger of being disbanded due to funding issues.(3) The Anti-Trafficking Coordinating Committee for Pointe-Noire received approximately \$14,000 to fund its prevention and protection efforts, which is significantly less than the \$69,000 it had received in 2013.(13) Weak interministerial coordination, reduced funding, and poor recordkeeping continue to challenge the Government’s efforts to reduce child labor,



# Congo, Republic of the

## MODERATE ADVANCEMENT

including human trafficking.(10, 13) Research found no evidence of other mechanisms to coordinate the Government's efforts to address child labor, including its worst forms.

Research discovered that several members of the DDAS, who are members of the Anti-Trafficking Coordinating Committee for Pointe-Noire, were allegedly complicit in a child trafficking ring involving officials at the Consulate of Benin in Pointe-Noire and Government officials in Cotonou, Benin.(13) In at least four cases, DDAS officials were accused of conspiring with the Secretary General of the Consulate of Benin to place children rescued from situations of child trafficking with host families who are part of the original human trafficking network. In at least one instance, DDAS officials allegedly conspired to obtain a falsified passport from Cotonou for one of the children in order to disguise the victim as an adult and therefore deem the victim unprotected by the provisions of the Child Protection Law.(13)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Republic of the Congo has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Fight Against Trafficking in Persons (2014 – 2017)†	Aims to establish a National Commission to Fight Against Trafficking in Persons; develop systems for monitoring and evaluation; strengthen the legal framework; and provide social services to victims of human trafficking.(31) Includes public awareness campaigns, training law enforcement officials, and improving enforcement activities related to child trafficking.(3)
National Development Plan (2012-2016)*	Develops core strategies to set national priorities for poverty reduction and attainment of the Millennium Development Goals. As part of the strategy, aims to expand employment opportunities for youth; attain universal primary education by 2015; and reduce child mortality.(32, 33)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Although the Government has adopted the National Action Plan to Fight Against Trafficking in Persons, research found no evidence of a policy on other worst forms of child labor.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of the Republic of the Congo funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Foster Families Program‡	MSA- and UNICEF-funded program that provides small stipends to foster families of child trafficking victims, with an annual budget of \$100,000. Victims, regardless of national origin, are provided with medical care, shelter, and residency status while the Government tries to locate their relatives.(10, 13)
Awareness-Raising Activities‡	MSA program that provides training to community members and social workers on child trafficking issues and offers social assistance to victims of child trafficking. Also conducts anti-trafficking awareness-raising activities through television, banners, and public events.(3, 13)
Safety Net Program (LISUNGI)†‡	Government national safety net program that, in partnership with the World Bank, provides poor families with improved access to health and education services.(3) Includes a pilot cash transfer program to cover 5,000 households and an evaluation system to measure the change in situation for beneficiaries.(34, 35) Will receive a \$15 million contribution from the Government.(36)
Government School Feeding Program*‡	Funded by the Government of the Republic of the Congo and the U.S. Government's McGovern-Dole International Food for Education and Child Nutrition Program, and implemented by the International Partnership for Human Development to provide school lunches and reduce poverty-related dropouts. Will receive \$9 million from the Government of the Republic of the Congo between 2012 and 2014, and will target approximately 215,000 students.(3, 10)
Cost Free Identity Document Policy*‡	Government-funded program that issues free birth certificates, citizenship, and nationality documents.(13)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of the Republic of the Congo.

Although the Government has implemented programs to assist victims of child trafficking, research found no evidence that it has carried out programs to assist children engaged in forced labor in bakeries, domestic work, and commercial sexual exploitation. Additionally, current funding levels are not sufficient to address the scope of child labor, including its worst forms, in the Republic of the Congo; existing social programs will only be sustainable if the Government is able to maintain its funding commitments with its partners.(3, 10)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Republic of the Congo (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Make the list of hazardous work prohibited to children publicly available and ensure that all children under age 18 are prohibited from engaging in hazardous occupations or activities.	2009 – 2014
Enforcement	Strengthen enforcement of child labor laws by: <ul style="list-style-type: none"> <li>■ Increasing the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce;</li> <li>■ Providing additional training on child labor issues, including the Child Protection Code;</li> <li>■ Providing adequate resources for inspectors to conduct investigations;</li> <li>■ Conducting unannounced inspections and inspections in all sectors, including in rural areas; and</li> <li>■ Ensuring that courts meet regularly and prosecute child labor law violations.</li> </ul>	2010 – 2014
	Make information publicly available about the number of investigators employed, investigations conducted, violations found, and penalties assessed.	2010 – 2014
	Establish a formal referral mechanism between labor law enforcement agencies and social welfare services.	2014
Coordination	Ensure coordinating bodies such as the MSA's Task Force and the Anti-Trafficking Coordinating Committee for Pointe-Noire have enough resources to function adequately.	2014
	Establish a coordinating mechanism to combat all forms of child labor.	2009 – 2014
	Investigate allegations of government officials who are involved in a child trafficking ring with officials at the Consulate of Benin in Pointe-Noire and ensure no Republic of the Congo officials are complicit in perpetuating the worst forms of child labor.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the National Development Plan.	2009 – 2014
	Adopt a policy that addresses all relevant worst forms of child labor, such as forced labor in bakeries, domestic work, and commercial sexual exploitation.	2013 – 2014
Social Programs	Conduct a national child labor survey or similar research to determine the activities carried out by working children to inform policies and programs.	2013 – 2014
	Ensure all children have access to education by ensuring that: <ul style="list-style-type: none"> <li>■ Education is free, by eliminating school-related expenses;</li> <li>■ All children living in the Republic of the Congo can attend school regardless of country of origin;</li> <li>■ Schools are free from sexual abuse and discrimination;</li> <li>■ All children have access to birth registrations; and</li> <li>■ Schools take linguistic barriers and cultural traditions into account.</li> </ul>	2013 – 2014
	Assess the impact that existing programs may have on child labor.	2013 – 2014
	Institute programs to address the worst forms of child labor such as forced labor in bakeries, domestic work, and commercial sexual exploitation.	2009 – 2014
	Ensure budgetary resources are adequate to address the scope of child labor and child trafficking in the Republic of the Congo.	2012 – 2014

# Congo, Republic of the

## MODERATE ADVANCEMENT

### REFERENCES

1. U.S. Department of State. "Republic of the Congo," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226704.htm>.
2. Integrated Regional Information Networks. "BENIN-CONGO: Deal to stem child trafficking." IRINnews.org [online] September 21, 2011 [cited January 25, 2012]; <http://www.irinnews.org/report/93784/benin-congo-deal-to-stem-child-trafficking>.
3. U.S. Embassy- Brazzaville. *reporting, January 14, 2015*.
4. U.S. Department of State. "Republic of the Congo," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/>.
5. Ganga, L. "Congo Brazzaville and Benin sign accord to fight child trafficking." UNICEF, Pointe Noire, September 21, 2011. [http://www.unicef.org/infobycountry/media\\_59883.html](http://www.unicef.org/infobycountry/media_59883.html).
6. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002) Published: 2014*; accessed March 29, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
7. Carter-Cone, M. "Child Trafficking: Looking at the Republic of the Congo Through an Open Lens." localozarks.com [online] May 20, 2012 [cited October 25, 2012]; <http://localozarks.com/child-trafficking-looking-at-the-republic-of-the-congo-through-an-open-lens/>.
8. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
9. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
10. U.S. Embassy- Brazzaville. *reporting, January 27, 2014*.
11. U.S. Department of State. "Republic of the Congo," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/>.
12. Séverin, A. "Le travail des enfants, une plaie oubliée." Inter Press Service News Agency, Brazzaville, July 20, 2010. [http://www.ipsinternational.org/fr/\\_note.asp?idnews=5986](http://www.ipsinternational.org/fr/_note.asp?idnews=5986).
13. U.S. Embassy- Brazzaville official. E-mail communication to USDOL official. February 25, 2015.
14. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002) Published: 2014*; accessed January 23, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
15. U.S. Embassy- Brazzaville official. E-mail communication to USDOL official. March 11, 2015.
16. Government of the Republic of the Congo. *The Constitution of the Republic of the Congo*, enacted January 20, 2002.
17. Mbossa-Okandze, E. "Coopération Unicef-Congo : Visite de travail à Brazzaville de Manuel Fontaine, nouveau directeur régional." La Semaine Africaine, Brazzaville, September 27, 2013. <http://www.lasemaineafricaine.net/index.php/national/6773-cooperation-unicef-congo-visite-de-travail-a-brazzaville-de-manuel-fontaine-nouveau-directeur-regional>.
18. Anaya, J. *Report of the Special Rapporteur on the rights of indigenous peoples: The situation of indigenous peoples in the Republic of the Congo*. UN Human Rights Council; July 11, 2011. [http://www.ohchr.org/Documents/Issues/IPeoples/SR/A-HRC-18-35-Add5\\_en.pdf](http://www.ohchr.org/Documents/Issues/IPeoples/SR/A-HRC-18-35-Add5_en.pdf).
19. Amnesty International. *Operation Mbata Ya Bakolo: Mass Expulsions of Foreign Nationals in the Republic of Congo*. London; 2015. [http://www.amnestyusa.org/sites/default/files/congo\\_b\\_report\\_final\\_mbata\\_ya\\_operation.pdf](http://www.amnestyusa.org/sites/default/files/congo_b_report_final_mbata_ya_operation.pdf).
20. De Solère Stintzy, E. "RDC – Congo : Mbata ya bakolo, un retour fortement conseillé." Jeune Afrique, August 21, 2014. <http://www.jeuneafrique.com/46654/politique/rdc-congo-mbata-ya-bakolo-un-retour-fortement-conseill/>.
21. Chitera, P. "Beatings, rape and mass Congo deportation." Al Jazeera, Kinshasa, June 28, 2014. <http://www.aljazeera.com/indepth/features/2014/06/beatings-rape-mass-congo-deportation-2014623133336329944.html>.
22. Kibangula, T. "Congo – RDC : comprendre l'opération « Mbata ya bakolo » à Brazzaville en 10 questions." Jeune Afrique, May 5, 2014. <http://www.jeuneafrique.com/163994/politique/congo-rdc-comprendre-l-op-ration-mbata-ya-bakolo-brazzaville-en-10-questions/>.
23. Liechti, S. "Senior UN officials urge Brazzaville to halt expulsion of DR Congo nationals." UN News Center, May 26, 2014. <http://www.un.org/apps/news/story.asp?NewsID=47891#.VcJWtQrViko>.
24. Government of the Republic of the Congo. *Code du travail, Loi N° 45-75, enacted 1975*. <http://www.droit-afrique.com/images/textes/Congo/Congo%20-%20Code%20du%20travail.pdf>.
25. Government of the Republic of the Congo. *Law No. 4- 2010 of 14 June 2010 for the protection of the Child- Republic of the Congo*, enacted June 14, 2010. <http://www.encecorporalpunishment.org/pages/pdfs/Child%20Protection%20Law%202010.pdf>.
26. Government of the Republic of Congo. *Penal Code, Loi n° 1-63, enacted January 13, 1963*. <http://www.cesbc.org/congo/Lois/Loi%201-63.pdf>.
27. Child Soldiers International. *Louder than words*. Oxford, Oxuniprint; 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
28. U.S. Embassy- Brazzaville official. E-mail communication to USDOL official. March 6, 2015.
29. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Congo (ratification: 1999) Published: 2014*; accessed January 23, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
30. U.S. Embassy- Brazzaville. *reporting, February 14, 2014*.
31. Government of the Republic of the Congo. *National Action Plan to Fight Against Trafficking in Persons*; 2014. [source on file].
32. IMF. "Book 1: Growth, Employment and Poverty Reduction Strategy Paper," in *Republic of Congo: Poverty Reduction Strategy Paper, National Development Plan 2012–2016*. Washington, DC; 2012; <http://www.imf.org/external/pubs/ft/scr/2012/cr12242.pdf>.
33. IMF. "Book 3: Macroeconomic and Budgetary-Financing Framework of the Strategy," in *Republic of Congo: Poverty Reduction Strategy Paper, National Development Plan 2012–2016*. Washington, DC; 2012; [source on file].
34. Pana. "Projet Lisungi cofinancé par le Congo Brazzaville et la Banque mondiale." Le Tam Tam, January 16, 2015. <http://letamtam-media.info/2015/01/16/projet-lisungi-cofinance-par-le-congo-brazzaville-et-la-banque-mondiale/>.
35. Douniama, PW. "Lutte contre la pauvreté: lancement de la campagne d'identification des ménages éligibles au projet Lisungi." adiac-congo.com [online] January 12, 2014 [cited January 23, 2015]; <http://www.adiac-congo.com/print/content/lutte-contre-la-pauvrete-lancement-de-la-campagne-didentification-des-menages-eligibles-au>.
36. The World Bank. *WB to Help Republic of Congo set up National Safety Net System to Benefit the Poorest Households*. Press Release. Washington, DC; January 29, 2014. <http://www.worldbank.org/en/news/press-release/2014/01/29/wb-republic-congo-national-safety-net-system-households>.

In 2014, Costa Rica made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified the ILO Convention on Domestic Workers and the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure. The Government also increased funding for the Inspection Office and developed an inter-agency coordination manual on the protection of child and adolescent victims of human trafficking, child labor, and commercial sexual exploitation. However, children in Costa Rica are engaged in the worst forms of child labor, including in agriculture and commercial sexual exploitation. Social programs do not reach all child laborers and resources for the Government's child labor law enforcement agencies remain inadequate.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Costa Rica are engaged in the worst forms of child labor, including in agriculture and commercial sexual exploitation. (1-5) Table 1 provides key indicators on children's work and education in Costa Rica.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	4.4 (34,494)
Attending School (%)	5-14 yrs.	92.2
Combining Work and School (%)	7-14 yrs.	4.2
Primary Completion Rate (%)		95.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS 4, 2011.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting bananas,* coffee,* melons,* oranges,* sugarcane,* and tomatoes* (8, 9)
	Fishing,*† activities unknown (1, 5, 8, 10)
Industry	Construction, activities unknown (1, 8, 10)
	Manufacturing, activities unknown (1)
Services	Commerce, including in stores, hotels, restaurants, and supermarkets (1, 10, 11)
	Street vending,† car washing (5, 10, 12, 13)
	Domestic service (1, 5, 10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2-4, 8, 10, 14, 15)
	Used in the production of pornography* (3, 16)
	Work in agriculture, construction, fishing, and commerce as a result of human trafficking (4, 15)
	Used in trafficking of drugs (2, 4)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3 (a) – (c) of ILO C. 182.

# Costa Rica




## MODERATE ADVANCEMENT

Results from the 2011 National Household Survey indicate that 61.4 percent of child labor in Costa Rica occurs in rural areas, where 9.1 percent of households are in situations of extreme poverty.(1) While evidence is limited, there are reports of indigenous migrant children, primarily from Panama, working in agriculture on the border of Panama and Costa Rica.(8) Commercial sexual exploitation of children is known to be a problem in the provinces of Guanacaste, Limón, Puntarenas, and San José, as well as in border towns and port areas.(3, 17)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Costa Rica has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2014, Costa Rica ratified ILO Convention 189, Concerning Decent Work for Domestic Workers.(18) Costa Rica also became the tenth country to ratify the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure.(19) This Protocol establishes an international system that allows children's complaints to be examined by the Committee on the Rights of the Child after exhausting national mechanisms.(20)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Articles 78 and 92 of the Childhood and Adolescence Code; Article 46 of the Labor Code (21, 22)
Minimum Age for Hazardous Work	Yes	18	Article 87 of the Labor Code (21)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 94 of the Childhood and Adolescence Code; Article 88 of the Labor Code; Articles 5-6 of Regulation No. 36640 (21-23)
Prohibition of Forced Labor	Yes		Articles 20 and 56 of the Constitution; Article 8 of the Labor Code; Articles 7, 172, 189, and 381 of the Penal Code (21, 24, 25)
Prohibition of Child Trafficking	Yes		Articles 7, 172, 381, and 383-384 of the Penal Code; Article 74 of the Trafficking in Persons Law; Article 84 of Regulation No. 36659 (25-27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 160, 168, and 170-174 of the Penal Code (25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 7, 160, 168, 170-174, 188-189, 381, 383-384, and 390 of the Penal Code; Article 77 of the Narcotics Law (25, 28)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	17	Articles 57 and 59 of the Childhood and Adolescence Code; Article 78 of the Constitution (5, 22, 24)
Free Public Education	Yes		Article 59 of the Childhood and Adolescence Code; Article 8 of the Education Law; Article 78 of the Constitution (22, 24, 29)

† No standing military (24, 30)



While Articles 78 and 92 of the Childhood and Adolescence Code set the minimum age for employment at 15, Article 89 of the Labor Code establishes the minimum age at 12.(21, 22) The Government of Costa Rica has indicated that the Childhood and Adolescence Code takes precedence over the Labor Code as it relates to children's issues and that 15 is the minimum age enforced by labor authorities.(5, 11)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MTSS)	Investigate reports of child labor, including hazardous and forced child labor, and enforce child labor laws.(2, 10) Protect adolescents' labor rights by conducting school and workplace visits, providing referrals to government services, and writing socio-labor studies and technical reports for the National Scholarship Fund (FONABE).(11, 22)
Prosecutor's Office	Enforce criminal laws protecting children, including laws prohibiting forced child labor, human trafficking, commercial sexual exploitation, and the use of children in illicit activities. Employs the following investigative and prosecutorial units: the Specialized Prosecutorial Unit against Trafficking in Persons, the Organized Crime Unit, the Specialized Prosecutorial Unit for Gender Issues, and the Juvenile Justice Unit.(10)
Judicial Investigative Police (OIJ)	Conduct investigations of child labor violations, child trafficking, child commercial sexual exploitation, and the use of children in illicit activities.(2, 10)

Law enforcement agencies in Costa Rica took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Security's (MTSS) Inspection Office (DNI) employed 100 inspectors. Inspectors did not receive training on laws and enforcement of laws relating to child labor during the year.(11, 13)

The DNI operated on a budget of \$12 million for the year, an increase from \$8 million in 2013.(10, 13) The DNI considered funding levels sufficient but commented that additional vehicles would allow them to conduct more inspections.(13)

The law protects all minors working in any activity or sector of the economy and labor inspectors have the authority to conduct unannounced inspections in any sector, including private farms and homes.(13) In 2014, the DNI conducted 2,985 general labor inspections. The DNI mainly inspected worksites in the commercial, service, and industry sectors but also inspected agricultural, construction, and transportation worksites.(13)

The labor inspectorate is not authorized to impose fines for labor violations; labor cases are resolved in court and the power to impose sanctions is exclusively controlled by the judiciary.(13)

The DNI detected 85 child labor infractions, with 4 cases involving working children below the age of 15. All 85 children were assisted as a result of inspections, and 2 cases were ultimately referred to the judiciary for prosecution; both cases were still pending at the end of the reporting period.(13)

In 2014, the MTSS Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA) provided assistance to 300 children removed from work; this was less than half the number assisted in 2013. Of these, OATIA referred 216 to the National Scholarship Fund (FONABE) and 84 to other government agencies for assistance.(10, 13) OATIA reported that their financial and human resources were limited during the reporting period due to national budget restrictions.(13)

#### *Criminal Law Enforcement*

In 2014, the Specialized Prosecutorial Unit against sexual crimes and domestic violence, also known as the Specialized Unit for Gender Issues, assigned 36 prosecutors to investigate and prosecute sexual and domestic violence related crimes, including for minor victims. This unit received a course on investigation of online crimes related to the use of child pornography from the Royal

# Costa Rica

## MODERATE ADVANCEMENT

Canadian Mounted Police but did not receive additional training related to the worst forms of child labor.(11, 13) The Judicial Investigative Police's (OIJ) section against physical integrity, human trafficking, and smuggling crimes employed 43 investigators to collaborate with the Organized Crime Unit, the Specialized Prosecutorial Unit against Trafficking in Persons, and Gender Issues prosecutorial units. These investigators did not receive any training related to child labor during the year, and the OIJ indicated that the number of investigators and overall funding levels were inadequate.(11, 13) Not including salaries, the 2014 budget for the Specialized Unit for Gender Issues of the Prosecutor's Office was approximately \$10,000 and \$14,000 for the Victims' Attention Office.(13)

During the reporting period, the Specialized Prosecutorial Unit against sexual crimes and domestic violence reported 71 investigations related to the commercial sexual exploitation of minors and 6 prosecutions. Additionally, the OIJ reported 74 cases involving the worst forms of child labor.(13)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA)	Coordinate Government policies and programs to combat child labor from within the MTSS.(5, 31) Monitor implementation of the Roadmap Towards the Elimination of Child Labor in Costa Rica. Provide technical assistance to government ministries and design social programs to combat child labor. (31, 32) Oversee the Inter-Institutional Coordinating Protocol for the Protection of Working Minors to ensure children's and adolescents' rights and welfare are protected.(5, 33)
National Committee for the Elimination of Child Labor and the Protection of Adolescent Work	Develop and promote policy initiatives focused on eliminating child labor and regulating adolescent work. Overseen by the OATIA; includes a technical secretariat that is composed of representatives from various sectors.(5)
National Coalition against the Smuggling of Migrants and Trafficking in Persons (CONATT)	Promote the formulation, implementation, and assessment of national policies that address human trafficking, including labor trafficking.(26) Review the country's adherence to international standards and evaluate and award funds for programming through the National Trafficking in Persons and Smuggling of Migrants Trust Fund. Help coordinate prosecutions of human trafficking and assistance to trafficking victims.(26)
National Commission to Combat the Commercial Sexual Exploitation of Children and Adolescents (CONACOES)	Address child trafficking and the commercial sexual exploitation of minors.(2, 10). Report to the National Council of Childhood and Adolescence with legal standing under the National Child Welfare Agency (PANI).(10)
National Child Welfare Agency (PANI)	Protect child and adolescent rights and receive reports of child labor.(22, 34) Activate inter-agency social services to provide child labor victims with protection and welfare assistance, including temporary shelter, legal advice, and victim counseling. Responsible for reintegrating child labor victims into the educational system.(2, 22)

In 2014, the MTSS and the National Coalition against the Smuggling of Migrants and Trafficking in Persons (CONATT) published an inter-agency coordination manual on the protection of child and adolescent victims of human trafficking, child labor, and commercial sexual exploitation. The Immigration Office (DGME), National Learning Institute (INA), and National Child Welfare Agency (PANI) published a protocol on legalizing the migration status of foreign born students under the age of 18.(13)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Costa Rica has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Roadmap Towards the Elimination of Child Labor in Costa Rica (2010-2014)	Aims to eradicate worst forms of child labor by 2015 and all forms of child labor by 2020 by eliminating poverty, improving the education system, strengthening health and legal frameworks, and conducting campaigns to raise awareness on the child labor situation. Developed by OATIA in coordination with ILO-IPEC.(35, 36) Formed part of the National Plan for Development (2010-2014).(2, 37) The Government formalized the Roadmap's Joint Programming Action Plan for 2015-2020, which is incorporated into the National Plan for Development (2015-2018).(13)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Coalition against the Smuggling of Migrants and Trafficking in Persons (CONATT) Strategic Plan (2012-2015)	Seeks to combat trafficking in persons, including for commercial sexual exploitation and labor exploitation.(10, 26)
National Commission to Combat the Commercial Sexual Exploitation of Children and Adolescents (CONACOES) Strategic Plan (2011-2014)	Aims to combat the commercial sexual exploitation of children and adolescents.(10)
National Plan for Development (2011-2014)	Incorporates child labor issues into national education and poverty reduction strategies.(38) The 2015-2018 plan aims to decrease child labor and the worst forms of child labor.(13)
Inter-institutional Coordinating Protocol for the Protection of Working Minors	Provides services to child laborers and at-risk children through collaboration between the MTSS, PANI, Ministry of Education, and Social Welfare Institute, as well as their regional and local agencies and the private sector.(39) As part of this partnership, civil society organizations collaborate with the tourist industry to train companies on how to identify and report the commercial sexual exploitation of children.(40)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor† (2014-2020)	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013) and signed by Costa Rica at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(41, 42)

† Policy was approved during the reporting period.

In August 2014, CONATT coordinated the meeting of the Regional Coalition against Human Trafficking in San Jose to develop guidelines for joint action to combat human trafficking in Central America.(43) In September 2014, Costa Rica participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(44, 45)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Costa Rica funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Let's Get Ahead Program (Avancemos)‡ (2006-2014)	Social Welfare Institute program implemented in the local provinces that provides conditional cash transfers to low-income families to keep their children in school and out of exploitative work.(2, 10, 37, 46)
FONABE*‡	OATIA and Ministry of Education national scholarship program to encourage working adolescents to complete their schooling.(2, 37, 47, 48)
Open Classroom (Aula Abierta)*‡	Ministry of Education program that helps at-risk children and adolescents complete their primary education by providing flexible school hours and curricula appropriate for their needs. Targets those who have never been to school, those who have left school, adolescent mothers, adolescent workers, and foreign migrant youth.(49, 50)
New Opportunities (Nuevas Oportunidades)*‡	Ministry of Education program that helps adolescents between the ages of 15 and 18 who, for economic, social, familial, or work-related situations, face challenges in completing their schooling.(51)
Child Labor Awareness Campaign	MTSS and Ministry of Education public-private partnership with Telephonic Foundation (Fundación Telefónica) to raise awareness of child labor, using social media supported by Fundación Telefónica.(32)
Elimination of Child Labor and its Worst Forms and the Protection of Adolescent Workers‡ (2012-2014)	MTSS public-private partnership with the Costa Rican Electrical Institute (ICE) to combat child labor (2012-2014); ICE contributes materials for public awareness campaigns.(32)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
EMPLEATE‡	MTSS public-private initiative that promotes access to employment for young persons between the ages of 17 and 24 who are at-risk or living in conditions of poverty.(52, 53)
Elimination of Child Labor in Latin America (Phase 4) (2011-2015)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC to combat child labor in 19 countries, including Costa Rica.(54)
Education and Monitoring Program for the Eradication of Child Labor (2012-2014)	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aimed to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including Costa Rica. Included the objective of developing information systems on the worst forms of child labor.(54) Concluded in November of 2014.(54)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Costa Rica.

While the Government continues to support initiatives to eradicate child labor, current programming does not reach all children who are engaged in the worst forms of child labor in agriculture and in commercial sexual exploitation. According to OATIA, staff and funding were insufficient to expand existing social programs or conduct studies on their impact on child labor, including its worst forms.(10, 13)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Costa Rica (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase the minimum age provisions in the Labor Code from 12 to 15, ensuring consistency with provisions in the Childhood and Adolescence Code.	2009 – 2014
Enforcement	Ensure adequate funding, human resources, and training for law enforcement agencies.	2013 - 2014
	Strengthen the labor inspectorate by permitting inspectors to determine and assess penalties for child labor violations.	2014
Social Programs	Assess the impact of the Open Classroom and New Opportunities educational programs on child labor, including its worst forms.	2013 - 2014
	Expand programs to reach more child laborers in agriculture and in commercial sexual exploitation.	2009 – 2014
	Increase the number of personnel in governmental agencies dedicated to implementing and studying the impact of programs that address the worst forms of child labor.	2009 – 2014

## REFERENCES

- ILO-IPEC. *Magnitud y Características del Trabajo Infantil y Adolescente en Costa Rica- Informe 2011*. Geneva; 2012. <http://www.ilo.org/ipccinfo/product/viewProduct.do?productId=20655>.
- U.S. Embassy- San Jose. *reporting, January 31, 2013*.
- Araya, D. "La Pornografía Infantil Existe en Costa Rica." *Costa Rica Hoy*, San José, February 16, 2012. <http://www.crhoy.com/la-pornografia-infantil-existe-en-costa-rica/>.
- U.S. Department of State. "Costa Rica," in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/documents/organization/226845.pdf>.
- Government of Costa Rica. *Preguntas para el Informe del 2013 sobre las Peores Formas de Trabajo Infantil*. San José; February 18, 2014.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- San Jose. *reporting, February 1, 2010*.
- U.S. Embassy- San Jose. *reporting, December 12, 2014*.
- U.S. Embassy- San Jose. *reporting, January 27, 2014*.
- U.S. Embassy- San Jose official. E-mail communication to USDOL official. April 7, 2015.
- U.S. Department of State. "Costa Rica," in *Country Reports on Human Rights- 2012*. Washington DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- San Jose. *reporting, January 15, 2015*.

14. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention*. Geneva; August 3, 2011. Report No. CRC/C/CRI/CO/4. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/446/23/PDF/G1144623.pdf?OpenElement>.
15. U.S. Department of State. "Costa Rica," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220644.pdf>.
16. Arias, L. "Costa Rica toughens Legislation on Child Pornography." *ticotimes.net* [online] October 29, 2013 [cited 2013]; <http://www.ticotimes.net/2013/10/29/costa-rica-toughens-legislation-on-child-pornography>.
17. U.S. Department of State. "Costa Rica," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210738.pdf>.
18. ILO. *Ratifications of C189 - Domestic Workers Convention, 2011 (No. 189)*; accessed June 16, 2014 [http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:2551460](http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:2551460).
19. United Nations News Centre. "Key UN body can now hear complaints from children whose rights have been violated." New York, January 14, 2014. <http://www.un.org/apps/news/story.asp?NewsID=46922#.UtmHrNto62w>.
20. United Nations Special Representative of the Secretary-General on Violence against Children. *SRSV VAC welcomes the historic entry into force of the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure*, [online] [cited January 17, 2014]; [http://srsv.violenceagainstchildren.org/story/2014-01-14\\_937](http://srsv.violenceagainstchildren.org/story/2014-01-14_937).
21. Government of Costa Rica. *Código de Trabajo*, Ley No. 2, enacted 1943 [updated 2010]. <http://www.mtss.go.cr/legislacion-laboral/codigo-de-trabajo.html>.
22. Government of Costa Rica. *Código de la Niñez y la Adolescencia*, Ley No. 7739, enacted 1998 [updated 2002]. [http://ministeriopublico.poder-judicial.go.cr/normativa/nacional/general/05-Codigo\\_Ninez\\_Adolescencia.pdf](http://ministeriopublico.poder-judicial.go.cr/normativa/nacional/general/05-Codigo_Ninez_Adolescencia.pdf).
23. Government of Costa Rica. *Reglamento a la Ley sobre Prohibición del Trabajo Peligroso e Insalubre para Personas Adolescentes Trabajadoras y reforma Reglamento para la Contratación Laboral y Condiciones de Salud Ocupacional de las Personas Adolescentes*, No. 36640-MTSS, enacted June 22, 2011. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/88852/101726/F662984233/CRI88852.pdf>.
24. Government of Costa Rica. *Constitución Política de la República de Costa Rica*, enacted 1949 (Actualizada al 1 de enero de 2014). <http://www.cesdepu.com/xn/Constitucion-Politica-2014-rsv.pdf>.
25. Government of Costa Rica. *Código Penal*, Ley 4573, enacted 1970 [updated 2013]. [http://ministeriopublico.poder-judicial.go.cr/normativa/nacional/general/02-Codigo\\_Penal.pdf](http://ministeriopublico.poder-judicial.go.cr/normativa/nacional/general/02-Codigo_Penal.pdf).
26. Government of Costa Rica. *Ley Contra la Trata de Personas y Creación de la Coalición Nacional Contra el Tráfico Ilícito de Migrantes y la Trata de Personas (CONATT)*, Ley 9095, enacted February 8, 2013. <http://www.migracion.go.cr/institucion/Trata/Ley%20Trata%20de%20Personas%20%28difusion%20digital%29.pdf>.
27. Government of Costa Rica. *Reglamento para la Aplicación de la Ley General de Migración y Extranjería número 8764 a las Personas Menores de Edad*, No. 36659, enacted May 2011. <http://www.migracion.go.cr/institucion/leyes%20migratorias/Reglamento%20de%20Personas%20Menores%20de%20Edad.pdf>.
28. Government of Costa Rica. *Reforma integral Ley sobre estupefacientes, sustancias psicotrópicas, drogas de uso no autorizado, actividades conexas, legitimación de capitales y financiamiento al terrorismo*, No. 8204, enacted December 26, 2001.
29. Government of Costa Rica. *Ley Fundamental de Educación*, Public Law Number 2160, enacted 1957 [updated 2001]. <http://www.apse.or.cr/webapse/legdoc/leg02.htm>.
30. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
31. Sánchez Vargas, E. *La Oficina de Trabajo Infantil y Adolescente en Costa Rica*, IPEC, [online] May 26, 2010 [cited January 11 2013]; <http://white.oit.org.pe/ipeccalcencuentros/interior.php?notCodigo=813>.
32. Ministerio de Trabajo y Seguridad Social. *Evaluación Semestral 2013: Trabajo Infantil y Trabajo Adolescente*. San José. [source on file].
33. Government of Costa Rica. *Decreto 34423-MTSS*, enacted February 12, 2008. [http://white.lim.ilo.org/ipecc/documents/protocolo\\_inter\\_costa\\_rica\\_2008.pdf](http://white.lim.ilo.org/ipecc/documents/protocolo_inter_costa_rica_2008.pdf).
34. Patronato Nacional de la Infancia. *Qué es el PANI (2010)*, [online] [cited January 04, 2014]; [http://www.pani.go.cr/index.php?option=com\\_content&view=article&id=178&Itemid=62](http://www.pani.go.cr/index.php?option=com_content&view=article&id=178&Itemid=62).
35. ILO-IPEC. *Hoja de Ruta para Hacer de Costa Rica un País Libre de Trabajo Infantil y Sus Peores Formas: Documento Estratégico*. Geneva; February 2010. <http://www.ilo.org/ipeccinfo/product/viewProduct.do?productId=12713>.
36. ILO-IPEC. *Hoja de Ruta para hacer de Costa Rica un País Libre de Trabajo Infantil y Sus Peores Formas*. Geneva; March 2011. <http://www.ilo.org/ipeccinfo/product/viewProduct.do?productId=16357>.
37. Government of Costa Rica. *Informe de seguimiento y monitoreo del cumplimiento de la Hoja de Ruta para Hacer de Costa Rica un país libre de Trabajo Infantil y sus Peores Formas: Periodo 2011-2012-2013*. San José; June 2013. [source on file].
38. Government of Costa Rica. *Plan Nacional de Desarrollo 2011-2014*. San José. <http://www.enlaceacademico.org/uploads/media/PND-2011-2014.pdf>.
39. U.S. Embassy- San Jose official. E-mail communication to USDOL official. August 10, 2010.
40. U.S. Department of State. "Costa Rica," in *Trafficking in Persons Report- 2012*. Washington, DC; June 19, 2012; <http://www.state.gov/documents/organization/192594.pdf>.
41. ILO. *18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour*, ILO, [online] [cited December 1, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm) [source on file].
42. United Nations News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." October 15, 2014. <http://www.un.org/apps/news/story.asp?NewsID=49082#.VHyeYdLF98E>.
43. Instituto de Estudios Estratégicos y Políticas Públicas. *Coalición Regional contra la Trata de Personas define líneas de actuación*, Instituto de Estudios Estratégicos y Políticas Públicas, [online] [cited December 15, 2014]; <http://www.iecepp.org/index.php/coalicion-regional-contra-la-trata-de-personas-define-lineas-de-actuacion/> [source on file].
44. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
45. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
46. IMAS. *¿Qué es el programa Avancemos?*, Instituto Mixto de Ayuda Social, [online] [cited April 17, 2012]; [http://www.imas.go.cr/ayuda\\_social/avancemos.html](http://www.imas.go.cr/ayuda_social/avancemos.html).
47. FONABE. *Tipos de Becas*, [online] February 3, 2012 [cited April 17, 2014]; <http://www.fonabe.go.cr/Becas/TiposBecas/Paginas/TiposBecas.aspx>.
48. FONABE. *Siempre Ayudando a Cristalizar Sueños*, Government of Costa Rica, [online] [cited January 30, 2014]; <http://www.fonabe.go.cr/Paginas/Home.aspx>.
49. Ministerio de Educación Pública. *Proyecto Aula Abierta, Matrícula Inicial 2012*, Departamento de Análisis Estadístico, [online] [cited January 03, 2014]; <http://www.mep.go.cr/indicadores/BOLETINES/BOLETIN-13-12.pdf>.
50. Ross, A. "Escolares que tienen sobreedad recibirán clases todos los días." *La Nación*, San José, January 30, 2013. [http://www.nacion.com/nacional/comunidades/Escolares-sobreedad-recibiran-clases-dias\\_0\\_1320668032.html](http://www.nacion.com/nacional/comunidades/Escolares-sobreedad-recibiran-clases-dias_0_1320668032.html).
51. Ministerio de Educación Pública. *Matrícula inicial en Nuevas Oportunidades y Telesecundarias (2010)*, Departamento de Análisis Estadístico, [online] [cited January 03, 2014]; [http://www.sitioprueba.mep.go.cr/Indicadores\\_Educativos/BOLETINES/BOLETIN-10-2010.pdf](http://www.sitioprueba.mep.go.cr/Indicadores_Educativos/BOLETINES/BOLETIN-10-2010.pdf).
52. ILO. *EMPLEATE: Costa Rica lanza iniciativa público-privada para el empleo juvenil*, ILO, [online] [cited May 7, 2015]; [http://www.adapt.it/boletinespanol/fadocs/22\\_60.pdf](http://www.adapt.it/boletinespanol/fadocs/22_60.pdf).
53. Ministerio de Trabajo y Seguridad Social. *EMPLEATE*, [online] [cited January 30, 2014]; <http://www.empleate.cr/>.
54. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.



# Côte d'Ivoire

## SIGNIFICANT ADVANCEMENT

In 2014, Côte d'Ivoire made a significant advancement in efforts to eliminate the worst forms of child labor. The Government conducted a labor survey which included a subsurvey to determine the activities of working children; issued a decree to implement the Trafficking and Worst Forms of Child Labor Law that was adopted in 2010; and adopted a National Policy Document on Child Protection. The Government also established a National Committee for the Fight Against Trafficking in Persons; increased the budget of the Directorate for the Fight Against Child Labor by \$800,000; continued to support social programs that address child labor in support of activities under the National Action Plan against Trafficking, Exploitation, and Child Labor (NAP); and completed the pilot phase of the child labor monitoring system known as SOSTECI. However, children in Côte d'Ivoire are engaged in the worst forms of child labor in domestic work and agriculture, particularly on cocoa farms, sometimes under conditions of forced labor. Gaps remain in enforcement efforts and in children's access to education.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Côte d'Ivoire are engaged in the worst forms of child labor in domestic work and agriculture, particularly on cocoa farms, sometimes under conditions of forced labor.(1-9) According to a report by Tulane University that assessed data collected during the 2013–2014 harvest season, there were an estimated 1,203,473 child laborers ages 5 to 17 in the cocoa sector, of which 95.9 percent were engaged in hazardous work in cocoa production.(10) Table 1 provides key indicators on children's work and education in Côte d'Ivoire.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	31.5 (1,682,754)
Attending School (%)	5-14 yrs.	63.5
Combining Work and School (%)	7-14 yrs.	21.5
Primary Completion Rate (%)		61.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(11)

Source for all other data: Enquête Démographique et de Santé (EDSCI-III) Survey, 2011-2012.(12)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Burning† and clearing fields, cutting down trees† to expand cocoa plantations, spraying pesticides,† harvesting, drying, and fermenting cocoa beans, breaking pods, carrying heavy loads of water, and transporting cocoa pods(1, 3-10, 13, 14)
	Production of cereals,* pineapple,* bananas,* and coffee, including applying chemical fertilizers,† spraying pesticides,† cutting down trees† and burning† and clearing fields (1, 3-6, 15-17)
	Production of palm oil,* honey,*† and rubber,* (1, 3, 6, 16)
	Fishing activities, including deep sea diving,*† repairing and hauling nets,* cleaning,* salting,* drying,* descaling,* and selling* fish (16, 18)
	Livestock raising* and slaughtering,*† activities unknown (16, 18)

**Table 2. Overview of Children's Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Working in mines, including crushing and transporting stones,*† blasting rocks,*† working underground, mining for diamonds,* and extracting gold* with chemicals*† (1, 3, 14-16, 19-21)
	Manufacturing or repairing firearms,*† repairing,* lubricating,* or cleaning* machinery while in operation*† (16)
	Brewing alcoholic beverages*†(16)
Services	Production of charcoal*†(4, 16)
	Domestic work† (1, 3, 14-16, 22-24)
	Work in transportation,† carrying goods,† and car washing* (1, 4, 14-16)
Categorical Worst Forms of Child Labor‡	Street vending and commerce, including begging and selling pornography,*† (1, 3-5, 15, 16, 25)
	Garbage scavenging† (16, 26)
	Forced labor in mining, carpentry,* construction,* domestic work, street vending, restaurants,* and agriculture, including in the production of cocoa, coffee, pineapple,* rubber*, and cotton,* each sometimes as a result of human trafficking (1, 3, 4, 6, 9, 14, 18, 24)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 3, 14, 19, 24)
	Forced begging by Koranic teachers* (21, 27)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.


Children are trafficked to, from, and within Côte d'Ivoire. Girls are internally trafficked for work in commercial sexual exploitation or domestic work, whereas boys are internally trafficked for labor in agriculture or to work in service sectors.(3, 4, 6, 16) Children from neighboring West African countries are also trafficked into Côte d'Ivoire for agricultural labor, especially in cocoa production, and for work in mining, construction, domestic work, street vending, and commercial sexual exploitation.(3, 4, 7, 9, 19, 23, 28) During the reporting period, the Government, in collaboration with the ILO, conducted a USDOL-funded study on employment, which included data on the activities carried out by children in a variety of sectors. (29, 30) This is the first study of its kind in Côte d'Ivoire that collected data on children's activities throughout the country, and it will serve as a baseline for future comparison.(29, 31, 32) The survey estimates that more than 1.4 million children are engaged in child labor in Côte d'Ivoire, with almost half working in the agricultural sector and 37.8 percent in hazardous work.(23) In 2014, there were no reports that the Government recruited or used children in its armed forces.(31, 33, 34)

According to the Law N° 95-696 on Education, education is free, although in practice there are associated fees, which make education prohibitive to many families.(1, 5, 6, 14, 35) The Government has taken measures to increase school attendance by providing school kits to primary school students, lifting restrictions related to wearing school uniforms, and introducing school canteens to provide more affordable meal options for students. However, many children in Côte d'Ivoire still do not attend school due to the cost of textbooks or other fees.(5, 36-39) Since birth registration is often required for enrollment and primary school exit exams, children without birth certificates—including those born in Côte d'Ivoire and those who have migrated to Côte d'Ivoire—may be prevented from enrolling in or graduating from primary school.(1, 18, 40-43) The lack of teachers and schools in rural areas also limits access to education.(7, 14, 18, 44-49) Research suggests some students are physically and sexually abused at school; there is limited evidence that some teachers demand sexual favors in exchange for grades, which may deter some students from attending school.(1, 50-53) Children who are not attending school may be more vulnerable to the worst forms of child labor.



## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Côte d'Ivoire has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

**Table 3. Ratification of International Conventions on Child Labor (cont)**

	Convention	Ratification
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 23.8 of the Labor Code (54)
Minimum Age for Hazardous Work	Yes	18	Order N° 009 MEMEASS/CAB Revised Hazardous Work List (55)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Order N° 009 MEMEASS/CAB Revised Hazardous Work List (55)
Prohibition of Forced Labor	Yes		Article 3 of the Constitution; Article 7 of Law N° 2010-272 Prohibiting the Trafficking and Worst forms of Child Labor; Article 3 of the Labor Code (54, 56, 57)
Prohibition of Child Trafficking	Yes		Articles 10-11 of Law N° 2010-272 Prohibition of Trafficking and the Worst Forms of Child Labor; Article 370 of the Penal Code (56, 58)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 9 and 15 of Law N° 2010-272 Prohibition of Trafficking and the Worst Forms of Child Labor (56)
Prohibition of Using Children in Illicit Activities	Yes		Article 4 of Law N° 2010-272 Prohibition of Trafficking and the Worst Forms of Child Labor (56)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 82 of The Armed Forces Code (59)
Minimum Age for Voluntary Military Service	Yes	18	Article 82 of The Armed Forces Code (59)
Compulsory Education Age	No		
Free Public Education	Yes		Article 2 of Law N° 95-696 on Education (35)

On May 21, 2014, the Government issued Decree N° 2014-290 to implement the Trafficking and Worst Forms of Child Labor Law that was adopted in 2010.(29, 39, 56, 60, 61) The Council of Ministers has also endorsed a draft law that criminalizes and penalizes all forms of human trafficking offenses, including adults and children.(31, 34) The Labor Code of 1995 is also being revised to include updates, including raising the minimum age of work from 14 to 16 and establishing the minimum age of apprenticeships at 14. The draft law also extends protection to children age 16 and older and requires employers to register all workers under age 18.(29, 31, 32, 34) Additionally, a draft law providing greater protection to domestic workers is under consideration. This law grants more latitude to inspectors in investigating possible labor violations in private homes.(34)

The Labor Code only applies to contractual employment. Children engaged in the informal sector or who are self-employed are not protected by provisions of the Labor Code and are thus more vulnerable to exploitative child.(5, 17) Additionally, education is not compulsory by law in Côte d'Ivoire. However, the President has proposed establishing a compulsory education age of 16 and a law on compulsory education has been drafted.(39, 62, 63)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations related to child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment, Social Affairs, and Professional Training (MESAPT)	Enforce labor laws.(14) Implement the child labor monitoring system, <i>Système d'Observation et de Suivi du Travail des Enfants en Côte d'Ivoire</i> (SOSTECI), which enables communities to collect and analyze statistical data on the worst forms of child labor.(2, 14, 36, 64) SOSTECI concluded a 1-year pilot program in July 2014, which included data collection in 19 communities and established 115 community Child Protection Committees to enhance its efforts to monitor, report on, and coordinate services.(2, 14, 36, 64-66) In the case of the Direction of the Fight Against Child Labor, coordinate and implement measures to combat the worst forms of child labor; develop, monitor, and enforce laws related to child labor.(23)
Ministry of Interior	Enforce criminal laws against child trafficking, commercial sexual exploitation, forced child labor, and the use of children in illicit activities. In the case of the National Police, Decree N° 2006 11 created an anti-trafficking unit to pursue and arrest perpetrators of child trafficking.(14, 67, 68)
Ministry of Justice	Investigate and prosecute crimes related to child labor, including its worst forms.(14, 64)
National Monitoring Committee on Actions to Combat Trafficking, Exploitation and Child Labor (CNS)'s Monitoring Brigades	Conduct trafficking investigations; composed of security forces tasked with dismantling trafficking networks and rescuing exploited children or victims of child trafficking.(1, 23, 67)
Ministry of Solidarity, the Family, Women and Children (MSFWC)	Provide repatriation services to victims of human trafficking, including children.(38) Chair both the Technical Committee for the Fight Against Trafficking in Persons and a coordination committee at the ministerial level which fights against all forms of human trafficking.(31, 32, 34)

Law enforcement agencies in Côte d'Ivoire took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Employment, Social Affairs, and Professional Training (MESAPT) employed 251 labor inspectors, an increase of one since 2013.(14, 29, 31) Labor inspectors are employed across the country in 15 regional offices, 10 departmental offices, and 8 units in Abidjan.(14, 29) In collaboration with UNICEF, the Government provided a 40-hour workshop on child protection, which covered child labor issues, to approximately 1,200 police and law enforcement officials.(29) Inspectors benefited from seminars and workshops on ILO conventions, national provisions, and intervention methods led by the ILO; the Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor (CIM); and the CNS.(29) The National Police's Anti-Human Trafficking Unit (AHTU) indicated that training was sufficient, although it welcomes opportunities for additional training.(29) In 2014, the combined budget for MESAPT's Directorate for the Fight Against Child Labor was approximately \$743,000, which included more than \$353,000 from the ILO to implement SOSTECI.(31, 32) However, this amount is inadequate to fund all necessary functions.(14, 29, 64) A lack of sufficient staffing, offices, and funding, particularly the absence of vehicles and fuel, continues to hinder labor inspections.(1, 14, 15, 18, 29, 69, 70)

Article 91.5 of the Labor Code allows labor inspectors to conduct surprise inspections of any establishment at any time, but the Labor Code does not authorize inspectors to determine or assess penalties.(29, 54) Inspections target violations of general labor laws rather than of specific child labor laws, although incidences of child labor may be identified during broader labor inspections.(14, 18, 71) However, the Labor Inspectorate does not have access to a reliable list of establishments subject to inspections in industrial and commercial workplaces. Further, labor inspectors primarily focus on formal sector establishments, and enforcement in the informal sector where child labor is most prevalent was extremely limited.(29, 70, 72)

Reports also indicate that some labor inspectors ignore violations. Impunity also remains an issue, since research found that penalties are unlikely to be imposed for labor violations discovered during the inspections.(1, 18, 29, 31) Law enforcement does not have the capacity to investigate all violations due to a lack of resources and staffing.(31) MESAPT reported 861 inspections in 2014, which were conducted through site visits. All the inspections occurred in the formal sector, and no child labor violations were found.(29) Four inspections were conducted in the cocoa sector in the district of Issia as part of the Government's efforts to prohibit child labor in cocoa production. After these inspections, labor inspectors brought together 83 cocoa farmers from around the Issia Department for additional training on child labor issues.(2, 32, 60) No working children were identified during these labor inspections.(32) Research did not find any information related to the type of inspections conducted, labor violations identified, or on whether inspections were unannounced.

# Côte d'Ivoire

## SIGNIFICANT ADVANCEMENT

### *Criminal Law Enforcement*

In 2014, the National Police's AHTU employed 11 investigators to enforce laws related to child labor, including its worst forms, which the AHTU acknowledges is inadequate. Additionally, all 11 investigators are based in the capital city and lack adequate resources for transportation, so they are unable to travel throughout the country to enforce the laws.(29) UNICEF, in collaboration with the Government, developed a manual on identifying victims of child trafficking, and an accompanying 40-hour training module for security forces, which began to be implemented in 2014.(34) During the reporting period, UNICEF trained 150 local and national police, 100 judges, and 50 social workers on child protection.(73) Investigators also attended other workshops led by UNICEF and other NGOs, which provided training on human trafficking issues and the rights of children.(29) The AHTU has an annual budget of approximately \$7,700 for operating expenses, which is insufficient. It received one vehicle from the First Lady's office in 2014, but it requires additional vehicles, fuel, office supplies, and furniture to carry out its duties.(14, 29, 34) In addition, the laws are not effectively enforced, particularly those governing the worst forms of child labor and trafficking, which the ILO CEACR, multiple NGOs, and international organizations also noted.(5, 14, 15)

In January 2014, the police rescued 40 girls and 9 boys, who were between ages 7 and 12, from being trafficked to work on cotton fields in the Mankono Region. The three adults accompanying the children were arrested.(14) Eight other adults were arrested for human trafficking in February, when police and forestry agents targeted cocoa fields and illegal gold mines in the Soubré Region.(74) In February 2014, law enforcement officials operating with the support of INTERPOL conducted two operations to rescue 120 victims of child trafficking.(39, 74) In total, there were 96 cases of child trafficking, 23 of which were discovered during investigations conducted by the AHTU, and 374 victims of child labor were rescued throughout the year. Of the 96 cases, 33 went to court, which resulted in 18 individuals being sentenced and 5 others either being released or out on bond.(29, 34, 39) Research was unable to find the outcome of the remaining 63 cases.(31) It is not known what penalties were assessed or if the 18 individuals who were sentenced served any time or remained in prison.(34)

The MESAPT and AHTU refer victims of the worst forms of child labor to NGOs on an as-needed basis; however, these social service providers often lack the resources to provide significant assistance.(14, 29, 34) Although SOSTECI is not a law enforcement mechanism, it works at the community level to monitor and prevent children from engaging in child labor, including its worst forms; it also refers victims to social service providers.(2, 75) SOSTECI is being developed and expanded, but it is only active in some cocoa-growing areas, and there are still insufficient means to monitor and identify child labor victims.(2, 14, 29)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Monitoring Committee on Actions to Combat Trafficking, Exploitation and Child Labor (CNS)	Monitor and evaluate all government anti-child trafficking and anti-child labor activities in Côte d'Ivoire, including the National Action Plan Against Trafficking, Exploitation, and Child Labor (NAP), make policy recommendations, and initiate awareness-raising campaigns to combat the worst forms of child labor.(38, 39) Comprising 14 international and domestic partners, including UNICEF and Save the Children and chaired by the First Lady of Côte d'Ivoire.(16, 23, 29, 38, 68) In 2014, began the second phase of its nationwide awareness campaign, which involves erecting billboards throughout the country as well as making radio announcements broadcast in French and in five different local languages.(34)
Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor (CIM)	Design, coordinate, and ensure the implementation of programs to combat the worst forms of child labor in Côte d'Ivoire. Monitor and evaluate programs implemented by partner organizations related to the fight against child trafficking.(16, 39) Chaired by MESAPT and composed of representatives from 13 ministries, including the Ministries of Justice; National Education; Agriculture; Human Rights; and Youth.(23, 29, 32)
Technical Committee for the Fight against Trafficking in Persons*	Dedicated to combatting all issues related to trafficking in persons, including both adults and children.(29, 31, 34) Operate at the working level and chaired by the MSFWC.(31, 34)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The CNS and the CIM meet regularly.(29) The committees each held their own meetings, and they also met together as part of coordinated working groups. The president of the CNS also held a meeting with coffee and cocoa producers in May 2014 to raise awareness about child labor and exchange informational.(29)



However, both the CNS and the CIM lack sufficient resources.(15, 31, 34) In addition, despite the committees' coordinated working groups, some NGOs and companies continue to indicate that they are unclear about the respective roles and responsibilities of the CIM and the CNS. This undermines effective coordination at all levels and results in disjointed or duplicated efforts.(2, 15, 34, 76, 77) The role of the newly created Technical Committee for the Fight Against Trafficking in Persons in coordinating with the CNS and the CIM is also unclear.(15, 31, 34) However, the Ministry of Planning and Development is leading a project to develop a coordinated national strategy that delegates specific responsibilities to the ministries.(77)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Côte d'Ivoire has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan Against Trafficking, Exploitation, and Child Labor (2012–2014)	Aims to prevent children from involvement in trafficking and other worst forms of child labor, provide support to victims of child trafficking, pursue the prosecution and punishment of offenders, and implement SOSTECL.(14, 16, 36, 39, 68) Received a budget of approximately \$27 million over 3 years.(34)
PRSP (2012–2015)	Aims to increase access to effective education, train youth and adults with trade skills, enhance agricultural production and certified agriculture products, ensure food security, and strengthen the country's capacity to combat the worst forms of child labor.(49)
UNDAF (2009–2015)*	Aims to increase access to education, with the goal of reducing the number of children without access to primary school by half. Extended for 2 years until 2015 to fully align UN support with national priorities.(78-80)
Medium-Term Plan of Actions for Education (2012–2014)*	Aims to increase access to education, particularly in rural areas, provide high-quality universal primary school education, promote vocational education, and restore the educational system in areas most heavily affected by conflict following the 2010 election.(32, 81)
ECOWAS Regional Action Plan for the Elimination of Child Labor, Especially the Worst Forms (2013-2015)	Aims to eliminate worst forms of child labor in West Africa by 2015 through the implementation of a regional action plan with 14 other ECOWAS countries.(82) In 2014, met to discuss actions taken since Ghana's 2013 Peer Review, progress of the Regional Action Plan's implementation, and the ILO's Study on "Child Labor and Educational Marginalization in West Africa."(83, 84)
Joint Declaration Against Cross-Border Trafficking	Joint declaration against cross-border trafficking signed by the First Ladies of Côte d'Ivoire and Burkina Faso.(85, 86) The implementing decree for the Trafficking and Worst Forms of Child Labor Law was passed as part of this declaration. Additionally, the Government has established measures to systematically verify the identities of all children and accompanying adults at border crossings.(32)
2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol (2010 Declaration) and Its Accompanying Framework of Action	Under this joint declaration, the Governments of Ghana, Côte d'Ivoire, the United States, and the International Cocoa and Chocolate Industry provide resources and coordinate with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas.(87, 88) The Governments take steps to ensure that all project efforts implemented under the Declaration and Frameworks align with Côte d'Ivoire's national action plans in order to promote coherence and sustainability.(36, 87, 88)
Joint Declaration of Commitment to Combat Child Labor†	Joint declaration between regulatory bodies and the media to improve efforts to fight against the worst forms of child labor.(29) In 2014, conducted a capacity building workshop for 100 journalists and media professionals to raise awareness of the role of the media in combatting child labor.(32, 39) As a result of this training, educational materials on child labor issues were broadcasted at the national level.(32)
National Policy Document on Child Protection†	Led by the MSFWC; seeks to reduce the incidence of violence, abuse and the exploitation of children.(29)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The First Lady continues to lead the Government's efforts to combat child labor and child trafficking through the NAP.(34) The Government held a workshop in December 2014 to begin evaluating and renewing the NAP for 2015-2017. The renewed NAP will train teachers and school administrators on child trafficking issues; it will also place a larger emphasis on training participants to coordinate actions among other stakeholders.(34)

# Côte d'Ivoire

## SIGNIFICANT ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Côte d'Ivoire funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
National Awareness Campaign Against Child Labor‡	CNS led large-scale national awareness campaign against child labor that disseminates information to increase public awareness through television and radio broadcasts, billboards, and newspapers in French and in local languages.(14, 29, 36, 39, 64, 66) Created a new strategy for 2015-2017 that calls on national actors to take on a greater role in media campaigns to raise awareness about child labor.(29)
Self-Help Village Initiative‡	Government-implemented initiative that provides villages with funds to combat child labor in the cocoa sector. Builds schools and health centers, train vulnerable households in income-generating activities, and implement a child labor monitoring system.(64, 89-91) Participating villages are provided with service packages worth approximately \$60,000, which is funded by taxes and fees on cocoa exports.(14)
Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS (ECOWAS I) (2009-2014)	\$7.95 million USDOL-funded, 5-year project implemented by the ILO with direct interventions to accelerate progress on the elimination of the worst forms of child labor in Côte d'Ivoire, Ghana, and Nigeria. Supported Economic Community of West African States (ECOWAS) to strengthen its role in combating the worst forms of child labor in the West Africa subregion by providing policy and capacity-building support for all ECOWAS states.(92) In Côte d'Ivoire, targeted children involved in child labor in agriculture and domestic work for withdrawal and prevention services, including by providing access to education services. By the close of the project in April 2014, had withdrawn or prevented 5,315 children from the worst forms of child labor, and provided livelihoods services to 150 adults.(65)
Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS (ECOWAS II) (2010-2014)	Linked to the ECOWAS I project, a \$5 million USDOL-funded, 4-year project implemented by the ILO with direct interventions in Benin, Côte d'Ivoire, Ghana, and Nigeria. Supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa subregion by providing policy and capacity-building support for all ECOWAS states.(66, 89) By the close of project in April 2014, had provided education services to 1,251 children, and livelihoods services to 786 households as part of SOSTECI.(66)
Towards Child Labor Free Cocoa Growing Communities in Côte d'Ivoire and Ghana through an Integrated Area-Based Approach (2010-2015)	\$10 million USDOL-funded, 4-year project implemented by the ILO. In support of the 2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol, goal was to reduce the worst forms of child labor in cocoa-producing areas in Côte d'Ivoire and Ghana by providing direct services to communities.(2, 75, 87) In Côte d'Ivoire, worked with the Government to develop and implement SOSTECI in cocoa-growing areas.(2, 75, 87) By the end of 2014, provided educational services to 2,500 children, and livelihood services to 1,000 families in Côte d'Ivoire.(2)
Survey on Child Labor in West African Cocoa Growing Areas	\$1.9 million USDOL-funded, 3-year research project implemented by the Payson Center at Tulane University. Supports the collection of nationally representative survey data on child labor in Côte d'Ivoire and Ghana to assess the prevalence of the worst forms of child labor in cocoa-growing areas.(91, 93-95) Coordinates with the Government and works with government statistical experts to build the country's capacity to implement future child labor surveys.(36) Collected survey data for the 2013-2014 harvest season.(10, 36, 95)
Industry-Funded projects in support of the 2010 Declaration	Aims to reduce the prevalence of child labor in Côte d'Ivoire's cocoa-growing areas, including by improving children's access to education and increasing household incomes.(87, 88, 91, 96) Funding provided by the cocoa industry in Côte d'Ivoire as follows: Nestlé, \$1.5 million, and Barry Callebaut, \$300,000. Global Issues Group provided \$2 million for a project being implemented both in Ghana and Côte d'Ivoire.(36)
Empowering Cocoa Households with Opportunities and Education Solutions (2007-2015)*	\$14.5 million World Cocoa Foundation-funded, 8-year project that strengthens cocoa-growing communities by expanding opportunities for youth through education. Focuses on youth leadership and basic education.(97-99)
Council of Coffee and Cocoa Platform Public-Private Partnership‡	Ministry of Agriculture program that aims to improve sustainable development and socioeconomic welfare of coffee and cocoa producers and their communities. Targets improved productivity and the reduction of child labor.(100)
Centers for Vulnerable Children‡	Approximately 110 MSFWC and MESAPT-funded social centers and mobile schools located throughout the country that receive women and children who are victims of crime or violence, including children who are victims of the worst forms of child labor. International NGOs also operate additional centers that provide meals and basic education.(14, 26, 29, 34)
Bas-Sassandra Program (2010-2014)*‡	UNICEF and MSFWC-funded program to protect children in the Bas-Sassandra Region from violence and abuse. In 2014, produced a manual for use in all social welfare centers throughout the country.(29)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Integrated Program for Sustainable School Feeding (2013–2015)*	\$42.5 million WFP-funded program that aims to raise school attendance rates in rural areas, particularly among girls, through the provision of school meals, conditional cash transfers, nutritional supplements, and training for the National Directorate of School Feeding and local school feeding management committees.(101)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Côte d'Ivoire.

Although the Government of Côte d'Ivoire maintains programs and coordinates with industry, international organizations, NGOs, and other governments to help children on cocoa farms, existing programs are limited to a small number of villages due to funding constraints, and the scope of existing programs is insufficient to fully address the extent of the child labor problem.(10, 29, 102) Although SOSTECI concluded a pilot program in five cocoa-growing districts, it has not been expanded throughout the country because of the significant amount of resources required to implement the program.(29, 34) While the Government of Côte d'Ivoire has implemented programs in agriculture and domestic work, the scope of these programs is insufficient to fully address the extent of the child labor problem.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Côte d'Ivoire (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Make education compulsory and establish a compulsory education age that is consistent with the minimum age for admission to work.	2009 – 2014
Enforcement	Allocate sufficient resources to ensure an adequate number of inspectors and investigators who can conduct effective inspections, investigations, and enforce labor and criminal laws related to child labor, particularly in sectors in which the worst forms of child labor are most prevalent.	2009 – 2014
	Ensure that law enables inspectors to assess penalties for child labor violations and that penalties are enforced according to the law.	2014
	Create a reliable list of establishments that are subject to labor inspection.	2013 – 2014
Coordination	Improve coordination between the National Monitoring Committee on Actions to Combat Trafficking, Exploitation and Child Labor; the Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor; and National Committee for the Fight against Trafficking in Persons. Clarify the roles and responsibilities of these coordinating bodies.	2012 – 2014
Government Policies	Assess the impact that existing policies may have on addressing child labor.	2013 – 2014
Social Programs	Assess the impact that existing programs may have on child labor.	2013 – 2014
	Improve access to education by: <ul style="list-style-type: none"> <li>■ Hiring teachers and building additional schools in rural areas;</li> <li>■ Ensuring children are registered at birth;</li> <li>■ Eliminating school-related fees; and</li> <li>■ Addressing physical and sexual abuse in schools.</li> </ul>	2011 – 2014
	Replicate and expand models, such as SOSTECI, for addressing exploitative child labor for effective implementation of the National Action Plan to combat the worst forms of child labor, including efforts to reduce the worst forms of child labor in agriculture and in domestic work.	2009 – 2014

# Côte d'Ivoire

## SIGNIFICANT ADVANCEMENT

### REFERENCES

1. U.S. Department of State. "Cote d'Ivoire," in *Country Reports on Human Rights Practices-2013*. Washington, DC; April 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220104>.
2. ILO-IPEC. *Towards Child Labor Free Cocoa Growing Communities through an Integrated Area Based Approach Project*. Technical Progress Report. Geneva; October 31, 2014.
3. U.S. Department of State. "Cote d'Ivoire," in *Trafficking in Persons Report 2014*. Washington, DC; 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226706.htm>.
4. Ministère d'Etat de la Republique de Cote d'Ivoire et Ministère de l'Emploi des Affaires Sociales et de la Formation Professionnelle, ILO, and Cote d'Ivoire National Institute of Statistics. *Etude des phénomènes de la traite et du travail des enfants dans les secteurs de l'agriculture, des mines, du transport, du commerce et du domestique*. Abidjan; 2013.
5. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Côte d'Ivoire (ratification: 2003) Published: 2011*; accessed January 31, 2012; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2335155](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2335155).
6. Global March Against Child Labour. *Child Labour in Cocoa Farming in Cote d'Ivoire: Report of the Scoping Mission Conducted by Global March Against Child Labour*. New Delhi; January-February 2013. <http://globalmarch.org/images/CHILD-LABOUR-IN-COCOA-FARMING-IN-COTE-D'IVOIRE.pdf>.
7. Thorson, DD. *Children Working in Commercial Agriculture: Evidence from West and Central Africa*. Briefing Paper n.2. New York, UNICEF; April 2012. [http://www.unicef.org/wcaro/english/Briefing\\_Paper\\_No\\_2\\_-\\_children\\_working\\_in\\_commercial\\_agriculture.pdf](http://www.unicef.org/wcaro/english/Briefing_Paper_No_2_-_children_working_in_commercial_agriculture.pdf).
8. Hawksley, H. "Ivory Coast Cocoa Farms Child Labour: Little Change." [bbc.co.uk \[online\] November 10, 2011 \[cited March 25, 2013\]; http://www.bbc.co.uk/news/world-africa-15681986?print=true](http://www.bbc.co.uk/news/world-africa-15681986?print=true).
9. Associated Press. "Child Labor Probed in Ivory Coast's Cocoa Fields." [azcentral.com \[online\] November 28, 2011 \[cited March 25, 2013\]; http://www.azcentral.com/arizonarepublic/news/articles/2011/11/28/20111128child-labor-probed-ivory-coasts-cocoa-fields.html](http://www.azcentral.com/arizonarepublic/news/articles/2011/11/28/20111128child-labor-probed-ivory-coasts-cocoa-fields.html).
10. Tulane University. *Final Report: 2013/14 Survey Research on Child Labor in West African Cocoa-Growing Areas*. New Orleans, Payson Center for International Development and Technology Transfer; 2015 July 30, 2015.
11. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
12. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Enquête Démographique et de Santé (EDSCI-III), 2011-2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
13. Webb, S. "Is your chocolate bar worth a child's life? Documentary lays bare child slavery in West Africa's cocoa plantations - and what is being done to free them." [Daily Mail UK, February 27 2014. http://www.dailymail.co.uk/news/article-2569091/Is-chocolate-bar-worth-childs-life-Documentary-lays-bare-child-slavery-West-Africas-cocoa-plantations-free-them.html](http://www.dailymail.co.uk/news/article-2569091/Is-chocolate-bar-worth-childs-life-Documentary-lays-bare-child-slavery-West-Africas-cocoa-plantations-free-them.html).
14. U.S. Embassy- Abidjan. *reporting, January 30, 2014*.
15. International Trade Union Confederation. *Internationally Recognized Core Labour Standards in Cote d'Ivoire, Guinea-Bissau and Togo*. Geneva; July 2 and 4, 2012. [http://www.ituc-csi.org/IMG/pdf/final-en-cote\\_d\\_ivoire\\_guinea\\_bissau\\_togo\\_tpr\\_.pdf](http://www.ituc-csi.org/IMG/pdf/final-en-cote_d_ivoire_guinea_bissau_togo_tpr_.pdf).
16. Government of Côte d'Ivoire. *Plan d'action national 2012-2014 de lutte contre la traite, l'exploitation et le travail des enfants*. Abidjan; March 23, 2012.
17. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Côte d'Ivoire (ratification: 2003) Submitted: 2010*; accessed January 31, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
18. ILO. *Renforcement des capacités des Inspecteurs du Travail en matière d'intervention dans le secteur agricole : travail des enfants, santé et sécurité au travail et Système d'Observation et de Suivi du Travail des Enfants dans le secteur du cacao*. Geneva; November 2013. [source on file].
19. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Côte d'Ivoire (ratification: 2003) Published: 2011*; accessed January 31, 2012; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2335172](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2335172).
20. DHS official. E-mail communication to USDOL official. January 13, 2014.
21. Koné, S. "Enquête/ Côte d'Ivoire : Région du Hambol/ Comment des enfants de migrants sont exploités." [Le Point Sur, Abidjan, October 17, 2014. http://www.lepointsur.com/enquete-cote-divoire-region-du-hambol-comment-enfants-migrants-exploites/](http://www.lepointsur.com/enquete-cote-divoire-region-du-hambol-comment-enfants-migrants-exploites/).
22. KIRA. *Jeunes filles domestiques*. Abidjan; 2010. <http://www.kira-international.org/projetsetpays/projets-finalises/jeunesfillesdomestiques/index.html>.
23. Government of Côte d'Ivoire: Ministre d'Etat, MdPedD, ILO-BIT. *Enquete Nationale sur le Situation de l'Emploi et du Travail des Enfants*. Abidjan; November 2014. Source on File.
24. Amanien. "ENQUÊTE/Traite des enfants en Côte d'Ivoire: Les "petites bonnes" ou l'esclavage des temps modernes." *Amanien: L'Actualité Ivoirienne et Internationale*, (2014); [source on file].
25. Thorson, DD. *Children Working in the Urban Informal Economy: Evidence from West and Central Africa*. Briefing Paper n.3. New York, UNICEF; April 2012. <http://www.sussex.ac.uk/anthropology/people/peoplelists/person/118526>.
26. Neza, GC. "Reportage – A la rencontre des petits "forçats des ordures" de la grande décharge d'Abidjan." [Le Nouveau Courrier, November 2012. http://nouveaujournal.net/reportage-a-la-rencontre-des-petits-forcats-des-ordures-de-la-grande-decharge-dabidjan/](http://nouveaujournal.net/reportage-a-la-rencontre-des-petits-forcats-des-ordures-de-la-grande-decharge-dabidjan/).
27. Thorson, DD. *Children Begging for Qur'anic School Masters: Evidence from West and Central Africa*. Briefing Paper n.5. New York, UNICEF; April 2012. <http://www.sussex.ac.uk/anthropology/people/peoplelists/person/118526>.
28. FLC. *Forced Labour of Children: Results from seven statistical surveys in Bangladesh, Bolivia, Côte d'Ivoire, Guatemala, Mali, Nepal and Niger*; November 2010.
29. U.S. Embassy- Abidjan. *reporting, January 29, 2015*.
30. ILO-IPEC. *Follow-up to the resolution on child labour statistics adopted at the 18th ICLS through methodological development and expansion of child labour data collection*. Technical Progress Report. Geneva; October 8, 2014.
31. U.S. Embassy- Abidjan official. E-mail communication to USDOL official. April 13, 2015.
32. Comité National de Surveillance des actions de lutte contre la Traite l'Exploitation et le Travail des Enfants official. Letter to U.S. Embassy- Abidjan official. April 13, 2015.
33. United Nations Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 –S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).



34. U.S. Embassy- Abidjan. *reporting, February 17, 2015.*
35. Government of Côte d'Ivoire. *Education Law*, N° 95-696, enacted September 7, 1995. <http://www.univ-fhb.edu.ci/fr/images/LOI-95-696.pdf>.
36. Child Labor Cocoa Coordinating Group. *2013 Annual Report*. Washington, DC; February 2014.
37. Groupe de la Banque Africaine de Développement. "Document de Stratégie Pays 2013-2017." (2013); <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/C%3%B4te%20d%27Ivoire%20-%20Document%20combin%20C3%A9%20de%20strat%20C3%A9%20pays%202013-2017%20et%20de%20revue%20du%20portefeuille%202013%20%28Version%20brouillon%29.pdf>.
38. UN Human Rights Committee. *Initial Reports of States Parties Due in June 1993: Côte d'Ivoire*. Prepared by the Government of Côte d'Ivoire, Article 40 of the Covenant on Civil and Political Rights. May 21, 2013. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fCIV%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fCIV%2f1&Lang=en).
39. Government of Côte d'Ivoire. *2014 CLCCG Progress Report for the Government of Cote d'Ivoire*. [source on file].
40. Integrated Regional Information Networks. "Cote D'Ivoire: Pupils go back to school, slowly." IRINnews.org [online] November 2, 2011 [cited March 25, 2013]; <http://www.irinnews.org/printreport.aspx?reportid=94130>.
41. UNHCR. *UNHCR country operations profile - Côte d'Ivoire*. New York; 2014. <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e484016>.
42. United Nations General Assembly. *Human Rights Council, nineteenth session, Report of the independent expert on the situation of human rights in Cote d'Ivoire, Doudou Diène*; January 9, 2012. [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-72\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-72_en.pdf).
43. ILO. *The twin challenges of child labour and educational marginalisation in the ECOWAS region*; July 2014 July 1, 2014. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=25517>.
44. UNICEF. *Cote d'Ivoire: Education*; n.d. <http://www.unicef.org/cotedivoire/education.html>.
45. ILO-IPEC. *Consultance en Vue de l'Evaluation des Besoins en Education dans les Communautés Cibles du Projet*. Geneva; May 2013.
46. ILO. *Etude de base sur le travail des enfants dans la culture du cacao dans les Départements de Bouaflé, Mbatto Daoukro, Issia et Soubré*. Geneva; 2013.
47. Ministère de l'Éducation, and Conference des Ministères de l'Éducation des Pays Ayant le Français en Partage. *Rapport PASEC 2012 Cote d'Ivoire: Évaluation Diagnostique de l'École Primaire : Pistes d'Actions pour une Amélioration de la Qualité*. Abidjan; 2012. [http://www.confemen.org/wp-content/uploads/2013/09/RAPPORT\\_CI-final.pdf](http://www.confemen.org/wp-content/uploads/2013/09/RAPPORT_CI-final.pdf).
48. UNESCO China Funds in Trust. *Synthesis Report: Findings from the Needs Assessment Phase Cote d'Ivoire, Ethiopia, Namibia*; June 2013. <https://en.unesco.org/sites/default/files/CFIT%20Needs%20assessment%20synthesis%20report%202013-June.pdf>.
49. International Monetary Fund. *Côte d'Ivoire: Poverty Reduction Strategy Paper—Progress Report*; July 2012.
50. France 24. Vidéo de tabassage au lycée Voltaire : le proviseur suspendu [Video]: YouTube; 2012, January 17, 2013; <http://observers.france24.com/fr/content/20111227-lyceens-tabasses-cote-ivoire>.
51. Save the Children. *Violence in Schools in Cote d'Ivoire* [Video]: YouTube; 2010, 43 sec., January 18, 2013; <http://www.youtube.com/watch?v=nWrlW85sUDk>.
52. Save the Children. *Children's Situation in Côte d'Ivoire*, Save the Children, [online] [cited January 18, 2013]; <http://resourcecentre.savethechildren.se/content/country/c%3%B4te-divoire/childrens-situation>.
53. Antonowicz, L. *Too Often in Silence: A Report on School-Based Violence in West and Central Africa*. London, Save the Children Sweden, Plan International, Actlonaid, and UNICEF; March 2010. <http://plan-international.org/about-plan/resources/publications/campaigns/too-often-in-silence-a-report-on-school-based-violence-in-west-and-central-africa>.
54. Government of Côte d'Ivoire. *Code du travail*, No. 95/15, enacted January 12, 1995. <http://www.droit-afrique.com/images/textes/Cote-Ivoire/RCI%20-%20Code%20travail.pdf>.
55. Government of Côte d'Ivoire. *Révisant arrêté portant détermination de la liste des travaux dangereux interdits aux enfants de moins de 18 ans*, No. 009, enacted January 30, 2012.
56. Government of Côte d'Ivoire. *Interdiction de la Traite et des Pires Formes de Travail des Enfants*, No. 2010-272, enacted September 30, 2010.
57. Government of Côte d'Ivoire. *Constitution*, enacted July 23, 2000.
58. Government of Côte d'Ivoire. *Code Penal*, No. 1981-640; amended by Law No. 1995-522, enacted July 31, 1981. <http://www.refworld.org/docid/3ae6b5860.html>.
59. UN Committee on the Rights of the Child. *CRC/C/8/Add.41: Consideration of Reports Submitted by States Parties Under Article 44 of the Constitution*; 2000 April 27, 2000. <http://www.refworld.org/pdfid/3ae6afc78.pdf>.
60. ILO-IPEC. *Towards Child Labor Free Cocoa Growing Communities through an Integrated Area Based Approach Project*. Response to Technical Progress Report. Geneva; November 2014.
61. "Statut du pupille de la nation et lutte contre la traite des personnes : le gouvernement prend des mesures." abidjan.net [online] November 26, 2014 [cited 2014]; <http://news.abidjan.net/h/516705.html>.
62. Présidence de la République de Cote d'Ivoire. *Reconstruisons Notre Système Éducatif*, [cited January 28, 2015] <http://www.presidence.ci/presentation/10/education>.
63. U.S. Embassy- Abidjan official. Personal communication to USDOL official. July 30, 2015.
64. U.S. Embassy- Abidjan. *reporting, January 31, 2013.*
65. ILO- IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I*. Technical Progress Report. Geneva; April 2014.
66. ILO- IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS II*. Technical Status Report. Geneva; September 30, 2014.
67. U.S. Embassy- Abidjan. *reporting, February 2, 2012.*
68. ILO-IPEC. *Analyse des actions de communication sur le travail des enfants en Côte d'Ivoire*. Geneva; August 2013. <http://www.ilo.org/ipecinfo/product/viewProduct.do?productid=25096>.
69. ILO Committee of Experts. *Individual Observation concerning Labour Inspection (Agriculture) Convention, 1969 (No. 129) Côte d'Ivoire (ratification: 1987) Published: 2014*; accessed June 4, 2015; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3113984](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3113984).
70. ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Côte d'Ivoire (ratification: 1987) Published: 2014*; accessed June 19, 2014; <http://www.ilo.org/ilolex/english/ilolexquery.htm>.
71. ILO Committee of Experts. *Individual Observation concerning Labour Inspection (Agriculture) Convention, 1969 (No. 129) Côte d'Ivoire (ratification: 1987) Published: 2011*; accessed March 25, 2013; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2335131](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2335131).
72. ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Côte d'Ivoire (ratification: 1987) Published: 2011*; accessed January 31, 2012; <http://www.ilo.org/ilolex/english/ilolexquery.htm>.
73. United Nations. *Reporting*; 2014.
74. Interpol. "Children rescued from trafficking and exploitation in Côte d'Ivoire operation supported by INTERPOL." Interpol, Lyon, April 4, 2014. <http://www.interpol.int/News-and-media/News/2014/N2014-058>.



# Côte d'Ivoire

## SIGNIFICANT ADVANCEMENT

75. ILO-IPEC. *Towards Child Labor Free Cocoa Growing Communities through an Integrated Area Based Approach Project*. Project Document. Geneva; December 21, 2010. [http://www.dol.gov/ilab/projects/summaries/WestAf\\_CocoaGrowingCommunities.pdf](http://www.dol.gov/ilab/projects/summaries/WestAf_CocoaGrowingCommunities.pdf).
76. USDOL official. *Site Visit: Official Observations*. Washington, DC; March 2013.
77. U.S. Embassy- Abidjan. *reporting, February 12, 2014*.
78. UNDAF. *Plan Cadre des Nations Unies pour l'Aide au Développement, 2009-2013: Cote d'Ivoire*. Abidjan; July 2008. [http://planipolis.iiep.unesco.org/upload/Cote%20Ivoire/Cote\\_Ivoire\\_UNDAF\\_2009-13.pdf](http://planipolis.iiep.unesco.org/upload/Cote%20Ivoire/Cote_Ivoire_UNDAF_2009-13.pdf).
79. UNDAF. *Extensions of Country Programs: Cote d'Ivoire*. Abidjan; April 2013. <http://www.undp.org/content/dam/undp/library/corporate/Executive%20Board/2013/Annual-session/English/dp2013-15.doc>.
80. UNDAF. *Plan Cadre des Nations Unies pour l'Aide au Développement UNDAF Révisé 2013-2015: Cote d'Ivoire*. Abidjan; April 2013. [Source on file].
81. Government of Côte d'Ivoire. *Plan d'actions à moyen terme du secteur de l'éducation 2014-2014*. Abidjan; September 2011.
82. ECOWAS. *ECOWAS Regional Action Plan for the Elimination of Child Labour Especially in the Worst Forms*. Abuja; June 2013. [http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms\\_227737.pdf](http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_227737.pdf).
83. ECOWAS. "Member States Meeting on the Implementation of the Regional Action Plan on the Elimination of Child Labour," in Meeting on the Implementation of the Regional Action Plan on the Elimination of Child Labour; December 16-18, 2014;
84. ILO-IPEC. *Towards Child Labor Free Cocoa Growing Communities through an Integrated Area Based Approach Project*. Technical Progress Report. Geneva; April 3, 2015.
85. U.S. Embassy- Abidjan. *reporting, November 8, 2012*.
86. Ouattara, D. *Fight against cross-border child trafficking*, dominiqueouattara.ci, [blog] October 31, 2013 [cited November 23, 2013]; <http://www.dominiqueouattara.ci/en/news/fight-against-cross-border-child-trafficking>.
87. Senator Harkin, Congressman Engel, USDOL, Government of Cote d'Ivoire, Government of Ghana, and International Cocoa and Chocolate Industry. *Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol*. Abidjan; September 13, 2010. <http://www.dol.gov/ilab/projects/summaries/GhanaSignedDeclaration.pdf>.
88. Senator Harkin, Congressman Engel, USDOL, Government of Cote d'Ivoire, Government of Ghana, and International Cocoa and Chocolate Industry. *Framework of Action to Support Implementation of the Harkin-Engel Protocol*. Abidjan; September 13, 2010. <http://www.dol.gov/ilab/projects/summaries/CocoaFrameworkAction.pdf>.
89. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS- Phase II*. Project Document. Geneva; December 20, 2010.
90. Government of Côte d'Ivoire: SSTE. *Actions du Secretariat Executif du Systeme de Suivi du Travail des Enfants dans le Cadre se la Certification Du Processus De Production Du Cacao*. Abidjan; December 2011.
91. Child Labor Cocoa Coordinating Group. *2012 Annual Report*. Washington, DC; February 2013.
92. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 25, 2009. [http://www.dol.gov/ilab/projects/summaries/WestAfr\\_ECOWAS.pdf](http://www.dol.gov/ilab/projects/summaries/WestAfr_ECOWAS.pdf).
93. Tulane University. *Fourth Annual Report: Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d'Ivoire and in Ghana*. New Orleans, Payson Center for International Development and Technology Transfer; September 30, 2010. [http://www.fairtrade.net/fileadmin/user\\_upload/content/2009/ressources/2010-09-30\\_tulane-fourthann-cocoa-rprt.pdf](http://www.fairtrade.net/fileadmin/user_upload/content/2009/ressources/2010-09-30_tulane-fourthann-cocoa-rprt.pdf).
94. US Department of Labor. *Approval of Request to Add Additional Funding for Sole Source Cooperative Agreement #IL-23796-12-75-K to Administrators of the Tulane Educational Fund for the Survey on Child Labor in West African Cocoa Growing Areas*. Project Document. Washington, DC; December 16, 2014.
95. USDOL. *Survey Research on Child Labor in West African Cocoa Growing Areas*. Washington, DC; 2012. [http://www.dol.gov/ilab/projects/summaries/WestAfr\\_SurveyofCocoaGrowingAreas.pdf](http://www.dol.gov/ilab/projects/summaries/WestAfr_SurveyofCocoaGrowingAreas.pdf).
96. U.S. Department of Labor. *In Focus Archive: January 23, 2012: Update on Child Labor and Cocoa*. Washington, DC; January 27, 2012. <http://www.dol.gov/ilab/highlights/if-20120123.htm>.
97. U.S. Embassy- Abidjan official. E-mail communication to USDOL official. February 25, 2013.
98. World Cocoa Foundation. *Côte D'Ivoire - WCF Activities ECHOES*, World Cocoa Foundation, [online] [cited November 28, 2014]; <http://worldcocoafoundation.org/echoes/>.
99. World Cocoa Foundation. *The WCF ECHOES Alliance*, [cited November 28, 2014 [Source on file].
100. ILO- IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I*. Technical Progress Report. Geneva; October 2012.
101. UN World Food Programs. *Support for the Integrated Programme for Sustainable School Feeding - Côte d'Ivoire*; November 3, 2014. [http://one.wfp.org/operations/current\\_operations/project\\_docs/200465.pdf](http://one.wfp.org/operations/current_operations/project_docs/200465.pdf).
102. Government of Côte d'Ivoire: SSTE. *Lutte Contre les Pires Formes de Travail des Enfants dans la Cacaoculture en Côte d'Ivoire*. Abidjan; July 2011.

In 2014, Djibouti made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government drafted a National Action Plan on Human Trafficking and a Strategic Education Plan. With support from multilateral organizations, the Government continued to provide social services to children at risk of child labor, including migrants. However, children in Djibouti are engaged in child labor, including in street work and in the worst forms of child labor, including in commercial sexual exploitation. Significant gaps remain in the legal framework on child labor. Neither law enforcement efforts nor programs to assist working children are adequate.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Djibouti are engaged in child labor, including in street work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.<sup>(1)</sup> Table 1 provides key indicators on children's work and education in Djibouti.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	12.3 (23,693)
Attending School (%)	5-14 yrs.	67.4
Combining Work and School (%)	7-14 yrs.	10.2
Primary Completion Rate (%)		52.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.<sup>(2)</sup>

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.<sup>(3)</sup>

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Herding livestock (1, 4)
	Farming,* activities unknown (4)
Services	Domestic work (1, 4)
	Street work, including shining shoes, washing and guarding cars, cleaning storefronts, sorting merchandise, collecting garbage, begging, and selling items, including khat (1, 4, 5)
	Working in restaurants and small shops (1, 4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (1, 5, 6)
	Forced domestic work (1, 4, 5)
	Used in illicit activities, including theft* (4, 5)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In addition to Djiboutian girls, Ethiopian, Somalian and Eritrean migrant girls fall victim to forced domestic work and possibly to commercial sexual exploitation in Djibouti City; the Ethiopia-Djibouti trucking corridor; and Obock, the preferred departure point for Yemen.<sup>(5)</sup> Girls from poor Djiboutian families may be sexually exploited as a means of income.<sup>(1)</sup> Limited evidence suggests younger children are sometimes exploited in commercial sexual exploitation by older children.<sup>(5)</sup>




# Djibouti

## MINIMAL ADVANCEMENT

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Djibouti has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 5 of the Labor Code (7)
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		Article 110 of the Labor Code (7)
Prohibition of Forced Labor	Yes		Articles 396 and 404 of the Penal Code (8)
Prohibition of Child Trafficking	Yes		Articles 2 and 6 of the Law on the Fight Against Human Trafficking (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 394, 462, and 463 of the Penal Code (8)
Prohibition of Using Children in Illicit Activities	Yes		Article 461 of the Penal Code (8)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	National Army Amendment Decree (10)
Compulsory Education Age	Yes	16	Article 4 of the Law on the Orientation of the Education System (11)
Free Public Education	Yes		Article 16 of the Law on the Orientation of the Education System (11)

\* No conscription (12)

Djiboutian law does not establish a minimum age for hazardous work.(13) The Labor Code prohibits the employment of children between 16 and 18 years old in domestic work, hotels, and bars.(7) However, this legislation is not specific enough to facilitate enforcement.

While the Penal Code contains certain prohibitions on the commercial sexual exploitation of children, the law does not prohibit possession of or benefitting from child pornography.(8)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL) Labor Inspectorate	Enforce child labor laws and regulations.(14)
Djibouti National Police and Vice Squad	Enforce criminal laws and investigate criminal offenses related to child labor, including forced child labor, child trafficking, commercial sexual exploitation, and the use of children in illicit activities.(14)
Ministry of Justice's State Prosecutor	Prosecute child labor cases after they have been referred by the MOL.(6, 14)

Research found no evidence that law enforcement agencies in Djibouti took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor (MOL) Labor Inspectorate had 23 staff members, including support personnel. There were a total of four labor inspectors, an inadequate number to cover the entire country.(14) None of the inspectors have received training specific to child labor investigations. According to the MOL, the Labor Inspectorate did not have sufficient human, capital, or material resources to conduct regular preventative inspections.(14) The Government does not have a mechanism for filing and responding to complaints about child labor. No child labor inspections occurred during the reporting period.(14)

### *Criminal Law Enforcement*

During the reporting period, the Vice Squad included four officers, but they lacked sufficient training and resources to effectively enforce laws related to child labor, child trafficking, and commercial sexual exploitation.(14) In addition, no data were available on criminal investigations, prosecutions, or convictions for child labor-related offenses, or on implementation of penalties.(1, 14) Research did not find a system for referring exploited children to social services.(14)

The Government detained children in prostitution and street children, including potential human trafficking victims, following sweeps to clear the streets in advance of holidays or national events. After detention, immigration officials transported children identified as Ethiopian or Somali to Ali Sabieh, near the Ethiopian border, leaving them abandoned and vulnerable to re-trafficking.(5)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Council for Children (CNE)	Oversee the implementation of the National Strategic Plan for Children in Djibouti (PASNED). Members include six ministers, two representatives of the Youth Parliament, two representatives of the private sector, and two representatives of women's associations.(15)
Senior Human Trafficking Taskforce	Coordinate efforts to combat human trafficking. Met regularly and included the Attorney General, the Inspector General of the Judiciary, and the Ministry of Justice's Foreign Affairs Advisor.(5)

Although the National Council for Children (CNE) exists, research found no evidence that it functions as a coordinating mechanism to address child labor, including its worst forms.

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Djibouti has established policies related to child labor, including its worst forms (Table 7).

# Djibouti

## MINIMAL ADVANCEMENT

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategic Plan for Children in Djibouti (PASNED) (2011-2015)	Aims to create a protective environment for all children to ensure the protection of their human rights and equitable access to basic services. Interventions to combat the worst forms of child labor include a study on the worst forms of child labor, awareness campaigns, and social services for victims of human trafficking, sexual exploitation, and other worst forms of child labor.(13, 16)
National Strategy (2013-2017)*	Supports street children and other marginalized populations through an emphasis on protecting the rights of children and developing social programs to address the risks of children.(1, 17)
Education Sector Strategic Plan (2014-2017)*†	Incorporates strategies to address the needs of children who have not previously attended school and children living in the most impoverished areas.(17)
UNDAF (PNUAD) (2013-2017)*	Protects children against all forms of violence and exploitation and plans for boys and girls in both rural and urban areas to have equitable and quality access to basic education.(18)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In March, the Government drafted a National Action Plan on Human Trafficking, which provides for the creation of a working group to coordinate efforts on child protection, including child trafficking.(5, 17) The plan has been approved by the President and is waiting formal adoption.(19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Djibouti participated in programs that may have an impact on child labor (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description and Objectives
UNICEF Country Program (2013-2017)*	UNICEF program in collaboration with the Government to promote access to quality education for children, especially from rural and poor urban areas, increase birth registration, and provide support for orphans and vulnerable children.(17, 20)
Humanitarian Action for Children†	UNICEF-funded program in partnership with the Government to forge stronger links between humanitarian response programs and existing long-term development programming. Includes identification of the needs and priorities of the most vulnerable populations in rural areas and suburban parts of Djibouti City.(21) UNICEF will continue to support the basic education of refugee children in camps by constructing additional classrooms, providing furniture and teaching materials to 4,000 children, and providing pedagogical training to 60 teachers. Additionally, 245 street children will benefit from a social services package.(21)
IOM Program*	IOM program in partnership with the Government to address the risks of irregular migration, including a service center along the route most often traveled by undocumented migrants from Somalia and Ethiopia on their way to Yemen.(1, 14)
School Meal Program*	World Food Programme-funded project in partnership with the Government in which 15,000 children in rural parts of Djibouti receive daily meals at school as well as take-home rations for girls to encourage them to attend regularly.(22)
Urban Poverty Reduction Program*	African Development Bank program to promote socioeconomic development in Djibouti's towns and cities, where the majority of working children live.(17, 23)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

Research found no evidence of programs to specifically address children engaged in domestic work, commercial sexual exploitation, or street work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Djibouti (Table 9).



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age for hazardous work, and ensure that hazardous occupations or activities prohibited for children are specific enough to facilitate enforcement.	2009 – 2014
	Ensure children are protected from all types of commercial sexual exploitation, including by prohibiting the possession and benefit from child pornography.	2012 – 2014
Enforcement	Provide additional resources to the Labor Inspectorate and criminal law enforcement agencies so that more inspectors and officers can be hired and receive adequate training, including on identifying victims of child labor, commercial sexual exploitation, and human trafficking.	2011 – 2014
	Conduct inspections to enforce child labor laws.	2011 – 2014
	Publicly report on inspections, prosecutions, convictions, and implemented penalties related to the worst forms of child labor.	2010 – 2014
	Establish a referral mechanism between law enforcement and social welfare services so that exploited children, especially children in commercial sexual exploitation and street children, receive the appropriate care and reintegration services.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014
Social Programs	Conduct research to determine the activities carried out by children working in agriculture to inform policies and programs.	2013 – 2014
	Assess the impact that existing programs may have on child labor.	2010 – 2014
	Implement programs to specifically address children involved in domestic work, commercial sexual exploitation, and street work.	2009 – 2014

## REFERENCES

- U.S. Embassy- Djibouti. *reporting, January 20, 2014.*
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from Multiple Indicator Cluster Survey 3, 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- U.S. Department of State. “Djibouti,” in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- U.S. Department of State. “Djibouti,” in *Trafficking in Persons Report- 2014.* Washington, DC; 2014; <http://www.state.gov/documents/organization/226846.pdf>.
- U.S. Embassy- Djibouti. *reporting, February 17, 2015.*
- Government of Djibouti. *Loi n°133/AN/05/5ème L portant Code du Travail,* enacted January 26, 2006. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_126983.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126983.pdf).
- Government of Djibouti. *Le Code Penal,* enacted 2002. [http://www.africanchildforum.org/cfr/Legislation%20Per%20Country/djibouti/djibouti\\_penal\\_2002\\_fr.pdf](http://www.africanchildforum.org/cfr/Legislation%20Per%20Country/djibouti/djibouti_penal_2002_fr.pdf).
- Government of Djibouti. *Loi n°210/AN/07/5ème L relative à la Lutte Contre le Trafic des Êtres Humains,* Loi n°210, enacted October 2, 2007. <http://www.presidence.dj/fo/2007/loi210an07.php>.
- Government of Djibouti. *National Army Amendment Decree, Décret n°79-001/PR/DEF,* enacted 1979.
- Government of Djibouti. *Loi n°96/AN/00/4ème L portant orientation du système éducatif Djiboutien,* Loi n°96, enacted August 10, 2000. <http://www.presidence.dj/fo/2000/loi96an00.htm>.
- Child Soldiers International. “Appendix II: Data Summary on Recruitment Ages of National Armies,” in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers.* London; September 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Djibouti (ratification: 2005) Published: 2014;* accessed November 6, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3129251:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3129251:NO).
- U.S. Embassy- Djibouti. *reporting, January 9, 2015.*
- Government of Djibouti. *Décret n°2012-067/PR/MPF Création et organisation du Conseil National de l’Enfant (CNE),* enacted April 4, 2012. [http://www.presidence.dj/fo/texte.php?num=2012-067&date\\_t=2012-04-04&nature\\_t=D%E9cret](http://www.presidence.dj/fo/texte.php?num=2012-067&date_t=2012-04-04&nature_t=D%E9cret).
- Government of Djibouti. *National Strategic Plan for Children in Djibouti (PASNED),* enacted 2011. file:///H:/Djibouti/GoD.%20National%20strategic%20plan%20for%20children%20(PASNED)%20(2011).pdf.
- U.S. Embassy- Djibouti official. E-mail communication to USDOL official. February 26, 2015.
- Abdoul Samad, S-E. *Plan Cadre des Nations Unies pour l’Aide au Développement (UNDAF/2013-2017).* Djibouti, Systeme des Nations Unies en Republique de Djibouti; February 15, 2012. <http://www.undg.org/docs/13032/Djibouti-UNDAF-2013-2017-FR.pdf>.
- U.S. Embassy- Djibouti official. E-mail communication to USDOL official. April 2, 2015.
- UNICEF. *Republic of Djibouti Country programme document 2013-2017.* New York; September 14, 2012. [http://www.unicef.org/about/execution/files/Djibouti-2013-2017-final\\_approved-English-14Sept2012.pdf](http://www.unicef.org/about/execution/files/Djibouti-2013-2017-final_approved-English-14Sept2012.pdf).
- UNICEF. *Humanitarian Action for Children.* New York; 2014. [http://www.unicef.org/publications/files/HAC\\_2014\\_Overview\\_EN.pdf](http://www.unicef.org/publications/files/HAC_2014_Overview_EN.pdf).
- World Food Programme. *Djibouti - WFP Activities,* WFP, [online] [cited November 11, 2014]; <http://www.wfp.org/countries/djibouti/operations>.
- African Development Bank Group. *Urban Poverty Reduction Project,* AfDB, [online] 2015 [cited April 9, 2014]; <http://www.afdb.org/en/projects-and-operations/project-portfolio/project/p-dj-ic0-002/>.

# Dominica

## MINIMAL ADVANCEMENT

In 2014, Dominica made a minimal advancement in efforts to prevent the worst forms of child labor. The Government continued to conduct labor inspections and support programs to reduce poverty and ensure access to education. Research found no evidence that child labor, including its worst forms, exists in Dominica. However, there has not been a recent study of child labor to confirm this. National legislation does not expressly prohibit child prostitution, child pornography, or the use of children in illicit activities, including drug trafficking. In addition, the minimum age for both light work and hazardous work falls below international standards, leaving children vulnerable to the worst forms of child labor.






### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research did not indicate that child labor, including its worst forms, exists in Dominica.(1)

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Dominica has ratified all key international conventions concerning child labor (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	12/14/16	Articles 2–3 of the Employment of Children (Prohibition) Act; Articles 2 and 4–5 of the Employment of Women, Young Persons, and Children Act; Article 46 of the Education Act 1997 (2-4)
Minimum Age for Hazardous Work	Yes	14	Articles 2 and 4–5 of the Employment of Women, Young Persons, and Children Act (3)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 4–5 and 7 of the Employment of Women, Young Persons, and Children Act (3)
Prohibition of Forced Labor	Yes		Article 4 of the Constitution; Article 13 of the Transnational Organized Crime (Prevention and Control) Act (5, 6)
Prohibition of Child Trafficking	Yes		Article 13 of the Transnational Organized Crime (Prevention and Control) Act (6)

**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 18 of the Sexual Offenses Act (7)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	16	Article 2 of the Education Act 1997 (4)
Free Public Education	Yes		Article 15 of the Education Act 1997 (4)

† No standing military (8)

While Article 3 of the Employment of Children (Prohibition) Act allows children ages 12 and older to be employed, Article 46 of the Education Act prohibits the employment of children ages 5 to 16 during the school year, with exceptions for students ages 14 and older working during school vacations or in school sponsored employment training programs. The three different minimum ages for work may create confusion over which protections apply to working children and may make the law difficult to enforce.(2, 4) Although the Government of Dominica indicated that it would raise the statutory minimum age for employment to 15 when it ratified ILO C. 138, it has not done so.(9, 10)

Article 3 of the Employment of Children (Prohibition) Act allows children under age 12 to be employed in light domestic and agricultural work by their parents, but the law does not define specific activities and conditions permissible for such work or meet international standards on the minimum age for light work.(2, 9) Articles 4 and 5 of the Employment of Women, Young Persons, and Children Act prohibit children under age 14 from working in certain industries, including mining, construction, and transportation; article 7 bars children under age 16 from working in those industries at night.(3) However, the minimum age of 14 for hazardous work does not comply with international standards and leaves children age 14 and older vulnerable to the worst forms of child labor.(1, 10) Moreover, the Government of Dominica has yet to enact laws or regulations explicitly prohibiting the use of children in prostitution, pornography, or illicit activities, including drug trafficking.(11)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of National Security, Labor, and Immigration (MNSLI)	Conduct inspections and enforce laws related to child labor; authorized to conduct unannounced inspections at any location with employees and take legal action against employers violating child labor laws. Inspectors report children found in exploitative labor situations to police and social services.(12, 13)
Social Welfare Division, Ministry of Social Services, Family, and Gender Affairs	Provide social services—which may include education, housing, counseling, and financial aid— in child labor cases.(12, 14)
Ministry of Health (MOH)	Conduct inspections and enforce laws related to child labor. Report children found in exploitative labor situations to police and social services.(12, 13)
Police Force	Enforce criminal laws, including those related to child labor.(13)

In 2014, the Ministry of National Security, Labor, and Immigration (MNSLI) employed 4 labor inspectors and the Ministry of Health (MOH) employed 19 health inspectors. The MNSLI indicated that the number of inspectors was adequate to enforce child labor laws.(12) The MNSLI inspectors did not receive child labor-specific training during the reporting period, but the Government continued to sponsor workshops and conferences related to child protection. The funding level for the MNSLI labor inspectorate was not publicly available; however, the MNSLI believes that the allocation for labor inspections is insufficient.(12)

# Dominica

## MINIMAL ADVANCEMENT

The MNSLI conducted onsite labor inspections and reviewed records for legal compliance during the reporting period; however, the total number of labor inspections the MNSLI and the MOH conducted in 2014 was not publicly available. The MNSLI labor inspections did not specifically target child labor and no child labor cases were filed during the reporting period.(12)

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor, including its worst forms.

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms. However, the Government has a policy that may contribute to the prevention of child labor, including its worst forms (Table 4).

**Table 4. Policies Related to Child Labor**

Policy	Description
Third Mid-Term Growth and Social Protection Strategy (2012–2014)	Includes goal of overall poverty reduction.(1, 13, 15)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem there appears to be no need for programs to address child labor, including its worst forms. However, there is no current research on whether the worst forms of child labor exists in Dominica.(1, 12) In 2014, the Government of Dominica funded and participated in programs that may have an impact on child labor (Table 5).

**Table 5. Social Programs to Address Child Labor**

Program	Description
Basic Needs Trust Fund	Caribbean Development Bank-implemented program to reduce poverty through livelihood services, improved infrastructure, capacity building projects, and technical services.(1, 16)
Dominica Social Investment Fund	Program funded by the European Union that includes the goal of poverty reduction through training and projects for future income generation.(1, 17)
Education Trust Fund‡	Government program that provides financial assistance to students in secondary school who would otherwise not be able to complete their education.(13)
School Textbook Provision Scheme‡	Government program that subsidizes the cost of textbooks for primary and secondary school students.(13)
School Feeding Program‡	Government program that provides lunch to primary school students in targeted areas.(13)
Shelter for Abused and Neglected Children‡	Government shelter that may accept children who are victims of the worst forms of child labor.(12)

‡ Program is funded by the Government of Dominica.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Dominica (Table 6).

**Table 6. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Harmonize all laws governing the minimum age for work to set the statutory minimum age for employment to at least 15.	2009 – 2014
	Define the activities and conditions permissible for light work and ensure only children ages 13 and older are employed in light work.	2014
	Raise the minimum age for hazardous work to 18 to comply with international standards.	2009 – 2014

**Table 6. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Enact legislation to expressly prohibit child prostitution, as well as the use, procuring, or offering of a child for the production of pornography or for pornographic performances.	2011 – 2014
	Ensure that laws protect children from engaging in illicit activities such as drug trafficking.	2014
Enforcement	Make information regarding the annual funding levels and the total annual number of labor inspections for the MNSLI and the MOH publicly available.	2014
	Ensure the MNSLI and the MOH allocate sufficient funding for labor inspections.	2014
Social Programs	Conduct research to determine whether any of the worst forms of child labor exist in Dominica.	2014

## REFERENCES

- U.S. Embassy- Bridgetown. *reporting, January 16, 2014.*
- Government of Dominica. *Employment of Children (Prohibition) Act, L.I. 5 of 1939*, enacted December 29, 1939. <http://www.dominica.gov.dm/laws/chapters/chap90-05.pdf>.
- Government of Dominica. *Employment of Women, Young Persons and Children Act, L.I. 5 of 1938*, enacted February 1, 1939. <http://www.dominica.gov.dm/laws/chapters/chap90-06.pdf>.
- Government of Dominica. *Education Act 1997*, No. 11 of 1997, enacted November 7, 1997. <http://www.dominica.gov.dm/laws/1997/act11-1997.pdf>.
- Government of Dominica. *Constitution of the Commonwealth of Dominica*, enacted 1978. <http://pdba.georgetown.edu/Constitutions/Dominica/constitution.pdf>.
- Government of Dominica. *Transnational Organized Crime (Prevention and Control) Act 2013*, Act 13 of 2013, enacted May 23, 2013. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/193708/109652/F-1644431634/DMA93708.pdf>.
- Government of Dominica. *Sexual Offenses Act*, enacted 1998. <http://bit.ly/ACox83>.
- Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Dominica (ratification: 1983) Published: 2011*; accessed January 9, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Dominica (ratification: 1983) Published: 2012*; accessed January 9, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:20010::>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Dominica (ratification: 2001) Published: 2012*; accessed January 9, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:20010::>.
- U.S. Embassy- Bridgetown. *reporting, January 14, 2015.*
- U.S. Embassy- Bridgetown. *reporting, February 19, 2013.*
- Social Welfare Division, Ministry of Social Services, Family & Gender Affairs, Government of Dominica, [online] [cited February 6, 2015]; <http://socialservices.gov.dm/index.php/divisions/social-welfare-division> [source on file].
- U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. March 26, 2013.
- Caribbean Development Bank. *Basic Needs Trust Fund*, Caribbean Development Bank, [online] [cited May 22, 2015]; <http://www.caribank.org/programmes/basic-needs-trust-fund>.
- "The Dominica Social Investment Fund (DSIF) holds AGM." TheDominican.net [online] June 12, 2009 [cited May 22, 2015]; <http://www.thedominican.net/articles/newsdesk31.htm>



# Dominican Republic

## MINIMAL ADVANCEMENT

*In 2014, the Dominican Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, the Dominican Republic is receiving this assessment because certain children remain at increased vulnerability to labor exploitation due to limitations on educational opportunities related to the interpretation and implementation of Dominican law and policies on the right to education.*

*During the reporting period, the Government passed a new Penal Code that increases penalties for the commercial sexual exploitation of children and ratified the UN CRC Optional Protocol on Armed Conflict. In addition, the Government signed the Protocol for the Protection of Children's and Adolescents' Rights in Child Labor, which aims to eliminate child labor and increase school attendance. The Government also expanded educational programs and signed the Education Pact, a plan to reform the education system by improving teacher training, building more schools, and increasing attendance. However, children in the Dominican Republic are engaged in the worst forms of child labor, including in agriculture and in commercial sexual exploitation sometimes as a result of human trafficking. Due to misinterpretations and misapplications of Dominican law and policies on the right to education, school officials do not permit some children, particularly those of Haitian descent, to enroll in primary and secondary education without birth certificates or other identifying documentation. These incorrectly-applied provisions prevent or discourage children not entitled to Dominican documents, or unable to obtain documents from their countries of nationality, from enrolling in or completing school. In addition, difficulties in the implementation of a naturalization law passed in May 2014 have hindered the acquisition of both Haitian and Dominican identity documents under that law, adding to difficulties labor inspectors and employers have in verifying affected children's ages for work.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Dominican Republic are engaged in the worst forms of child labor, including in agriculture and commercial sexual exploitation sometimes as a result of human trafficking.(1-4) The 2009–2010 National Multipurpose Household Survey, published in 2011, found that although the overall prevalence of child labor has decreased in the last decade, the prevalence of child labor in agriculture has increased.(5, 6) In 2014, the Government, with partial funding from UNICEF, collected data for a new National Multipurpose Household Survey that will generate updated information about child labor. The Government has indicated that it will publish the results of the Survey in 2015.(4) Table 1 provides key indicators on children's work and education in the Dominican Republic.

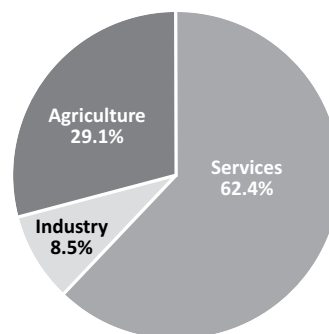
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	5.3 (54,850)
Attending School (%)	5-14 yrs.	96.1
Combining Work and School (%)	10-14 yrs.	4.8
Primary Completion Rate (%)		90.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Hogares de Propósitos Múltiples (ENHOGAR) Survey, 2011.(8)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting sugarcane,† collecting cut cane,† planting sugarcane,† and clearing land for sugarcane production (2, 3, 9-14)
	Producing coffee, rice, tomatoes, beans,* corn,* garlic,* onions,* and potatoes* (4, 6, 15-18)
Industry	Producing baked goods (bread, cakes, and pastries) (5)
	Mining† for larimar* (a blue stone often used for jewelry) (5, 19)
	Construction,† activities unknown (5, 20)
Services	Street vending,† shining shoes, and washing car windows (4, 9, 17)
	Working in restaurants, bars,† cantinas,† and coffee shops (5)
	Working in woodworking shops* and auto repair shops* (4)
	Scavenging in landfills (4, 21, 22)
	Domestic service in third-party homes (5, 9, 17, 23)
Categorical Worst Forms of Child Labor‡	Forced domestic service sometimes as a result of human trafficking (17, 24)
	Forced labor in agriculture and begging each sometimes as a result of human trafficking (1, 17, 24-27)
	Forced labor in waste picking,* shining shoes,* and washing car windows* (4)
	Commercial sexual exploitation sometimes as a result of human trafficking (1, 4, 13, 17, 28, 29)
	Use of children in illicit activities, including illegal sales at border areas and drug trafficking sometimes as a result of human trafficking (1, 4, 30, 31)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.


Children in the Dominican Republic are exploited in commercial sexual exploitation, particularly in touristic locations and major urban areas.(17, 24, 27, 32) There are also incidences of children being trafficked within the country, as well as from Haiti, for commercial sexual exploitation.(24, 32) Although evidence is limited, some reports indicate that children have been forced to engage in waste picking, shining shoes, and washing car windows, where they are sometimes forced to meet earnings quotas. Reports also indicate that children involved in these activities have turned to commercial sexual exploitation to satisfy these quotas when they are unable to meet them.(4, 33)

Haitian migration to the Dominican Republic is a longstanding phenomenon. Although estimates vary, approximately 900,000 to 1.2 million Haitians and Dominicans of Haitian descent live in the Dominican Republic.(20, 24, 34-36) Many Haitians and Dominicans of Haitian descent, including children, live in communities known as *bateyes* that traditionally have housed sugarcane workers and often lack adequate housing, medical services, and other basic services.(3, 17, 19, 34, 37) Some children work in sugarcane production, often alongside their parents.(2, 3, 9-14) The porous border between Haiti and the Dominican Republic has enabled children, accompanied or not, to be trafficked into the Dominican Republic without coming to the attention of authorities.(24, 38, 39) Some Haitian children who are trafficked to the Dominican Republic are forced to work in agriculture, domestic service, or begging.(24-26, 40)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Dominican Republic has ratified all key international conventions concerning child labor (Table 3).



**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

# Dominican Republic

## MINIMAL ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In October 2014, the Government of the Dominican Republic ratified the UN CRC Optional Protocol on Armed Conflict.(41)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 245 of the Labor Code; Article 40 of the Code for the Protection of Children and Adolescents (42, 43)
Minimum Age for Hazardous Work	Yes	18	Resolution on Hazardous Work for Persons under Age 18; Article 251 of the Labor Code (42, 44)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 1-3 of the Resolution on Hazardous Work for Persons under Age 18 (44)
Prohibition of Forced Labor	Yes		Articles 1, 3, and 7 of the Law Against Trafficking in Persons and Migrant Smuggling; Articles 40-41 of the Constitution (45, 46)
Prohibition of Child Trafficking	Yes		Articles 1, 2, 3, and 7 of the Law Against Trafficking in Persons and Migrant Smuggling; Articles 25 and 409 of the Code for the Protection of Children and Adolescents; Article 41 of the Constitution (43, 45, 46)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 25 and 409-411 of the Code for the Protection of Children and Adolescents; Articles 192-195 of the Penal Code; Article 24 of the Law on Technological Crime (43, 47, 48)
Prohibition of Using Children in Illicit Activities	Yes		Article 85 of the Law on Drugs and Controlled Substances (49)
Minimum Age for Compulsory Military Recruitment	N/A*		Articles 96-97 and 231-232 of the Organic Armed Forces Law; Article 75 of the Constitution (46, 50)
Minimum Age for Voluntary Military Service	Yes	18†	Articles 96-97 of the Organic Armed Forces Law (50)
Compulsory Education Age	Yes	18	Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education; Articles 45-46 of the Code for the Protection of Children and Adolescents (43, 46, 51)
Free Public Education	Yes	18	Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education; Ministry of Education Circular No. 18 of 2011; Articles 45-46 of the Code for the Protection of Children and Adolescents (43, 46, 51, 52)

\* Articles 96 and 231-232 of the Organic Armed Forces Law (No. 139-13) state that there is no conscription in peacetime and that compulsory military recruitment may be authorized in situations of national defense or emergency. However, it is unclear whether Dominican law establishes a minimum age for compulsory military recruitment in these situations.(50)

† The minimum age for voluntary military service is 18. However, children ages 16 to 18 may enlist with parental consent.(50)

In December 2014, the Government passed a new Penal Code that, among other provisions, increases penalties for the commercial sexual exploitation of children to 10 to 20 years of imprisonment, and in aggravated circumstances to 20 to 30 years of imprisonment. The new Penal Code will enter into force one year following its publication in the National Gazette.(4, 48)

Article 2 of the Resolution on Hazardous Work for Persons under Age 18 specifies activities that the Government deems hazardous to children and prohibits them for children under age 18. Article 3 of the same Resolution allows children ages 16 to 18 to engage

in some of these activities, for example in the use of industrial machines, as part of vocational training programs, and only when they are properly trained, supervised, and protected.(44) Despite these protections, Article 251 of the Labor Code sets the general minimum age for hazardous work at 16.(42) The ILO has called upon the Government to amend the Labor Code to ensure that children ages 16 to 18 who are permitted to engage in hazardous activities in exceptional cases are fully protected.(53)

Children of parents with irregular migration status are particularly vulnerable to labor exploitation due to a lack of identity documents.(17, 54, 55) Article 18 of the 2010 Constitution stipulates that children born in the Dominican Republic are entitled to Dominican citizenship if one of their parents is a Dominican citizen. Children born in the Dominican Republic to parents who are both foreign diplomats, “in transit” persons, or who are in the country illegally are not entitled to Dominican citizenship.(46) The 2010 Constitution relies on the definition of “in transit” persons established in Article 36 of the 2004 General Law on Migration, which was upheld by the Supreme Court of Justice in 2005. In Article 36 of the 2004 General Law on Migration, “in transit” persons are those who are “nonresidents” and include, among others, contracted foreign labor migrants.(17, 46, 56) Article 68 of the 2011 Regulations for the Application of the General Law on Migration clarified that, in addition to nonresidents, “in transit” status also applies to any foreigner who resides or has resided in Dominican territory without regular migration status.(57)

On September 23, 2013, the Dominican Constitutional Tribunal upheld the definition of “in transit” and ruled that children born in the Dominican Republic to any foreigners “in transit” (going back to 1929) are not considered Dominican nationals, impacting an estimated 200,000 individuals.(37, 58) The option of obtaining birth certificates from the countries from where their parents originated is not viable for many children born in the Dominican Republic, particularly if their parents are no longer citizens of, or have lost ties with, their countries of origin as a result of their long-established presence in the Dominican Republic or, as in the case of Haiti, the countries of origin have suffered natural disasters resulting in the destruction of birth records that would have demonstrated citizenship.(17)

In November 2013, President Danilo Medina issued a presidential decree to promulgate the National Regularization Plan for Foreigners as a mechanism to recognize, document, and regularize undocumented migrants in the Dominican Republic.(58) In May 2014, the Government passed a naturalization law (Law 169-14), which it began implementing in July 2014, to create a path to citizenship for the more than 200,000 individuals born in the Dominican Republic to “in transit” parents.(59-61) In August 2014, the Inter-American Court of Human Rights (IACHR) found that Articles 6, 8, and 11 of Law 169-14 which regulate legal personhood and nationality in the Dominican Republic are incompatible with the Government’s duties under the American Convention on Human Rights; these duties include providing freedom against discrimination under the law based on race, color, or national origin, as well as the right to nationality in the state where one is born when the right to another nationality cannot be fulfilled. The IACHR has called upon the Government to take the necessary measures, both in law and in practice, to ensure that the residency status of “in transit” parents does not constitute a cause for the denial of Dominican nationality to children born in the Dominican Republic, and to develop a system to ensure that all persons born in the country are registered equally at birth.(32, 62-65)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MT)	Lead government efforts to eliminate child labor; conduct labor inspections to identify and document offenses; and direct the Child Labor Unit (UTI) to investigate and reduce child labor, in part through the National Information System for Monitoring Child Labor (INFOSITI).(4, 9, 66-68) Implement the Ministry’s Institutional Strategic Plan (2013–2016), which outlines objectives to improve the number and quality of labor inspections overall, offer better service to workers, coordinate Labor Code reform, integrate the UTI into existing enforcement efforts, and provide improved vocational training for vulnerable populations, including children.(9)

# Dominican Republic

## MINIMAL ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
National Council for Children and Adolescents (CONANI)	Coordinate with the MT to protect children against labor exploitation and enforce labor laws.(9, 69) Promote policies to eradicate all forms of violence against children, including child labor, as well as improve the employability of young people.(66, 70) Receive victims of child labor through 43 municipal-level offices for psychological evaluation and refer them for services.(54, 69, 70) Run regional and municipal-level workshops on preventing and addressing the commercial sexual exploitation of children.(69)
Office of the Attorney General (AG)	Prosecute crimes involving children, including violations of child labor laws. Oversees the Special Prosecutor for Migrant Smuggling and Human Trafficking, which utilizes a team of specialized investigators to investigate the commercial sexual exploitation of children and adolescents and other worst forms of child labor; violations may be communicated to the Specialized Prosecutor through a hotline.(4, 69)
Ministry of the Interior's National Police (PN), PN's Trafficking in Persons (TIP) Unit, and Directorate of Migration (DGM)	Enforce criminal laws, including those prohibiting and punishing the worst forms of child labor, and coordinate with the AG in the prosecution of perpetrators.(9)
Specialized Corps for Tourist Safety (CESTUR)	Prevent child sex abuse in touristic areas, rescue minors, and arrest and bring to justice child sex offenders. Overseen by the Ministry of Defense.(70) In 2014, CESTUR and UNICEF signed an accord to prevent the commercial sexual exploitation of children in the Dominican tourist industry through capacity building and training for prosecuting these crimes.(71)

The 2010 Constitution declares the eradication of child labor as a national priority.(46) National law guarantees free public education and requires that all children attend school until age 18.(46, 51) In addition, national law prohibits the exclusion of children from the educational system based on a lack of identifying documentation.(43, 52) However, in practice, some primary and secondary schools deny access to children who cannot present birth certificates or identifying documentation.(15, 34, 37, 72) This practice puts these children in precarious situations where they are more likely to work. In addition, some secondary schools may permit access without birth certificates but require such documentation for the national exams required to obtain high school diplomas.(72, 73) Without the opportunity to receive high school diplomas and, as a result, to pursue higher education and improve access to formal sector employment as adults, individuals without identity documents have less incentive to remain in school. This may increase the likelihood that they engage in child labor, including its worst forms.(17, 23, 24, 27, 36, 66, 72, 74-76) An estimated 13 percent of all children younger than age 15 have no birth documents.(17)

In addition, difficulties in the implementation of Law 169-14, including misunderstandings of information on the application process for identity documents, as well as costs associated with this process, for example to travel to government offices, have hindered the acquisition of identity documents, adding to difficulties labor inspectors and employers have in verifying affected children's ages for work.(77)

Law enforcement agencies in the Dominican Republic took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor (MT) employed 176 labor inspectors, which is 31 fewer than the 207 inspectors employed in 2013.(69) Some reports indicate that this number of inspectors is inadequate to meet the need for inspections nationwide.(4) The Government reported that, during the reporting period, all of these inspectors received training on child labor, including hazardous child labor, and that this training was administered by the MT's Child Labor Unit (UTI).(69) The Government also reported that for 2014, approximately \$4.5 million was dedicated to the MT's Inspection Unit, and approximately \$142,000 was dedicated to the UTI.(4, 69) According to the MT, additional funding and resources would increase the efficiency and number of inspections.(4)

In 2014, the MT conducted a total of 78,886 labor inspections to verify compliance with labor laws, including child labor laws.(78) This number of inspections is less than the approximate total of 98,000 inspections conducted in 2013.(70) In 2014, each inspector conducted an average of 448 inspections for the year, which is less than the average of 473 inspections conducted by each inspector in 2013. This is nonetheless a high number of inspections conducted by each inspector, and it is unknown whether this high number affects the quality of such inspections. Some NGOs and labor unions have reported that inspections are not always



conducted immediately after a request is made and that inspection reports often contain errors and contradictions.<sup>(4)</sup> Reports also indicate that substandard labor inspection reports have hindered the ability of the Office of the Attorney General (AG) to pursue prosecutions on criminal matters involving child labor issues.<sup>(4)</sup>

The process developed by the MT for inspections to enforce labor laws includes a preliminary visit, during which inspectors inform employers of violations and establish a period for remediation, but do not issue fines. Upon expiration of the remediation period, inspectors then conduct a re-inspection to determine whether the violations have been rectified.<sup>(42, 79, 80)</sup> If violations are found during re-inspection, the MT files an infraction report with the local office of the MT, who then transfers the infraction report to the relevant local court for adjudication.<sup>(42, 79, 80)</sup> This two-tiered inspection process puts a strain on the inspectorate's limited human and financial resources and may not sufficiently deter employers from exploiting children in the workplace, particularly in remote rural areas where re-inspections are more difficult and less consistent. Furthermore, the lack of publicly available information on the results of inspections prevents a complete understanding of how effective this inspection system is in practice.

Although the 2008 General Inspection Protocol and the 2011 Inspection Protocol for Agriculture instruct inspectors to assess child labor violations by reviewing workers' identity documents and employers' records, making observations, and conducting interviews, the widespread lack of identity documents impedes both inspectors and employers from verifying the ages of workers and guaranteeing that children under age 18 are not participating in dangerous or unhealthy work.<sup>(10, 15, 36, 79, 80)</sup> The MT has indicated that improvements are needed in how inspectors conduct interviews, ask follow-up questions, and use inspection data to strengthen the inspection system.<sup>(15)</sup> Moreover, reports indicate that in some cases, Spanish-speaking inspectors working without translation assistance have been responsible for interviewing Creole-speaking workers with limited or no Spanish-language abilities, which has hindered the efficacy of those inspections.<sup>(4)</sup>

Of the 78,886 inspections conducted in 2014, 70,020 were conducted from January through November; of these, 58,535 were regular inspections, which were preventative and conducted unannounced, and 11,485 were special inspections, which were conducted in response to requests or complaints.<sup>(4, 69, 78)</sup> In 2014, the Government reported a total of 416 children were found working in violation of the law, including in agriculture, markets, auto-repair shops, and wood-working shops, with 216 of these children found working in agriculture; research could not find the breakdown of where the remaining 200 children were found working in violation of the law.<sup>(4)</sup> Research also did not find whether there were any sanctions issued or penalties assessed and collected for child labor violations during the reporting period.<sup>(4)</sup> The MT reported that the 416 children found in child labor were removed from work and returned to their homes, where a subsequent visit from the MT informed parents of the dangers of child labor.<sup>(4, 69)</sup> Research could not confirm whether the National Council for Children and Adolescents (CONANI) or its municipal offices evaluated these rescued children, provided them with services, or coordinated their return to their homes.

### ***Criminal Law Enforcement***

In 2014, the AG's Special Prosecutor for Migrant Smuggling and Human Trafficking employed six investigators to conduct investigations regarding the worst forms of child labor, including commercial sexual exploitation. Members of the National Police's (PN) Trafficking in Persons Unit also investigated the worst forms of child labor.<sup>(4)</sup> The Government reported that, overall, there were 12 investigators dedicated to investigating human trafficking.<sup>(33)</sup> The Government also reported that the AG and CONANI received training on human trafficking issues, as well as provided training on these issues to public servants, attorneys, and civil society participants.<sup>(4, 33)</sup> Reports indicate that criminal law enforcement agencies lack sufficient resources to effectively enforce laws on human trafficking.<sup>(33)</sup>

For 2014, the number of criminal investigations conducted for the worst forms of child labor, the sectors and geographical areas where the investigations occurred, and the total number of children rescued is unknown. The AG reported on 12 investigations and prosecutions involving the worst forms of child labor; the AG pursued 6 cases of forced begging as a result of human trafficking that involved 20 minors, and 6 cases of commercial sexual exploitation, which in some cases involved other crimes, that involved 15 minors.<sup>(4, 69)</sup> The AG reported 6 convictions that resulted from these 12 cases, including 1 conviction for the crime of forced begging that carried a sentence of 2 years of prison, and 3 convictions for the crime of commercial sexual exploitation that carried sentences of 3, 5, and 30 years of prison.<sup>(4, 69)</sup>

# Dominican Republic

## MINIMAL ADVANCEMENT

Child trafficking victims rescued by the PN are referred to CONANI for services, including placement in NGO-run shelters.(33) The AG reported that, of the 12 cases mentioned, 5 children were placed under the care and protection of CONANI.(69)

Reports indicate that coordination between the MT and the AG has been limited and that not all criminal violations identified by the MT have been effectively investigated and prosecuted by the AG.(4, 9, 16)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee to Eliminate Child Labor (CDN)	Develop and promote policies to combat child labor based on research, as well as coordinate child labor initiatives. Established through Decree 144-97; overseen by the MT; and is composed of Ministerial representatives, including from the UTI, labor union officials, private business leaders, and NGOs.(66, 67, 69) Coordinates efforts of the 48 Local and Municipal Committees that implement the CDN's efforts at the local level.(4, 66, 67, 69)
Inter-Institutional Commission Against Child Abuse and Commercial Sexual Exploitation	Coordinate and implement actions to combat commercial sexual exploitation and child abuse. Led by CONANI and the MT, and includes representatives from various ministries, the National and Tourism Police, the AG, NGOs, and the Hotel and Restaurant Association, as well as representatives of UNICEF and the ILO as advisors.(4, 9, 70)
Inter-Agency Commission Against Trafficking in Persons (CITIM)	Coordinate government agencies in efforts to combat human trafficking by developing and implementing national plans to combat trafficking, collaborating with international organizations and NGOs on trafficking issues, developing training and education programs to address trafficking, examining legislative initiatives on trafficking issues, and collaborating in the production of reports on human trafficking.(33, 81) Led by the Ministry of Foreign Affairs and comprises 14 government agencies, including the Ministries of Labor, Education, Public Health, and Tourism, as well as the AG and other law enforcement agencies; created through Decree No. 575-07.(33, 81)
Social Policies Coordination Cabinet (GCPS)	Coordinate all social policies and conditional cash transfer programs, such as the Progressing with Solidarity Program. Led by the Vice President.(9, 66)
Local Committees for the Protection and Restitution of Children's Rights	Ensure that children's rights are not being violated; consists of community volunteers in 10 municipalities.(70)

In 2014, the National Steering Committee to Eliminate Child Labor (CDN) met every two months to coordinate government efforts to combat child labor.(4) It has been reported that the Local and Municipal Committees of the CDN face limitations in their coordination efforts due to a lack of resources.(15, 23)

During the reporting period, the Inter-Agency Commission Against Trafficking in Persons (CITIM) developed a protocol to detect, refer, and assist child and adolescent victims of trafficking for implementation in 2015. This protocol was developed in collaboration with the IOM.(33) However, some reports indicate that the CITIM did not convene all relevant agencies during the reporting period, and that its efforts were otherwise limited.(33)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Dominican Republic has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategic Plan to Eradicate the Worst Forms of Child Labor (PEN) (2006–2016)	Identifies the roles and responsibilities of government agencies and municipal representatives in eradicating the worst forms of child labor. Prioritizes prevention, protection, assistance, and the progressive eradication of the worst forms of child labor.(4, 67, 69, 82)
Action Plan for the Eradication of Abuse and the Commercial Sexual Exploitation of Boys, Girls, and Adolescents (2009–2014)	Identifies the roles and responsibilities of government agencies and municipal representatives to eradicate the commercial sexual exploitation of children, including through legislative strengthening.(9, 69)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Roadmap Towards the Elimination of Child Labor in the Dominican Republic	Outlines a plan to eliminate the worst forms of child labor by 2015 and all other types of child labor by 2020.(66, 83) Designates the roles of various government agencies and sets targets and indicators for each area of responsibility, specifically poverty reduction, health, education, institutional coordination, awareness raising, and information sharing. Adopted in 2010.(66, 69)
Protocol for the Protection of Children's and Adolescents' Rights in Child Labor†	Aims to eliminate child labor in favor of greater school attendance, in part through community workshops that seek to reach 300,000 children and adolescents on child protection issues. Includes a plan to evaluate the country's policy framework on the elimination of child labor as well as the country's compliance with international conventions on child labor.(4, 69)
National Action Plan Against Human Trafficking and the Smuggling of Migrants (2009–2014)	Aims to combat human trafficking and the smuggling of migrants through strategic objectives, including prevention, investigation and prosecution, and victim assistance and protection.(33, 84)
Education Pact (2014-2030)†	Seeks to reform the education system by building more and better-quality schools, improving teacher training, and increasing attendance and graduation rates through free early childhood education and enrolling more students in the Extended School Day Program.(85) Also seeks to provide support to families to keep their children out of child labor and enrolled in school. Signed in April 2014 by the President and nearly 200 academic, political, and educational organizations.(66, 76, 85)
National 10-Year Education Plan (2008–2018) (PDE)	Aims to increase access to education and improve attendance and graduation rates, in part to reduce child labor. Aims to improve both classroom space and time in school, as well as build strategies to address the needs of children who are behind in school because of work.(66, 86) Implemented by the Ministry of Education.(66)
National Development Plan 2030 (END)	Aims to reduce poverty and inequality, and includes policies and programs that encourage families to keep their children out of child labor and in school.(9, 66, 70) Includes the Quality Education for All plan that aims to provide universal education to all children through middle school, including students without identity documents and those with disabilities.(70)
National Plan on Gender Equality (2007–2017)*	Promotes occupational and educational opportunities for women and girls, seeks to remedy gender discrimination and violence, and promotes child care for working mothers so that children do not have to be in the workplace.(87)
Government Plan under President Medina (2012–2016)	Focuses on the development of 400,000 new jobs and includes the elimination of child labor, among other goals.(4, 9)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by the Dominican Republic at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(88-90)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Efforts to implement child labor elimination policies in the Dominican Republic have been slowed by an insufficient allocation of resources, including personnel.(91) In addition, reports indicate that the implementation of the Roadmap Towards the Elimination of Child Labor has also been hindered by a lack of coordination among participating government agencies.(9)

Deficiencies in the national education system have also been identified as contributing to children's engagement in child labor, including its worst forms.(53, 76) The ILO has reported that the country is not likely to meet the Education for All goal of universal primary enrollment by 2015.(53) Despite this, in 2014 the Government's budget allocated 4 percent of the national GDP to primary and secondary education for the second year in a row; this is an increase from the 2.4 percent allocated in 2011.(66, 69) Plans for the increased budget include constructing 29,000 additional classrooms, extending school hours nationwide, providing school meals, improving teacher training, and raising the quality of education.(15, 23, 76, 92-96) While these plans have not yet been fully implemented, the Government reports that 10,017 new classrooms were created in 2014.(69)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of the Dominican Republic funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

# Dominican Republic

## MINIMAL ADVANCEMENT

**Table 8. Social Programs to Address Child Labor**

Program	Description
Progressing with Solidarity (PROSOLI)‡	Government program that promotes the well-being of families living in extreme poverty through a comprehensive approach that includes subsidies and conditional cash transfers.(66, 69, 97) Aims to increase the number of students who attend school and to reduce child labor, including by informing parents about the effects of child labor and the benefits of education.(66, 70, 98, 99) In June 2013, the ILO and the Vice President of the Dominican Republic announced a project to withdraw 38,000 of the program's beneficiaries from child labor; this action supports the 2012 letter of agreement between the Vice President and the ILO to remove 100,000 children from exploitative work over a four-year period.(100-102) In 2014, the Government implemented this project through capacity-building initiatives and designed pilot strategies for eliminating child labor in the provinces with the highest incidence. Efforts in 2014 also included analyses of its child labor interventions and awareness programs to communicate the dangers of child labor and the benefits of education to program beneficiaries.(4, 69)
Education and Monitoring Program for the Eradication of Child Labor (2012–2014)	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including the Dominican Republic. Includes the objective of developing information systems on the worst forms of child labor.(103)
Elimination of Child Labor in Latin America (Phase 4) (2011–2015)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC to combat child labor in 19 countries, including the Dominican Republic.(103)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries, including the Dominican Republic, to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by The Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor in the Dominican Republic and improve the evidence base on child labor through data collection and research.(104, 105)
Awareness-Raising Campaign on Child Labor†	MT and the Foundation for Peace and Democracy (FUNPADEM) public awareness-raising campaign to mobilize communities to report cases of child labor. Launched in January 2014.(70, 106)
Child Domestic Work Awareness-Raising Campaign	MT and ILO child labor eradication campaign launched in 2013 that supports reaching the goals outlined in the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, with an emphasis on the elimination of child domestic work.(70)
Line 700 Hotline‡	Office of the First Lady's free hotline to enable citizens to report cases of child labor, in addition to child abuse.(70)
Extended School Day Program ( <i>Jornada Escolar Extendida</i> )‡	Ministry of Education program to extend school hours to a full day (8 a.m. to 4 p.m.) in order to improve educational achievement and reduce child labor.(9, 15, 21, 107) In 2014, the Government continued to expand the program and reached more than 1,750 schools, with approximately 720,000 students receiving instruction.(4, 108)
Spaces for Growth and Homework Rooms ( <i>Espacios para Crecer</i> )‡	Government after school programs that seek to prevent children from working by keeping them in a creative learning environment outside of normal classroom hours.(15, 23, 98, 109, 110)
Spaces for Hope ( <i>Espacios de Esperanza</i> )*‡	Government early educational centers to promote integrated attention and positive stimulation to pre-school aged children. In 2014, the Government reported operating 71 Spaces for Hope around the country.(9, 70, 111)
Literacy Campaign ( <i>Quisqueya Aprende Contigo</i> )*‡	Government literacy campaign instituted in 2013 to promote the importance of literacy and education among families, including youth.(9, 112, 113) In 2014, approximately 8,500 teachers were trained for literacy instruction with students ages 15 and older, and more than 52,000 people were integrated into the program.(4, 69)
Youth and Employment Project ( <i>Proyecto de Emprendimiento Juvenil</i> )*	Government project supported by the Government of Chile that improves the employability of disadvantaged, at-risk youth through training and internship opportunities to promote entrepreneurial and job-related skills.(70, 98, 114) In 2014, 700 youth were enrolled in the program, and the project designed a training course on self-employment for youth and trained 25 training facilitators.(115)
At-Risk Youth Initiative*	USAID-funded project to protect youth from crime and promote access to education, including through participation in afterschool programs (Spaces for Growth) and other social services.(116)
Child Care Facilities ( <i>Estancias Infantiles</i> )*‡	MT-supported child care facilities that provide comprehensive attention to children of adult workers who are under age 5. In 2014, the Government reported operating 115 child care facilities around the country.(70)
Presidential Microcredit Initiative*‡	Government program to provide microcredit to small businesses in the disadvantaged regions in order to increase employment and provide improved livelihoods for families.(9)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of the Dominican Republic.

A study commissioned by the IDB indicated that the Progressing with Solidarity (PROSOLI) program had increased school enrollment and attendance among beneficiaries.(98, 117) Another study indicated an increase in beneficiaries' abilities to read and write.(70) An evaluation conducted in the province of Montecristi showed a decline in child labor among program beneficiaries compared to a control group in the same province.(70) However, the PROSOLI program requires participants to present identification documents in order to access program benefits, which would limit the participation of those individuals lacking such documentation, many of whom are vulnerable to child labor.(15)

Despite the efforts described above, current programs do not appear to adequately address the extent of the worst forms of child labor in the Dominican Republic, particularly commercial sexual exploitation and harmful work in agricultural areas.(24) Furthermore, there are insufficient efforts to reduce the demand for child sex tourism. In addition, governmental assistance to trafficking victims is minimal and inadequate, with civil society organizations as the principal service providers assisting trafficking victims.(9, 24, 32, 33)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Dominican Republic (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law establishes a minimum age for compulsory military recruitment in situations of national defense or emergency.	2014
	Amend the Labor Code to raise the general minimum age for hazardous work to 18 and ensure that children ages 16 to 18 who are permitted to engage in hazardous activities are fully protected by the law.	2014
Enforcement	Correctly interpret and apply the law to allow all children without birth certificates or other identifying documentation to enroll in primary and secondary education and complete schooling.	2011 – 2014
	Ensure that all children are able to obtain identity documents to reduce their vulnerability to labor exploitation.	2014
	Strengthen the enforcement of labor provisions that establish 14 as the minimum age for legal employment, limit the workday to 6 hours for children under 16, and eliminate dangerous and unhealthy work for children under 18 by: <ul style="list-style-type: none"> <li>■ Determining whether the inspection ratio for each labor inspector is appropriate to ensure the appropriate quality and scope of inspections, and increasing the number of inspectors where necessary;</li> <li>■ Allocating adequate resources for inspectors to conduct timely inspections;</li> <li>■ Following the MT's 2008 General Inspection Protocol and 2011 Inspection Protocol for Agriculture when conducting inspections to improve the quality of information gathering, the use of inspection data, and to enable prosecution; and</li> <li>■ Establishing a system to verify the age of young workers in order to protect children without birth certificates or other legal documentation from exploitation.</li> </ul>	2012 – 2014
	Ensure that the two-tiered inspection system does not restrict the MT's ability to enforce its laws prohibiting child labor.	2013 – 2014
	Ensure that labor inspectors are able to communicate with Creole-speaking workers, including those who may be underage, to adequately conduct inspections for child labor violations.	2014
	Publicly report on the mechanism by which the MT refers victims of child labor, including its worst forms, to the CONANI for services, as well as on the total number of children referred.	2014
	Publish statistics on labor inspections and criminal investigations conducted, including by type and by sector, violations identified, penalties imposed and collected, and prosecutions and convictions, for child labor violations, including its worst forms.	2009 – 2014
	Increase the resources that criminal investigators and prosecutors need to effectively enforce criminal laws on child labor.	2014
	Improve coordination between the MT and the AG to ensure violations are effectively investigated and prosecuted.	2013 – 2014



# Dominican Republic

## MINIMAL ADVANCEMENT

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure the CDN and its Local and Municipal Committees have sufficient resources to effectively coordinate efforts to address child labor.	2013 – 2014
	Ensure the CITIM regularly convenes all necessary agencies to effectively coordinate government efforts to address human trafficking issues.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the National Plan on Gender Equality.	2013 – 2014
	Allocate additional personnel and resources to support national plans and strategies to combat the worst forms of child labor, including the Roadmap Towards the Elimination of Child Labor.	2009 – 2014
	Address deficiencies in the educational system by meeting the Education for All goals and by continuing to increase enrollment, add classroom space, and improve teacher training.	2011 – 2014
Social Programs	Assess the impact that certain social and educational programs have on child labor.	2012 – 2014
	Eliminate the requirement that individuals present Dominican identity documents to participate in social programs intended to combat child labor, including in the PROSOLI program.	2012 – 2014
	Expand social protection programs and increase access to them by more impoverished families that rely on child labor, particularly in commercial sexual exploitation and agriculture.	2010 – 2014
	Increase awareness raising and other strategies to reduce child trafficking and the demand for child sex tourism, and increase provision of services to child trafficking victims.	2009 – 2014

## REFERENCES

- U.S. Department of State. "Dominican Republic," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226846.pdf>.
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Dominican Republic (ratification: 1999) Published: 2011*; accessed November 21, 2011; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>
- Verité. *Research on Indicators of Forced Labor in the Supply Chain of Sugar in the Dominican Republic*. Amherst, MA; 2012. [http://www.verite.org/sites/default/files/images/Research%20on%20Indicators%20of%20Forced%20Labor%20in%20the%20Dominican%20Republic%20Sugar%20Sector\\_9.18.pdf](http://www.verite.org/sites/default/files/images/Research%20on%20Indicators%20of%20Forced%20Labor%20in%20the%20Dominican%20Republic%20Sugar%20Sector_9.18.pdf).
- U.S. Embassy- Santo Domingo. *reporting, February 13, 2015*.
- Government of the Dominican Republic. *Dinámica del trabajo infantil en la República Dominicana: Encuesta Nacional de Hogares de Propósitos Múltiples (ENHOGAR 2009-2010)*. Santo Domingo, Office of National Statistics, UNICEF and ILO; November 2011. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=19015>.
- Mejía, O. "Ministra de Trabajo llama empleadores abstenerse contratar mano obra infantil." February 6, 2014. <http://hoy.com.do/ministra-de-trabajo-llama-empleadores-abstenerse-contratar-mano-obra-infantil/>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta Nacional de Hogares de Propósitos Múltiples, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Santo Domingo. *reporting, February 19, 2014*.
- USDOL, Office of Trade and Labor Affairs. *Public Report of Review of U.S. Submission 2011-03 (Dominican Republic)*. Washington, DC; September 27, 2013. <http://www.dol.gov/ilab/reports/pdf/20130926DR.pdf>.
- ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Proposal. Geneva; August 24, 2011.
- AFL-CIO. *Response to Request for Comments On Article 156.4.3 of the DR-CAFTA*. Washington, DC; July 2, 2012.
- International Trade Union Confederation. *Annual Survey of Violations of Trade Union Rights: 2012*. Brussels; 2012.
- USDOL official. Interviews April 7-9, 2014.
- USDOL. *Trip Notes: USDOL Delegation to the Dominican Republic (January 22-25, 2013)*. Washington, DC; 2013.
- U.S. Embassy- Santo Domingo. *reporting, February 26, 2014*.
- U.S. Department of State. "Dominican Republic," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Diario Libre. "Rescatan a 370 niños del trabajo infantil." *diariolibre.com* [online] December 1, 2014 [cited December 22, 2014]; [http://www.diariolibre.com/noticias/2014/12/01/i906821\\_rescatan-370-nios-del-trabajo-infantil.html](http://www.diariolibre.com/noticias/2014/12/01/i906821_rescatan-370-nios-del-trabajo-infantil.html).
- U.S. Embassy- Santo Domingo. *reporting, February 19, 2010*.
- Petrozziello, AJ. *Haiti Construction Workers in the Dominican Republic: An Exploratory Study on Indicators of Forced Labor*. Santo Domingo, ICF International, Inc.; September 2012. <http://www.dol.gov/ilab/programs/ocft/PDF/2012ConstructionDR.pdf>.
- Government of the Dominican Republic. *Written Communication*. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; March 16, 2012.
- U.S. Embassy- Santo Domingo. *reporting, December 3, 2014*.
- U.S. Embassy- Santo Domingo. *reporting, February 11, 2013*.
- USAID. *Assessment Report of Anti-Trafficking in Persons in the Dominican Republic*. Prepared by Chemonics International. Washington, DC; February 2011.
- IOM. *IOM Provides Return and Reintegration Assistance to Haitian Child Victims of Trafficking in the Dominican Republic*. IOM, [online] May 24, 2011 [cited December 18, 2014]; <http://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2011/pbn-listing/iom-provides-return-and-reintegration-as.html>.

26. Cruz Benzá, R. "Liberan a niños de Haití víctimas de trata en RD." *Listín Diario*, Santo Domingo, May 17, 2013; La República. <http://www.listin.com.do/la-republica/2013/5/17/277266/>.
27. World Vision. *We are Working with our Bare Hands: Strengthening USAID's Response to Human Trafficking*. Federal Way, Washington; 2012.
28. Franco, I. "Campaña contra el trabajo infantil en RD." *Listín Diario*, Santo Domingo, June 12, 2012; Macroeconomía. <http://listindiario.com/economia-y-negocios/2012/6/11/235856/Campana-contra-el-trabajo-infantil-en-RD>
29. El Universal. "Piden erradicar comercio sexual infantil en República Dominicana." *El Universal*, Cartagena, March 17, 2011. <http://www.eluniversal.com.co/cartagena/actualidad/piden-erradicar-comercio-sexual-infantil-en-republica-dominicana-14984>.
30. U.S. Department of Labor official. E-mail communication to USDOL official. February 26, 2014.
31. Diario Libre. "Niños que llevan y traen drogas." *diariolibre.com* [online] January 24, 2014 [cited December 18, 2014]; [http://www.diariolibre.com/sociedad/2014/01/24/i443991\\_nios-que-llevar-traen-drogas.html](http://www.diariolibre.com/sociedad/2014/01/24/i443991_nios-que-llevar-traen-drogas.html).
32. Centro Bonó. *República Dominicana 2014: la situación de los Derechos Humanos y el desafío de protegerlos para todos y todas*; 2014. <http://bono.org.do/centro-bono-presenta-informe-sobre-situacion-de-los-ddhh-en-rd-en-2014/>.
33. U.S. Embassy- Santo Domingo. *reporting*, March 26, 2015.
34. U.S. Department of State. "Dominican Republic," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
35. Government of the Dominican Republic. *Primera Encuesta Nacional de Inmigrantes en la República Dominicana*. Santo Domingo, Office of National Statistics, European Union, and UNFPA.; April 2013. <http://countryoffice.unfpa.org/dominicanarepublic/publications=6745>.
36. Solidarity Center. *Dominican Unions Combat Labor Exploitation and Human Trafficking*, Solidarity Center, [online] [cited April 18, 2013]; <http://www.solidaritycenter.org/content.asp?contentid=822>.
37. Inter-American Commission of Human Rights (IACHR). *Preliminary Observations from the IACHR'S Visit to the Dominican Republic: December 2 to 6, 2013*. Washington, DC; 2013.
38. U.S. Department of State. "Haiti," in *Trafficking in Persons Report- 2011*. Washington, DC; June 27, 2011; <http://www.state.gov/j/tip/rls/tiprpt/2011/164234.htm>.
39. UNICEF. *At a Glance: Haiti- Warning of the Dangers of Child Trafficking in Haiti*, UNICEF, [online] March 23, 2011 [cited February 21, 2012]; [http://www.unicef.org/infobycountry/haiti\\_58029.html](http://www.unicef.org/infobycountry/haiti_58029.html).
40. U.S. Department of State. "Haiti," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226846.pdf>.
41. United Nations Treaty Collection. *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*; accessed December 17, 2014; [https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg\\_no=iv-11-b&chapter=4&clang=en](https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=iv-11-b&chapter=4&clang=en).
42. Government of the Dominican Republic. *Código de Trabajo de la República Dominicana*, No. 16-92, enacted 1992. [http://codigodetrabajo.do/wp-content/uploads/2013/09/Codigo\\_Trabajo\\_Republica\\_Dominicana.pdf](http://codigodetrabajo.do/wp-content/uploads/2013/09/Codigo_Trabajo_Republica_Dominicana.pdf).
43. Government of the Dominican Republic. *Código para el Sistema de Protección y los Derechos Fundamentales de los Niños, Niñas, y Adolescentes*, No. 136-03, enacted 2003. <http://www.oas.org/dil/esp/LEY%20136-03%20-%20Codigo%20para%20el%20Sistema%20de%20Protecci%C3%B3n%20y%20los%20Derechos%20Fundamentales%20de%20Ni%C3%B1os%20Ni%C3%B1as%20y%20Adolescentes%20Republica%20Dominicana.pdf>.
44. Government of the Dominican Republic. *Resolución Sobre Trabajos Peligrosos e Insalubres para Personas Menores de 18 Años*, No. 52/2004, enacted August 13, 2004. <http://www.ilo.org/dyn/natlex/docs/SERIAL/69773/68796/F452892919/DOM69773.pdf>.
45. Government of the Dominican Republic. *Ley contra el Tráfico Ilícito de Migrantes y Trata de Personas*, No. 137-03, enacted August 2003. <http://www.migracion.gob.do/web/trans/archivos/45.pdf>.
46. Government of the Dominican Republic. *Constitución de la República Dominicana, proclamada el 26 de enero 2010*, Publicada en la Gaceta Oficial No. 10561, enacted January 26, 2010. <http://www.suprema.gov.do/documentos/PDF/constitucion/Constitucion.pdf>.
47. Government of the Dominican Republic. *Ley sobre Crímenes y Delitos de Alta Tecnología*, No. 53-07, enacted April 23, 2007. [http://www.oas.org/juridico/PDFs/repdom\\_ley5307.pdf](http://www.oas.org/juridico/PDFs/repdom_ley5307.pdf).
48. Government of the Dominican Republic. *Código Penal de la República Dominicana*, No. 550-14, enacted December 26, 2014. <http://www.consultoria.gov.do/spaw2/uploads/files/Ley%20550-14.pdf>.
49. Government of the Dominican Republic. *Ley sobre Drogas y Sustancias Controladas de la República Dominicana*, No. 50-88, enacted May 30, 1988. [http://www.comisionadodejusticia.gob.do/phocadownload/Biblioteca\\_Virtual/Drogas/Ley%2050-88,%20sobre%20Drogas.pdf](http://www.comisionadodejusticia.gob.do/phocadownload/Biblioteca_Virtual/Drogas/Ley%2050-88,%20sobre%20Drogas.pdf).
50. Government of the Dominican Republic. *Ley Orgánica de las Fuerzas Armadas de la República Dominicana*, No. 139-13, Gaceta Oficial No. 10728 del 19 de septiembre de 2013, enacted September 13, 2013. <http://www.consultoria.gov.do/spaw2/uploads/files/Ley%20139-13.pdf>.
51. Government of the Dominican Republic. *Ley Orgánica de Educación*, No. 66-97, enacted April 9, 1997. [http://www.oei.es/quipu/dominicana/LeyEdu66\\_97.pdf](http://www.oei.es/quipu/dominicana/LeyEdu66_97.pdf).
52. Government of the Dominican Republic, Ministry of Education. *Circular No. 18 de fecha 27 de julio de 2011*. Santo Domingo; July 2011.
53. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Dominican Republic (ratification: 1999) Submitted: 2011*; accessed December 18, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
54. USAID. *USAID/Dominican Republic Cross-Sectoral At-Risk Youth Assessment: Final Report*. Washington, DC, Submitted by Education Development Center (EDC); August 2010. [http://pdf.usaid.gov/pdf\\_docs/PNADY160.pdf](http://pdf.usaid.gov/pdf_docs/PNADY160.pdf).
55. U.S. Department of State official. E-mail communication to USDOL official. May 29, 2012.
56. Government of the Dominican Republic. *Ley General de Migración*, No. 285, enacted August 15, 2004. [https://www.oas.org/dil/Migrants/Republica%20Dominicana/1.Ley%20sobre%20migraci%C3%B3n%20N%C2%B0%20285%20del%2015%20de%20agosto%20de%202004%20\(reemplaza%20la%20Ley%2095%20de%201939\).pdf](https://www.oas.org/dil/Migrants/Republica%20Dominicana/1.Ley%20sobre%20migraci%C3%B3n%20N%C2%B0%20285%20del%2015%20de%20agosto%20de%202004%20(reemplaza%20la%20Ley%2095%20de%201939).pdf).
57. Government of the Dominican Republic. *Reglamento de Aplicación de la Ley General de Migración No. 285-04, del 15 de Agosto de 2004*, No. 631-11, enacted October 19, 2011. <http://www.consuladord.com/pdfs/Migracion.pdf>.
58. U.S. Embassy- Santo Domingo. *reporting*, December 17, 2013.
59. U.S. Embassy- Santo Domingo. *reporting*, October 2, 2014.
60. Government of the Dominican Republic. *Ley que establece un régimen especial para personas nacidas en el territorio nacional inscritas irregularmente en el Registro Civil dominicano y sobre naturalización*, No. 169-14, enacted May 23, 2014. <http://www.consultoria.gob.do/spaw2/uploads/files/Ley%20No.%20169-14.pdf>.
61. U.S. Embassy- Santo Domingo. *reporting*, May 27, 2014.
62. Amnesty International. "Dominican Republic: Reaction to Court ruling shows shocking disregard for international law." *amnesty.org* [online] October 24, 2014 [cited January 5, 2015]; <http://www.amnesty.org/en/news/dominican-republic-reaction-court-ruling-shows-shocking-disregard-international-law-2014-10-24>.
63. Corte Interamericana de Derechos Humanos. *Caso de Personas Dominicanas y Haitianas Expulsadas vs. República Dominicana - Sentencia de 28 de Agosto de 2014*. online. San José, Costa Rica; 2014. [http://corteidh.or.cr/docs/casos/articulos/serieC\\_282\\_esp.pdf](http://corteidh.or.cr/docs/casos/articulos/serieC_282_esp.pdf).
64. Francisco Quintana, Center for Justice and International Law (CEJIL). *Inter-American Court condemns unprecedented situation of statelessness in the Dominican Republic*, European Network on Statelessness, [online] October 27, 2014 [cited March 13, 2015]; <http://www.statelessness.eu/blog/inter-american-court-condemns-unprecedented-situation-statelessness-dominican-republic>.
65. *American Convention on Human Rights 'Pact of San José, Costa Rica'*, B-32, enacted November 22, 1969. [http://www.oas.org/dil/treaties\\_B-32\\_American\\_Convention\\_on\\_Human\\_Rights.pdf](http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.pdf).

# Dominican Republic

## MINIMAL ADVANCEMENT

66. UCW. *Entendiendo el trabajo infantil y el empleo juvenil en la República Dominicana*. Rome; 2014. [http://www.ucw-project.org/attachment/Informe\\_trabajo\\_infantil\\_empleo\\_juvenil\\_Rep%C3%ABlica\\_Dominicana20141020\\_111959.pdf](http://www.ucw-project.org/attachment/Informe_trabajo_infantil_empleo_juvenil_Rep%C3%ABlica_Dominicana20141020_111959.pdf).
67. Ministerio de Trabajo. *Preguntas frecuentes sobre trabajo infantil*. <http://www.ministeriodetrabajo.gob.do/documentospdf/TrabajoInfantil/Preguntas%20mas%20frecuentes%20sobre%20trabajo%20infantil.pdf>.
68. U.S. Embassy- Santo Domingo official. E-mail communication to USDOL official. May 5, 2015.
69. Government of the Dominican Republic. *Written Communication*. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; January 29, 2015.
70. Government of the Dominican Republic. *Written Communication*. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; February 20, 2014.
71. UNICEF. *UNICEF y CESTUR firman acuerdo para prevenir la explotación sexual de niños, niñas y adolescentes*. Press Release. Santo Domingo; July 24, 2014. [http://www.unicef.org/repblicadominicana/NP\\_Firma\\_Acuerdo\\_entre\\_CESTUR\\_y\\_UNICEF.pdf](http://www.unicef.org/repblicadominicana/NP_Firma_Acuerdo_entre_CESTUR_y_UNICEF.pdf).
72. Georgetown Law Human Rights Institute. *Left Behind: How Statelessness in the Dominican Republic Limits Children's Access to Education*. Washington, DC; 2014.
73. UNICEF. *Educación Básica*. online; Septiembre 2013. [http://www.unicef.org/repblicadominicana/education\\_25953.htm](http://www.unicef.org/repblicadominicana/education_25953.htm).
74. Robert F. Kennedy Center for Justice & Human Rights. "RFK Human Rights Laureate Sonia Pierre Meets U.S. Officials to Discuss Dominicans of Haitian Descent." [previously online] [cited 2010];
75. Solidarity Center, CNUS, and FENTICOMMC. *En busca de un trabajo decente: Las experiencias laborales de los trabajadores inmigrantes en el sector de la construcción en la República Dominicana*. Santo Domingo; 2010.
76. U.S. Embassy- Santo Domingo. *reporting, June 11, 2014*.
77. U.S. Embassy- Santo Domingo. *reporting, January 13, 2015*.
78. Government of the Dominican Republic. *Visitas de Inspección por Rama de Actividad Económica, año 2014*. [source on file].
79. Government of the Dominican Republic, Ministerio de Trabajo. *Protocolo de Inspección: República Dominicana*. Santo Domingo; 2008.
80. Government of the Dominican Republic, Ministerio de Trabajo. *Protocolo de Inspección para la Agricultura: República Dominicana*. Santo Domingo; March 2011.
81. Government of the Dominican Republic. *Decreto No. 575-07 que crea e integra la Comisión Nacional contra la Trata de Personas*, Decreto No. 575-07, enacted October 8, 2007. <http://www.drleyes.com/page/decretos/documento/11/135/2006-2010/Comision-Nacional-Contra-Trata-de-Personas/>.
82. Government of the Dominican Republic. *Plan Estratégico Nacional para la erradicación de las peores formas de trabajo infantil en República Dominicana 2006-2016*. Santo Domingo; August 2006. [http://www.dol.gov/ilab/programs/ocfr/FR20100224/DominicanRepublic/GovPrograms/DR\\_NationalStrategy\\_ChildLabor.pdf](http://www.dol.gov/ilab/programs/ocfr/FR20100224/DominicanRepublic/GovPrograms/DR_NationalStrategy_ChildLabor.pdf).
83. Government of the Dominican Republic. *Hoja de Ruta para hacer de República Dominicana un país libre de trabajo infantil y sus peores formas: Documento Estratégico*. Santo Domingo, ILO-IPEC; n.d. <http://white.oit.org.pe/ipec/pagina.php?pagina=337>.
84. Government of the Dominican Republic - Comisión Interinstitucional de Combate a la Trata de Personas y el Tráfico Ilícito de Migrantes (CITIM). *Plan Nacional de Acción Contra la Trata de Personas y el Tráfico Ilícito de Migrantes, 2009-2014*; 2010. [source on file].
85. Government of the Dominican Republic. *Pacto Nacional para la Reforma Educativa en la República Dominicana (2014-2030)*. online April 1, 2014. [http://www.isfodosu.edu.do/portal/page/portal/isfodosu/CES-CTA-PACTO%20EDUCATIVO-Documento%20Pacto%20Educativo%20-%201-04-2014\\_0.pdf](http://www.isfodosu.edu.do/portal/page/portal/isfodosu/CES-CTA-PACTO%20EDUCATIVO-Documento%20Pacto%20Educativo%20-%201-04-2014_0.pdf).
86. Government of the Dominican Republic, Ministry of Education. *Plan Decenal de Educación 2008-2018*. Santo Domingo, Secretaría de Estado de Educación; 2008. [http://www.educando.edu.do/Userfiles/P0001%5CFile%5CPLAN\\_DECENAL\\_final.pdf](http://www.educando.edu.do/Userfiles/P0001%5CFile%5CPLAN_DECENAL_final.pdf).
87. Government of the Dominican Republic, Ministerio de la Mujer. *Plan nacional de igualdad y equidad de género, 2007-2017*. [http://www.americalatinagenera.org/es/documentos/centro\\_gobierno/Rep\\_Dominicana\\_PLANEG\\_II.pdf](http://www.americalatinagenera.org/es/documentos/centro_gobierno/Rep_Dominicana_PLANEG_II.pdf).
88. ILO. *Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas, October 14, 2014*. Lima, Peru; October 2014. [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
89. ILO. "18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour." ilo.org [online] October 17, 2014 [cited 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
90. UN News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." October 15, 2014. <http://www.un.org/apps/news/printnews.asp?nid=49082>.
91. ILO. *Verification Report on the Implementation of the White Paper Recommendations: August 2009-January 2010*. Geneva; January 2010.
92. Government of the Dominican Republic. *Noticias MINERD: Presidente entrega RD\$2,827 millones para construcción de 6,020 aulas*. Government of the Dominican Republic, [online] January 4, 2013 [cited February 12, 2014]; [http://www.sec.gob.do/\\_layouts/mobile/disppform.aspx?List=a1135268%2Da2c8%2D44cb%2Da6b9%2Db28bb0c764b8c&View=97e65bd5%2Dba37%2D496c%2D833f%2D0627a5adc45d&ID=802](http://www.sec.gob.do/_layouts/mobile/disppform.aspx?List=a1135268%2Da2c8%2D44cb%2Da6b9%2Db28bb0c764b8c&View=97e65bd5%2Dba37%2D496c%2D833f%2D0627a5adc45d&ID=802).
93. Government of the Dominican Republic, Ministry of Education. *Consideraciones Sobre el Presupuesto 2013*. Santo Domingo; October 1, 2012.
94. U.S. Embassy- Santo Domingo. *reporting, April 24, 2014*.
95. Government of the Dominican Republic, Ministerio de Educación. *Presidente Medina inaugura ocho escuelas para La Romana y San Pedro de Macorís*, Government of the Dominican Republic, [online] [cited June 24, 2014]; <http://www.minerd.gob.do/Lists/Noticias%20MINERD/Item/displayifs.aspx?List=a1135268%2Da2c8%2D44cb%2Da6b9%2Db28bb0c764b8c&ID=1329&RootFolder=%2FLists%2FNoticias%20MINERD&Source=http%3A%2Fwww%2Feminerd%2Egob%2Edo%2FPages%2FInicio%2Easpx&Web=754836dd%2Dfd5%2D4ead%2D8c2e%2Db7c9b87af8e2>.
96. Roebbling, EE. *Dominican Republic: Four Percent for Education*, Global Issues, [online] May 7, 2011 [cited February 12, 2014]; <http://www.globalissues.org/news/2011/05/07/9551>.
97. IDB. "Transfers help Dominicans." iadb.org/en/news [online] 2011 [cited January 30, 2012]; <http://www.iadb.org/en/news/webstories/2011-09-16/transfers-help-dominicans.9546.html>.
98. Government of the Dominican Republic. *Written Communication*. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; February 8, 2013.
99. Diario Dominicano. "Programa Solidaridad contribuye con disminución del trabajo infantil." November 10, 2011. <http://www.diariodominicano.com/dominicana-hoy/2011/11/10/95164/programa-solidaridad-contribuye-con-disminucion-del-trabajo-infantil>.
100. ILO. *OIT y República Dominicana firman carta de entendimiento para la prevención y eliminación del trabajo infantil*, ILO, [online] November 9, 2012 [cited July 19, 2013]; [http://www.ilo.org/sanjos/sala-de-prensa/WCMS\\_193103/lang-es/index.htm](http://www.ilo.org/sanjos/sala-de-prensa/WCMS_193103/lang-es/index.htm).
101. ILO-IPEC Geneva official. E-mail communication to USDOL official, April 11, 2014.
102. Peguero, A. "Gobierno y OIT buscan erradicar trabajo infantil." Listín Diario, Santo Domingo, June 12, 2013; La República. <http://www.listin.com.do/la-republica/2013/6/12/280444/Gobierno-y-OIT-buscan-erradicar-trabajo-infantil>.
103. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
104. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2013.

105. ILO-IPEC. *Technical Progress Report - Global Action Program on Child Labour Issues (GAP 11)*; October 2014.
106. Government of the Dominican Republic, Ministry of Labor. *Ministerio de Trabajo lanza campaña de sensibilización sobre trabajo infantil*, Government of the Dominican Republic, [online] [cited January 2, 2015]; <http://www.ministeriodetrabajo.gob.do/index.php/todas-las-noticias/579-ministerio-de-trabajo-lanza-campana-de-sensibilizacion-sobre-trabajo-infantil?format=pdf>.
107. Ministry of the Presidency. *Puerto Plata recibe 75 nuevas aulas para Tanda Extendida*, Government of the Dominican Republic, [online] March 26, 2014 [cited March 27, 2014]; <http://presidencia.gob.do/comunicados/puerto-plata-recibe-75-nuevas-aulas-para-tanda-extendida>.
108. Daily News. "MINERD sifts through teaching candidates." dr1.com [online] June 26, 2014 [cited December 16, 2014]; <http://dr1.com/premium/news/2014/dnews062614.shtml>.
109. DevTech Systems Inc. *Combating Exploitive Child Labor through Education III Dominican Republic*. Technical Progress Report. Arlington, Virginia; March 2011.
110. Government of the Dominican Republic. *Written Communication*. Submitted in response to U.S. Department of Labor Federal Register Notice (February 24, 2010) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; April 8, 2010.
111. 7días. "Ponen en funcionamiento "Espacio de Esperanza" de Santiago." 7días.com.do [online] February 21, 2014 [cited January 2, 2015]; [http://www.7días.com.do/portada/2014/02/21/i158382\\_ponen-funcionamiento-espacio-esperanza-santiago.html#.UzScNd8pA6U](http://www.7días.com.do/portada/2014/02/21/i158382_ponen-funcionamiento-espacio-esperanza-santiago.html#.UzScNd8pA6U).
112. Government of the Dominican Republic, Ministry of the Presidency. *Presentación de Plan Nacional de Alfabetización "Quisqueya Aprende Contigo"*. Santo Domingo; September 10, 2012. <http://www.minpre.gov.do/despacho-del-ministro/1381-presentacion-del-plan-nacional-de-alfabetizacion-quisqueya-aprende-contigo-.html>.
113. Government of the Dominican Republic, Dirección General de Programas Especiales. "Plan Nacional de Alfabetización "Quisqueya Aprende Contigo"." digepep.gob.do [online] [cited January 2, 2015]; <http://digepep.gob.do/index.php/quisqueya-aprende-contigo>.
114. Ministerio de Economía Planificación y Desarrollo. "Llega misión de Chile para evaluar empleo juvenil." economia.gob.do [online] September 3, 2014 [cited December 31, 2014]; <http://economia.gob.do/mepyd/noticias/llega-mision-chile-para-evaluar-empleo-juvenil/>.
115. U.S. Embassy- Santiago official. E-mail communication to USDOL official. May 20, 2015.
116. USAID. *Attachment B: Program Description*. Washington, DC; 2013.
117. ILO-IPEC Geneva official. E-mail communication to USDOL official, April 15, 2013.



# Ecuador

## SIGNIFICANT ADVANCEMENT

In 2014, Ecuador made a significant advancement in efforts to eliminate the worst forms of child labor. The Government issued Official Registry No. 221, which provides that the regional Ministry of Labor offices register adolescent workers, protecting their rights and formalizing their employment. The National Police Unit for Crimes against Children and Adolescents (DINAPEN) conducted 84 operations to combat commercial sexual exploitation and rescued 56 children and adolescents. The Ministry of Tourism and DINAPEN signed an agreement to coordinate the prevention of commercial sexual exploitation of children. Ecuador also continued to participate in a number of programs targeting the worst forms of child labor. However, children in Ecuador continue to engage in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Ecuador still faces resource constraints that prevent labor inspectors from conducting inspections and enforcing child labor laws.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ecuador are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking.(1-3) In 2013, the Government released the results of the Child Labor Survey. The survey indicates that 359,597 Ecuadorian children and adolescents work, or 8.6 percent of the population between the ages of 5 and 17. Data from this survey were not analyzed in time for inclusion in the table below.(3, 4) Table 1 provides key indicators on children's work and education in Ecuador.

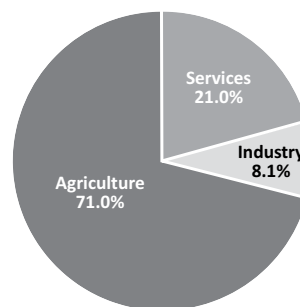
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	2.7 (75,689)
Attending School (%)	5-14 yrs.	96.9
Combining Work and School (%)	7-14 yrs.	2.4
Primary Completion Rate (%)		110.9

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Empleo, Desempleo, y Subempleo, 2011.(6)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of bananas,† palm oil,*† timber,*† and flowers† (2, 7-12)
	Fishing,*† activities unknown (7, 12, 13)
	Gold mining† and small-scale mining† (2, 3, 11, 13-15)
Industry	Production of bricks† (14-16)
	Construction,† including loading construction material, mixing materials to make concrete, and brickwork (3, 17, 18)
Services	Domestic work† (2, 12, 19, 20)
	Unpaid household services* (3)
	Street work, including shoe shining,*† selling newspapers,*† and vending*† (2, 10, 12, 13, 15, 21)



**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation sometimes as a result of human trafficking (21-24)
	Used in illicit activities, including drug trafficking* (2, 21)
	Used in armed conflict by illegal Colombian non-state armed groups,* activities unknown (18, 25)
	Used in the production of pornography* (10)
	Forced labor in domestic work, street vending, begging, and in unknown sectors each sometimes as a result of human trafficking* (2, 22, 23, 26-34)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children in the northern border region of Ecuador face extreme poverty and are found in domestic work, street work, and in the worst forms of child labor, including in commercial sexual exploitation. In the past several years, the percentage of children found in the aforementioned types of work in the provinces of Sucumbíos, Orellana, and Esmeraldas has increased by approximately 10 percent.(21)

Children, mostly girls, who do household chores for more than 14 hours a week, Monday through Friday, are often the most vulnerable because they perform work activities behind closed doors.(3)

Girls from Colombia and Peru are trafficked to Ecuador for domestic work and commercial sexual exploitation. Ecuadorian indigenous children are trafficked within Ecuador and to other neighboring countries for domestic work, begging, and factory and commercial work.(21, 23, 25)







Indigenous children are particularly vulnerable to involvement in child labor, as 40% of indigenous people are found in situations of extreme poverty in Ecuador; 44 percent of children in Ecuador identified as indigenous in the 2010 census.(2, 3, 35) The Child Labor Survey indicates that Cotopaxi Province, located in the central highlands, has the highest percentage of children working. In this region, the majority of children are indigenous.(36)

Reports indicate that there is a lack of access to education for certain ethnic groups and for migrant children. Indigenous children in both rural and urban areas are found to abandon school early.(24) For example, 48 percent of indigenous adolescents do not attend secondary school in rural areas, and 37 to 40 percent do not attend secondary school in urban areas.(35) In 2012, 25 percent of children ages 12 to 17 in the Los Ríos province and approximately 20 percent of children from the same age group in the provinces of Esmeraldas, Loja, and Manabí did not have access to education.(24) Government statistics also report that most children (ages 6 to 11) from all ethnic groups attribute not attending school to a lack of economic resources and the need to work.(24)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ecuador has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

# Ecuador

## SIGNIFICANT ADVANCEMENT

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 5, Article 46 of the Constitution; Title V, Chapter 1, Article 82 of the Childhood and Adolescence Code (37, 38)
Minimum Age for Hazardous Work	Yes	18	Title I, Article 2 and Title V, Chapter 1, Article 87 of the Childhood and Adolescence Code (38)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Title II, Chapter 1, Article 5 and Chapter 2, Article 8 of Resolution No. 016 of 2008 (39)
Prohibition of Forced Labor	Yes		Articles 91 and 105 of the Integral Penal Code (40)
Prohibition of Child Trafficking	Yes		Articles 91, 105, and 213 of the Integral Penal Code (40)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 103 of the Integral Penal Code (40)
Prohibition of Using Children in Illicit activities	Yes		Articles 219 and 220 of the Integral Penal Code (40)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Title III, Chapter 4, Article 57 of the Childhood and Adolescence Code (38)
Compulsory Education Age	Yes	15	Chapter 5, Article 38 of the Organic Intercultural Education Law (41)
Free Public Education	Yes		Title VI, Article 4 of the Organic Intercultural Education Law; Chapter 5, Article 28 of the Constitution (37, 41)

\* No conscription (37)

In March 2014, the Government issued the Official Registry No. 221, published in April 2014. This order provides that the regional Ministry of Labor (MOL) offices register adolescent workers, protecting their rights and formalizing their employment.(12, 42) As a part of this law, adolescents, 15 years and older, can be granted work contracts. The law requires the MOL to submit monthly reports on adolescents granted work contracts to the provincial Childhood and Adolescent Councils and to the Ecuadorian Institute of Social Security.(42)

A new criminal code, the Integral Penal Code (COIP), was implemented in August 2014. The COIP further specifies what actions constitute trafficking in persons, and substantially increases penalties for trafficking crimes.(40) The COIP criminalizes the use of children and adolescents in forced labor, forced prostitution, the use or procurement or offering of a child for the production of pornography or pornographic performances, child soldiering, and forced begging. It also defines the illegal adoption of children and adolescents as human trafficking.(40, 43) The COIP increases penalties for the trafficking of migrants, raising the term for imprisonment from 10 to 13 years and for the trafficking of non-migrants from 16 to 19 years.(40, 43).

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)	Monitor child labor, conduct labor inspections at work sites, and enforce child labor laws. Administer sanctions against companies found using child labor.(10) Has a system to collect fines.(8)
Ministry of Justice, Attorney General's Office	Enforce criminal laws against child labor, commercial sexual exploitation, and human trafficking.(25)
Ministry of Interior (MOI)	Oversee and evaluate all police actions, including those of the country's Anti-Trafficking Police Unit (ATU) and the National Police Unit for Crimes against Children and Adolescents (DINAPEN), which investigates all crimes against children, including abuse, sexual exploitation, sex tourism, smuggling, kidnapping, exploitative child labor and forced labor.(31, 43) The ATU investigates human trafficking cases, rescue victims, and arrest traffickers.(10) Police units have dedicated officers in each province, and some of the officers are dedicated to victims and witness protection.(4, 18)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Office of the Prosecutor General	Conduct investigations and try cases of child sex trafficking, child forced labor, commercial sexual exploitation, and child pornography.(10)
Ministry of Education	Provide immediate educational services for victims of child labor.(44, 45)
Ministry of Economic and Social Inclusion (MIES)	Provide remediation services to child laborers and their families. Has a Special Protection Subsecretary to assist children who are victims of abuse, human trafficking, exploitative child labor, and sexual exploitation of all types. Runs seven protection centers staffed by social workers, doctors, psychologists, and educators.(4)

Law enforcement agencies in Ecuador took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the MOL employed 164 people nationwide in the inspection unit, including a dedicated child labor inspector in each province. However, a source indicates that the number of inspectors per province is too low; in some cases, large jurisdictions have only five inspectors.(43) Inspectors received training on the worst forms of child labor. Reports indicate that the training is insufficient.(18, 43, 46)

In 2014, labor inspectors conducted approximately 25,745 inspections for all types of labor violations, and found that 1,496 children were engaged in child labor, compared to 1,345 children in 2013.(4, 43, 46) Comprehensive inspections with a focus on child labor were carried out.(46) Unannounced inspections were regularly performed. The Labor Code authorizes labor inspectors to conduct inspections at workplaces, including factories, workshops, and workers' homes, when they consider it appropriate or when employers or workers request an inspection.(18) In addition, under an agreement between the MOL and the Ministry of Mines and Energy, labor inspectors can enforce child labor laws in mining activities and impose sanctions for violations.(18)

MOL issued 117 penalties for infractions of child labor laws and collected \$64,540 in fines.(43) The Government has a protocol in place to provide immediate access to social protection programs to working children and adolescents who are found during inspections.(47) In 2014, the Special Protection Subsecretary of the Ministry of Economic and Social Inclusion (MIES) reported assisting 32,360 children and adolescents, of whom 25 percent were found in domestic work and 23 percent were found in street work. MIES assisted 68 adolescent girl victims of commercial sexual exploitation, and 80 adolescent victims of labor exploitation.(12) The Special Protection Subsecretary provided assistance and helped return seven adolescent female victims of commercial sexual exploitation as a result of human trafficking, and five adolescent victims of labor exploitation as a result of human trafficking.(12)

### ***Criminal Law Enforcement***

In 2014, the ATU had 17 agents based in Quito and focused mostly on cases involving adult victims as well as cases of migrant smuggling.(48) DINAPEN had approximately 657 agents nationwide to handle all crimes against children and 17 officers in its anti-trafficking unit.(10, 48) A source indicates that DINAPEN does not have sufficient resources to investigate trafficking cases.(48)

In 2014, DINAPEN investigated 16 cases and removed 34 children and adolescents from exploitative labor. It also conducted 84 operations to combat commercial sexual exploitation, from which officers rescued 56 children.(48) DINAPEN officers also carried out 403 operations for begging and 1,511 children were rescued. Eighty-four operations were carried out for commercial sexual exploitation and 56 children were rescued.(49) The MIES and MOL carried out 49 inspections targeting the eradication of child labor, resulting in 1,165 children being rescued.(18) During the reporting period, authorities convicted 20 traffickers, and at least four of these convictions were for labor trafficking. However, no information is available on how many of these cases included child victims or if the remaining convictions were for sex trafficking or for labor exploitation.(50) Convicted individuals received sentences of 4 to 16 years of imprisonment.(50) However, one source indicates that there are additional cases involving child victims, including one case of commercial sexual exploitation of a 14-year-old child.(48) The Office of the Prosecutor General assisted 72 victims of human trafficking crimes; however, 6 of these individuals were reported to be dependents of direct trafficking victims. Of the 72 affected individuals, 33 percent were children and adolescents, 81 percent were victims of commercial sexual exploitation, and 19 percent were victims of labor exploitation.(51) No information is available on how many children were victims of each crime.(49) The MOI coordinated the return of 15 Ecuadorian trafficking victims, including 14 minors, to the country.(25) Child trafficking victims were provided with shelter; however, no information is available on the number of children provided shelter.(43)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Interagency Steering Committee for the Elimination and Prevention of Child Labor (IAC)	Coordinate efforts to combat child labor in Ecuador under the Program to Eradicate Child Labor. Including participation of several ministries as well as provincial and municipal governments, systematically document the elimination of child labor in priority sectors and develop guidelines so that strategies can be replicated in other sectors in which children work.(43)
National Council for Intergenerational Equity	Coordinate interagency efforts to protect vulnerable populations, including children and adolescents. Replaces the Council for Children and Adolescents.(43)
Local Autonomous Governments	Participate in coordinating mechanisms to combat child labor. Mayors are accountable for ensuring that children are not found working, or they face a fine.(44)
Unified Child Labor Registration System (Surti)	Provide appropriate services to working children. Used by agencies within the IAC.(52)
Ministry of Tourism and DINAPEN*	Coordinate prevention work against the commercial sexual exploitation of minors.(53)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the Interagency Committee for the Elimination and Prevention of Child Labor began drafting a new manual, Path to Restitution of Rights, which will be used as a guide to improve coordination and to assist child labor cases reported at the local level.(43) MOL trained municipal governments in order to improve coordination and increase local governments' capacity to combat child labor.(43)

During the reporting period, MOI reduced its wait time for the repatriation process of minors, including victims of human trafficking, from three months to one week.(43)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Ecuador has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Ecuador Without Child Labor	Seeks to increase efforts to eradicate child labor by improving data collection, strengthening labor inspections, and carrying out awareness-raising activities in 150 municipalities.(54-56) Government agencies work with the private sector and other actors to address child labor in brickmaking, fishing, street work, and markets.(47) The Government signed an agreement with the agriculture, flower, livestock, and construction sectors to coordinate actions and promote joint programs for the elimination of child labor in those sectors.(47, 57) MIES entered into 206 agreements with local governments and organizations throughout the country to help up to 41,000 children and improved protection and shelter to victims of human trafficking.(4)
National Plan for Good Living (2013-2017)	Seeks to improve living conditions for all citizens and promote social inclusion and decent work. Eradicating child labor and providing access to decent work for adolescents of legal working age are guiding policies under Objectives 2 and 9 of the plan, which was renewed to cover the period from 2013 to 2017.(58)
10-year National Plan for the Comprehensive Protection of Children and Adolescents (2004-2014)	Seeks to protect the rights of children and adolescents. Under Objective 18, for children between the ages of 6 and 12, the plan addresses the eradication of child labor and hazardous child labor.(59) For adolescents between the ages of 12 and 18, Objective 26 focuses on protection against commercial sexual exploitation, and Objective 27 focuses on the eradication of hazardous work and prevention of labor exploitation.(59)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014-2020)†	In October 2014, Ecuador participated in the ILO's 18th American Regional Meeting in Lima, Peru, and signed the Declaration of the Establishment of the Regional Initiative: Latin America and the Caribbean Free of Child Labor. The regional initiative was launched in 2013 at the Third Global Conference on Child Labor, and the declaration re-emphasizes signatories' commitments to eradicate all child labor by 2020 as well as their recognition that child labor contributes to social and economic inequality.(60-62)
Sectorial Strategy to Eradicate Child Labor (2014-2017)†	Outlines national priorities and goals for each ministry in eliminating child labor. Delegates responsibilities and budget to each ministry to achieve goals.(43)

† Policy was approved during the reporting period.

The Government continued to work on a draft of the National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and other Forms of Exploitation. This plan will guide effort to prevent, investigate, and impose legal sanctions for human trafficking, commercial sexual exploitation, and other forms of abuse, as well as protect and restore the rights of victims of these crimes.(12)

In September 2014, Ecuador participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(63)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Ecuador funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Grants for Human Development‡	MIES conditional cash transfer program that supplements household income. Also targets vulnerable families and conditions payments on keeping children under age 15 in school and taking them for medical checkups. (14, 64, 65) The payments assisted 1.5 million families in 2014, a small decrease from 1.95 million families in 2013.(12, 18) Working children whose families receive the grants are more likely to stay in school rather than work, particularly children ages 11 to 15.(66-68)
National Program to Combat Child Begging‡	MIES program that raises awareness about child begging in origin and receiving communities that send and receive child beggars.(32)
School Meals Program*‡	Government program that provides free meals to 1.3 million school children across the country.(8, 69)
Business Network for a Child Labor Free Ecuador‡	UN initiative that seeks to gain commitment from participating industries to promote the prevention and elimination of child labor in their supply chains. By 2014, 28 businesses had joined, up from 27 in 2013.(52, 70-72) Businesses participating in the program have three commitments: to promote zero tolerance of child labor, conduct a supply chain analysis to determine if there is child labor, and develop strategies to prevent and eradicate child labor in the supply chain.(71) Since 2013, the program has benefitted approximately 178,000 children and has expanded to six provinces in the country.(72)
Education and Monitoring Program for the Eradication of Child Labor (2012-2014)	\$1.3 million Government of Spain-funded, 2-year multi-country education and monitoring program for the eradication of child labor.(73)
Eradication of Child Labor in Latin America (Phase 4) (2011-2015)	\$4.5 million Government of Spain-funded, 3-year multi-country project for the eradication of child labor. During the reporting period, the final version of SURTI was completed.(73)
Project for the Reduction of Child Labor through South-South Cooperation in Ecuador (2009-2014)	\$700,000 Government of Brazil-funded, 4-year project to support exchange of good practices to combat child labor through South-South Cooperation.(73)
Support to the Partnership Program to Prevent and Eliminate Child Labor in the Americas (2009-2015)	\$3.5 million Government of Brazil-funded, 4-year project to support exchange of good practices to combat child labor between Paraguay, Bolivia, Ecuador, and Timor-Leste.(73)
Global Action Program on Child Labor Issues Project (2011-2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of national governments and develop strategic policies to address the elimination of child labor and strengthen legal protections and social service delivery for child domestic workers in Ecuador.(74) In 2014, the Child Domestic Workers Social Services Gap Assessment study was finalized and the protective policy framework document on the elimination of child labor in domestic work and the protection of young domestic workers of legal working age was adopted.(74)
Building Effective Policies against Child Labor in Ecuador and Panama (2012-2016)	\$3.5 million USDOL-funded, 4-year project implemented by ILO-IPEC to strengthen policy and enforcement of child labor laws as well as occupational health and safety services.(75) The project also promotes lesson sharing between Panama, Ecuador, and other countries. In Ecuador, the project is piloting efforts to address the link between child labor and disabilities.(75)



**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
EducaFuturo Project (2012-2016)	\$6.5 million USDOL-funded, 4-year project implemented by Partners of the Americas to combat the worst forms of child labor among the most vulnerable populations, including Afro-descendants, migrants, and indigenous children, by providing them with educational and livelihood services in Ecuador and Panama.(76) The project also promotes lesson sharing between Panama, Ecuador, and other countries. In Ecuador, the project is piloting efforts to address the link between child labor and disabilities.(76) The project benefited 2,320 children in 2014.(77)
Projects to Combat Human Trafficking and Exploitation	National Institute of Children and Families (INFA) program to assist children who are engaged in child labor or who are victims of human trafficking and commercial sexual exploitation. Works closely with law enforcement officials to protect children and provide social services at 86 INFA centers across the country.(10) Additionally, the Government of Ecuador works with several NGOs to provide services to child victims of trafficking. These services include shelter, food, job training, legal assistance, and physical and psychological medical care. (10) The Government continues to receive technical support from international organizations to combat trafficking in persons, including working with the UNODC in launching the 2014 Global Report on Trafficking in Persons.(18, 78, 79)
Prevention of Sexual Exploitation of Children and Adolescents from Tourism‡	Ministry of Tourism program that seeks to prevent sexual exploitation by creating regulations and awareness campaigns in the tourism sector.(80)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Ecuador.

The Government has partnered with NGOs to combat child labor by raising awareness in local communities and providing educational opportunities to children, particularly from indigenous groups, who work or are at risk of working.(10, 81) Although the Government of Ecuador has implemented programs in various sectors, research found no evidence that it has carried out specific programs to assist children in domestic work and in street work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ecuador (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce, and ensure that inspectors receive training on the worst forms of child labor.	2009 – 2014
	Make publicly available the number of convictions and fines issued for child trafficking and provide adequate resources to investigators of such crimes.	2014
Social Programs	Assess the impact that the School Meals Program may have on reducing child labor.	2011 – 2014
	Expand efforts to improve access to education for all children, particularly for children from different ethnic groups and migrant children.	2014
	Conduct research to determine the activities carried out by children working in unknown sectors as a result of trafficking to inform policies and programs.	2013 – 2014
	Expand child labor programs that target the worst forms of child labor in domestic work and street work, and in areas with recently documented high rates of child labor, such as Cotopaxi Province.	2009 – 2014

## REFERENCES

1. Agencia Pública de Noticias del Ecuador y Suramérica. “Cerca de Mil Millones Cuesta Erradicar el Trabajo Infantil en Ecuador en Veinte Años.” [andes.info.ec](http://andes.info.ec) [online] June 13, 2012 [cited March 24, 2014]; <http://andes.info.ec/actualidad-videos/3174.html>.
2. UN Human Rights Council. *Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences*. New York; June 30, 2010. [http://www2.ohchr.org/english/issues/slavery/rapporteur/docs/A.HRC.15.20.Add.3\\_en.pdf](http://www2.ohchr.org/english/issues/slavery/rapporteur/docs/A.HRC.15.20.Add.3_en.pdf).
3. Instituto Nacional de Estadística y Censos (INEC). *Se presentan resultados de la Primera Encuesta Nacional de Trabajo Infantil* [online] [cited March 28 2014]; [http://www.inec.gob.ec/inec/index.php?option=com\\_content&view=article&id=624%3Aecuador-destina-7-millones-de-hectareas-a-la-labor-agricola&catid=56%3Adestacados&Itemid=3&lang=es](http://www.inec.gob.ec/inec/index.php?option=com_content&view=article&id=624%3Aecuador-destina-7-millones-de-hectareas-a-la-labor-agricola&catid=56%3Adestacados&Itemid=3&lang=es).
4. U.S. Embassy- Quito. *reporting, January 17, 2014*.
5. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.

6. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta Nacional de Empleo D, y Subempleo., 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
7. Government of Ecuador. *Written Communication*. Submitted in response to U.S. Department of Labor Federal Register Notice (April 25, 2011) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Quito; May 25, 2011.
8. U.S. Embassy- Quito. *reporting, February 9, 2012*.
9. U.S. Embassy- Quito. *reporting, July 17, 2012*.
10. U.S. Embassy- Quito. *reporting, January 31, 2013*.
11. International Trade Union Confederation (ITUC). *Report for the WTO General Council Review of the Trade Policies of Ecuador*. Brussels; November 2011. <http://www.ituc-csi.org/report-for-the-wto-general-council.10063>.
12. Government of Ecuador Ministry of Economic and Social Inclusion. *Response to US DOL request* February 5, 2015. hardcopy on file
13. "Ecuador se propone erradicar este año el trabajo infantil en mataderos." *El Universo*, Guayaquil, June 7, 2012; *Economía*. <http://www.eluniverso.com/2012/06/07/1/1356/ecuador-propone-erradicar-ano-trabajo-infantil-mataderos.html>.
14. "El Trabajo Infantil Cayó a Cerca del 6% en 2011 en Ecuador; Según el INEC." *El Universo*, Guayaquil, June 4, 2012; *Pais*. <http://www.eluniverso.com/2012/06/04/1/1447/trabajo-infantil-cayo-cerca-6-2011-ecuador-segun-inec.html>.
15. Morsolin, C. "Ecuador: Trabajo infantil y políticas públicas." *agenpress.info* [online] November 12, 2010 [cited April 17, 2014]; <http://www.agenpress.info/2010/11/ecuador-trabajo-infantil-y-politicas.html>.
16. *Erradicación del trabajo infantil con pequeñas innovaciones tecnológicas*, ECOSUR, [online] [cited April 17, 2014]; <http://www.ecosur.org/index.php/edicion-38-agosto-2011/586-erradicacion-del-trabajo-infantil-con-pequenas-innovaciones-tecnologicas>.
17. Gamez, E. *Mapeo de zonas prioritarias para la erradicación del trabajo infantil en actividades y zonas con alta presencia de población socialmente excluida en Ecuador*. Geneva, ILO-IPEC; November 2010.
18. U.S. Embassy- Quito official. E-mail communication to USDOL official. February 19, 2015.
19. UN News Centre. "Child Labour Impeding Development in Ecuador, Says UN Rights Expert." *un.org* [online] February 2, 2010 [cited March 5, 2013]; <http://www.un.org/apps/news/story.asp?Cr=slavery&NewsID=33644>.
20. U.S. Department of State. "Ecuador," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
21. Observatorio social del Ecuador. *Niñez, migración y fronteras*. Quito; 2013. <http://www.odna.org.ec/ODNA-PDF/NiñezMigracionFrontera.pdf>.
22. Parra, JR. "Ecuador: Refugee Women and Girls Turning to Sex Work." *global-voicesonline.org* [online] April 24, 2012 [cited October 26, 2012]; <http://global-voicesonline.org/2012/04/24/ecuador-refugee-women-and-girls-turning-to-sex-work/>.
23. U.S. Department of State. "Ecuador," in *Trafficking in Persons Report- 2014*. Washington, DC; Jun 19, 2014; <http://www.state.gov/documents/organization/226846.pdf>.
24. Ecuadorian Ministry of Economic and Social Inclusion, National Council for Intergenerational Equality, and UNICEF. *La niñez y adolescencia en el Ecuador contemporáneo: avances y brechas en el ejercicio de derechos*. Quito; 2014. [www.unicef.org/ecuador/NA\\_Ecuador\\_Contemporaneo.pdf](http://www.unicef.org/ecuador/NA_Ecuador_Contemporaneo.pdf).
25. U.S. Embassy- Quito. *reporting, February 19, 2015*.
26. "Chimborazo lucha contra el tráfico de menores." *El Telégrafo*, Quito, February 15, 2013. <http://www.telegrafo.com.ec/regionales/regional-centro/item/chimborazo-lucha-contra-el-trafico-de-menores-2.html>.
27. "Autoridades investigan tráfico de niños." *ecuavisa.com* [online] July 2, 2013 [cited 2014]; <http://www.ecuavisa.com/articulo/noticias/actualidad/30157-autoridades-investigacion-trafico-de-ninos>.
28. "Red de trata de personas acosa a mujeres en frontera con Ecuador." *El Tiempo*, Bogotá, January 31, 2010; *Archivo*. <http://www.eltiempo.com/archivo/documento/CMS-7085427>.
29. Rodríguez, M. "Tráfico de menores: encuentran a 135 niños peruanos trabajando en Ecuador." *El Comercio*, Quito, February 6, 2011; *News*. <http://elcomercio.pe/peru/709581/noticia-trafico-menores-encuentran-135-ninos-peruanos-trabajando-ecuador>.
30. "Niñez Indígena en América Latina: Situación y perspectivas (Compilación de documentos de trabajo)," in *Trabajo Infantil-Encuentro Latinoamericano Pueblos Indígenas y Gobiernos, de la Declaración a la Acción*. March 8-10, 2010; Cartagena de Indias: ILO; [http://white.oit.org.pe/ipec/documentos/publico-encuentro\\_final.pdf](http://white.oit.org.pe/ipec/documentos/publico-encuentro_final.pdf).
31. U.S. Embassy- Quito. *reporting, February 18, 2014*.
32. Government of Ecuador's National Institute for Childhood and Family. *Da Dignidad: Por un Ecuador sin Mendicidad*, [online] [cited January 20, 2014]; <http://www.inclusion.gob.ec/la-campana-da-dignidad-por-un-ecuador-sin-mendencia-y-sin-trabajo-infantil-arranco-a-nivel-nacional/>.
33. "Mendicidad, el tercer 'mejor negocio.'" *Diario Hoy*, Quito, January 4, 2012. <http://www.hoy.com.ec/noticias-ecuador/mendencia-el-tercer-mejor-negocio-385488.html>.
34. IOM. *La trata de personas en Ecuador*, [online] April 12, 2011 [cited February 5, 2013]; <http://www.unmultimedia.org/radio/spanish/2011/04/la-trata-de-personas-en-ecuador/>.
35. UNICEF. *Panorama de la situación de la niñez y adolescencia indígena en América Latina: El derecho a la educación y a la protección en Ecuador* 2014. [source on file].
36. Boudarène, K. "Ecuador: Child Labour down 10% in Six Years." *argentinaindependent.com* [online] August 22, 2013 [cited November 25, 2013]; <http://www.argentinaindependent.com/currentaffairs/ecuador-child-labour-down-10-percent-in-six-years/>.
37. Government of Ecuador. *Constitución del Ecuador*, enacted September 28, 2008. <http://www.asambleanacional.gov.ec/documentos/Constitucion-2008.pdf>.
38. Government of Ecuador. *Código de la Niñez y Adolescencia with modifications until 2009*, enacted January 3, 2003. [http://www.cinna.gov.ec/index.php?searchord=codigo&ordering=&searchphrase=all&Itemid=65&option=com\\_search](http://www.cinna.gov.ec/index.php?searchord=codigo&ordering=&searchphrase=all&Itemid=65&option=com_search).
39. Government of Ecuador. *Resolución No. 16 CNNA*, enacted May 8, 2008. <http://www.cinna.gov.ec/>.
40. Government of Ecuador. *Integral Penal Code* enacted February 10, 2014. <http://www.asambleanacional.gov.ec/system/files/document.pdf>.
41. Ecuador *Ley Orgánica de Educación Intercultural* enacted March 31, 2011. <http://educacion.gob.ec/wp-content/uploads/downloads/2012/08/LOEI.pdf>.
42. Ecuador *Reglamento para el Registro de Adolescentes Trabajadores*, enacted April 8, 2014. <http://www.cip.org.ec/attachments/article/2212/ACUERDO%20NO%200066.pdf>.
43. U.S. Embassy- Quito. *reporting, January 13, 2015*.
44. Ministerio de Relaciones Laborales. *Logros en la Erradicación del Trabajo Infantil*, Government of Ecuador, [online] [cited June 12, 2013]; [http://trabajoinfantil.mrl.gob.ec:8081/infantil/LOGROS\\_EN\\_LA\\_ERRADICACION\\_DEL\\_TRABAJO\\_INFANTIL/creacion\\_de\\_la\\_mesa\\_interinstitucional.html](http://trabajoinfantil.mrl.gob.ec:8081/infantil/LOGROS_EN_LA_ERRADICACION_DEL_TRABAJO_INFANTIL/creacion_de_la_mesa_interinstitucional.html).
45. Government of Ecuador. *Buenos Resultados del Plan de Reinserción Escolar*; 2013 February 20. <http://www.inclusion.gob.ec/buenos-resultados-del-plan-de-reinsercion-escolar/>.
46. Government of Ecuador Ministry of Labor. *Response to US DOL request* 2015 January 10, 2015.
47. Government of Ecuador, Ministry of Social Development. *Observaciones y Réplicas: Informe del Departamento de Trabajo de los Estados Unidos de América sobre Trabajo Infantil*. Quito; December 9, 2011.
48. U.S. Embassy-Quito official. "E-mail communication to", USDOL official. February 19, 2015.
49. U.S. Department of State official. E-mail communication to USDOL official. April 14, 2015.
50. USDOS official. E-mail communication to USDOL official. April 23, 2015.

51. Ecuadorian Office of the Prosecutor General. *Trafficking in Persons report submission for the U.S. Embassy*. Quito; 2015 January 29, 2015. hardcopy on file
52. Ministerio de Relaciones Laborales official. E-mail communication to USDOL official. March 25, 2014.
53. Government of Ecuador, NPUFCaCa Adolescents. *Written Communication*. Submitted in response to USDOL request Quito; January 14, 2015.
54. Government of Ecuador. *Ecuador busca erradicar el trabajo infantil*, [online] March 24, 2010 [cited February 5, 2013]; [http://www.elciudadano.gob.ec/index.php?option=com\\_content&view=article&id=11101:ecuador-busca-erradicar-el-trabajo-infantil&catid=1:archivo](http://www.elciudadano.gob.ec/index.php?option=com_content&view=article&id=11101:ecuador-busca-erradicar-el-trabajo-infantil&catid=1:archivo).
55. “Espinosa: ‘Ecuador quiere erradicar este año el trabajo infantil.’” *Diario Hoy*, Quito, March 24, 2010; Noticias. <http://www.hoy.com.ec/noticias-ecuador/espinosa-ecuador-quiere-erradicar-este-ano-el-trabajo-infantil-399117.html>.
56. Ministry of Labor Relations. *MRL y Municipios se articulan en campaña contra Erradicación del Trabajo Infantil*, [previously online] [cited April 4, 2013]; [http://www.mrl.gob.ec/index.php?option=com\\_content&view=article&id=260:mrl-y-municipios-se-articulan-en-campana-contra-erradicacion-del-trabajo-infantil&catid=7:boletines-de-prensa-&Itemid=52](http://www.mrl.gob.ec/index.php?option=com_content&view=article&id=260:mrl-y-municipios-se-articulan-en-campana-contra-erradicacion-del-trabajo-infantil&catid=7:boletines-de-prensa-&Itemid=52) (source on file).
57. ILO-IPEC. *Project to Combat the Worst Forms of Child Labor through Horizontal Cooperation in South America: Technical Progress Report*. Technical Progress Report. Geneva; October 2011.
58. Government of Ecuador. *National Plan for Good Living (2013-2017)*. Quito; 2013. <http://www.buenvivir.gob.ec>.
59. Government of Ecuador’s National Council for the Rights of Children and Adolescents. *Plan Nacional Decenal de Protección Integral a la Niñez y Adolescencia*, Secretaría Nacional de Planificación y Desarrollo, [online] [cited February 5, 2013]; [http://www.cnaa.gob.ec/biblioteca/centro-documental/search\\_result.html](http://www.cnaa.gob.ec/biblioteca/centro-documental/search_result.html).
60. ILO. “18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour.” ilo.org [online ] November 17, 2014 [cited 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
61. UN News Centre. “At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour.” un.org [online] October 15, 2014 [cited 2014]; <http://www.un.org/apps/news/printnews.asp?nid=49082>.
62. “Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO’s 18th Regional Meeting of the Americas, October 14, 2014.” wordpress.com [online] October 14, 2014 [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
63. OAS. *Agenda, First Meeting of the Working Group of the XVIII IACML*; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
64. Ministry of Economic and Social Inclusion. *Bono de Desarrollo Humano*, Government of Ecuador, [online] [cited April 4, 2013]; <http://www.rips.gob.ec/webRips/estadistico/analisisBDH.php>.
65. *Las Políticas Sociales de Ecuador Disminuyen el Trabajo Infantil y Consolidan Una Tendencia*, Andes, [online] June 4, 2013 [cited April 4, 2013]; <http://www.andes.info.ec/econom%C3%AD/2914.html>.
66. E. Edmonds, and N. Schady. *Poverty Alleviation and Child Labor*. Hanover, New Hampshire, Dartmouth College; 2011. <http://www.dartmouth.edu/~eedmonds/povallev.pdf>.
67. Maxine Molyneux, and Marilyn Thomson. *CCT Programmes and Women’s Empowerment in Peru, Bolivia and Ecuador*. Policy Paper. London, CARE; 2011. [www.careinternational.org.uk/research-centre](http://www.careinternational.org.uk/research-centre).
68. José Martínez, and José Rosero. *Impacto del Bono de Desarrollo Humano en el Trabajo Infantil*. Quito, Ministry of Social Development Coordination; 2010. [http://white.oit.org.pe/ipecc/documentos/tmc\\_ecuador.pdf](http://white.oit.org.pe/ipecc/documentos/tmc_ecuador.pdf).
69. UNDP. *Programa de Alimentación Escolar para mejorar la Educación Básica del Ecuador*, UN, [previously online] [cited February 5, 2013]; <http://www.pnud.org.ec/PROYECTOS2011/00012278.html> (source on file).
70. Ministerio de Relaciones Laborales. *Informe USDOL 2012*. Quito; 2013.
71. Ministerio de Relaciones Laborales. *Red de Empresas por un Ecuador Libre de Trabajo Infantil*, Government of Ecuador, [online] August 20, 2012 [cited April 8, 2013]; <http://www.pactoglobal.ec/2012/08/red-de-empresas-por-un-ecuador-libre-de-trabajo-infantil/>.
72. Red Pacto Global Ecuador. *Se presentan logros de la red de empresas por un Ecuador libre de trabajo infantil en 2014*, Red Pacto Global Ecuador [online ] December 2, 2014 [cited January 27, 2015]; <http://www.pactoglobal.ec/2014/12/se-presentaron-logros-de-la-red-de-empresas-por-un-ecuador-libre-de-trabajo-infantil-en-2014/>.
73. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
74. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
75. USDOL. *Building Effective Policies against Child Labour in Ecuador and Panama: Technical Progress Report October 2014*. Washington, DC; 2014.
76. USDOL. *EDUCAFUTURO: Project to Combat Child Labor Among Vulnerable Populations in Ecuador and Panama by Providing Direct Education and Livelihood Services*. Project Summary. Washington, DC; 2012. <http://www.dol.gov/ilab/map/countries/ecuador.htm>.
77. USDOL. *Partners of the Americas -Educafuturo: Technical Progress Report October 2014*. Washington, DC; 2014.
78. UNODC. *Prevención del Delito*, UN, [online] [cited February 14, 2014]; <http://www.unodc.org/peruandecuador/es/areas/delito/delito.html>.
79. International Organization for Migration. *Ecuador* [online] August 2014 [cited January 28, 2015]; <http://www.iom.int/cms/ecuador>.
80. Government of Ecuador. *Consejo Nacional para la Igualdad Intergeneracional (CNII) Políticas, programas y servicios*, September 29, 2014 [cited January 28, 2015]; <http://igualdad.gob.ec/ninez/politicas-programas-y-servicios.html>.
81. Telefonica Foundation Ecuador. *Compromiso con la infancia*, [online] [cited April 3, 2014]; <http://fundaciontelefonica.com.ec/?cat=20>.

In 2014, Egypt made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified a new Constitution, which defines a child as anyone under the age of 18, guarantees children's right to public education, and prohibits children from being employed in dangerous occupations. The Government began to systematically collect data on human trafficking and introduced a compulsory training on human trafficking for new prosecutors. Additionally, the Government reactivated the National Coordinating Committee to Combat the Worst Forms of Child Labor. The Government also participated in a program designed to improve school attendance. However, children in Egypt are engaged in child labor, including in agriculture and domestic work. The Government did not publicly make available data on the enforcement of child labor laws, including its worst forms. In addition, programs to combat child labor are insufficient to adequately address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Egypt are engaged in child labor, including in agriculture and domestic work.(1-7) Data from the 2010 National Child Labor Survey indicate that 63.5 percent of all child laborers work in agriculture. Boys are three times more likely to engage in child labor.(7) Table 1 provides key indicators on children's work and education in Egypt.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	6.7 (993,417)
Attending School (%)	6-14 yrs.	88.1
Combining Work and School (%)	7-14 yrs.	6.3
Primary Completion Rate (%)		107.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2005.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cotton (1-3)
	Caring for livestock* (10)
	Fishing,* activities unknown (10, 11)
Industry	Quarrying† limestone (1, 12)
	Making bricks* (13)
	Working in carpentry workshops* (14, 15)
Services	Construction,* activities unknown (16, 17)
	Domestic work (4-6)
	Repairing automobiles* (13)
	Street work, including selling goods, collecting garbage, and sweeping (14, 17-19)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Domestic work and agricultural labor, each as a result of human trafficking (3, 20, 21)
	Commercial sexual exploitation sometimes as a result of human trafficking (3, 20-23)
	Forced begging sometimes as a result of human trafficking (3, 21, 23, 24)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3 (a) – (c) of ILO C. 182.

The ongoing political transition in Egypt, weak economic performance, and recurring periods of violence in some parts of the country have increased children’s vulnerability to child labor, including hazardous child labor. These factors have also impeded the development of policies to address the worst forms of child labor.(1) Anecdotal reports indicate that the poor economic situation has led to an increase in the number of children working on the streets.(14, 25) Children living and working on the street are sometimes subjected to forced begging or commercial sexual exploitation. Some working children are trafficked internally, primarily in urban centers and tourist destinations.(21, 23)

Cases of commercial sexual exploitation of children have been reported in a number of governorates, including Cairo, Alexandria, and Luxor.(21) In return for payments, parents give their young daughters into “temporary marriages” to wealthy foreign men, mostly from Gulf countries.(3, 20, 21, 23, 26, 27) But anecdotal evidence shows that this practice is on the decline with the reduction in tourism.(28)







The cost of school fees, books, and uniforms are prohibitive for lower-income families, resulting in many children dropping out of school. In addition, cultural barriers may prevent some parents from sending their daughters to school.(11)

The number of Syrian refugees has increased significantly in 2014.(25) Although Syrian refugee children have access to education, approximately 8,000 of them do not attend any form of educational institution.(29) Syrian refugees cite overcrowded schools, harassment, and transportation issues as being among the primary reasons for their children not attending school.(30)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Egypt has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).



**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 64 of the Child Law (31)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Ministry of Manpower and Migration's (MOMM) Decree 118 (32)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 1 and 2 of MOMM Decree 118 (32)
Prohibition of Forced Labor	Yes		Article 89 of the Constitution (36); Article 291 of the Penal Code as amended in the Child Law (31); Article 2 of Law on Combating Human Trafficking (33)
Prohibition of Child Trafficking	Yes		Article 89 of the Constitution (36); Article 291 of the Penal Code as amended in the Child Law (31); Articles 2 and 3 of Law on Combating Human Trafficking (33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 291 of the Penal Code as amended in the Child Law (31); Articles 2 and 3 of Law on Combating Human Trafficking (33)
Prohibition of Using Children in Illicit Activities	Yes		Article 2(2) of MOMM Decree 118 (32)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 1 of Law on Military and National Service (34)
Minimum Age for Voluntary Military Service	Yes	15	Ministry of Defense Guidelines on Youth Volunteers in the Armed Forces (35)
Compulsory Education Age	Yes	15	Article 59(1) of the Child Law (31); Articles 80 and 238 of the Constitution (36)
Free Public Education	Yes		Article 54 of the Child Law (31)

The new Constitution, approved in a January 2014 referendum, expands child protections and guarantees other protections included in existing legislation. Specifically, Article 80 defines anyone under the age of 18 as a child, affording them the right to basic services, including vaccinations, healthcare, nutrition, and safe shelter.(28) Article 80 also guarantees children access to early public education and prohibits children from working in dangerous occupations. Additionally, Article 89 prohibits trafficking and forced labor.(28)

In accordance with Article 4 of the Labor Law, protections of that Law are not extended to workers in domestic work in third-party homes, including child workers. In addition, under Article 103, protections of Chapter 3 of the Labor Law, which includes a minimum age provision, do not extend to children working in agriculture.(37) Although the Child Law also includes a minimum age provision, given these exclusions in the Labor Law, it is not clear whether the minimum age protections apply to children working in agriculture and domestic work.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Manpower and Migration (MOMM)	Enforce child labor laws and regulations, including receiving child labor complaints, investigating them, and referring relevant violations to the Prosecutor General's Office.(1, 38) Inspectors conduct routine labor inspections, and when they find instances of illegal child labor, they refer the cases to the ministries of the Interior and Justice.(28)
Ministry of the Interior	Enforce laws and regulations prohibiting trafficking and commercial sexual exploitation of children. Refer relevant cases to the National Council for Childhood and Motherhood.(1, 38)
Prosecutor General's Office, Ministry of Justice	Prosecute violation of laws related to child labor and human trafficking.(1)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
National Council for Childhood and Motherhood (NCCM)	Provide technical support and training for MOMM inspectors on child labor. Identify and monitor children at risk, including those vulnerable to exploitative labor.(28) Refer victims to shelters and medical, psychological, and legal services. Manage two 24-hour hotlines, which can be used to report cases of child exploitation, including child victims of human trafficking.(28) Receives the majority of complaints regarding child labor. In 2014, the NCCM began offering simultaneous counseling and legal assistance to victims of human trafficking who call the hotline.(28) The NCCM also added a Facebook chat mechanism for victim referrals, which is staffed by two full-time employees to receive referrals and direct victims to counseling centers. Additionally, it began to systematically collect data on human trafficking victims.(28)
Ministry of Local Administration and Development	Provide administrative and logistical support for the enforcement of child labor laws.(39) Administers the Child Protection Committees.(28)

Law enforcement agencies in Egypt took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Government did not provide statistics on the number of Ministry of Manpower and Migration (MOMM) labor inspectors, inspections, violations, citations and penalties, training of inspectors, sectors inspected, the quality of inspections, and whether unannounced inspections were carried out in 2014.(28)

MOMM inspectors do not initiate routine or targeted inspections based on the analysis of compliance data or patterns of complaints.(1) The Government did not make publicly available the number of complaints received by the National Council for Childhood and Motherhood's (NCCM's) hotlines regarding child exploitation.(28)

### *Criminal Law Enforcement*

In 2014, the Judicial Center for Legal Studies introduced a compulsory training on human trafficking in its curriculum for newly appointed prosecutors. A total of 558 Egyptian judges and law enforcement officials received training related to human trafficking.(25) Research did not find information on the number of investigators.

Twenty-seven cases of human trafficking were investigated and 15 cases were prosecuted in 2014. No verdicts were issued in the cases and one source stated that human trafficking cases were generally settled outside the court system. Fourteen victims of human trafficking identified in 2014 were children.(25) According to government officials, a shortage of funding constrained the Government's efforts to combat human trafficking, particularly outside of Cairo and the major metropolitan areas.(25)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Coordination Committee on Preventing and Combating Trafficking in Persons	Coordinate efforts to combat human trafficking, including women and children. Led by the Deputy Minister of Justice with committee members from the Ministries of Justice, Interior, the General Intelligence Service, and Councils for Human Rights, Childhood and Motherhood, and Women.(1, 40, 41)
Child Protection Committees	Coordinate child protection efforts at the local level. Organized by the Ministry of Local Administration and Development and the NCCM, chaired by the local governors in each governorate, with subcommittees at each police station.(28) Coordinate investigations, prosecutions, and counseling services to address child labor issues. These Committees were dormant in 2014.(28)
Educational Working Group	Coordinate efforts to improve access to education for Syrian refugee children. Led by the UN High Commissioner for Refugees, in cooperation with the Ministry of Education.(30)
National Coordinating Committee to Combat the Worst Forms of Child Labor	Coordinate efforts among the Ministries of Manpower and Migration, Justice, and the Interior, and the Councils for Human Rights, Childhood, Motherhood, and Women to finalize a draft of the National Strategy to Combat the Worst Forms of Child Labor. Led by MOMM.(42)

In 2014, MOMM issued a decree that revived and reformed the National Coordinating Committee to Combat the Worst Forms of Child Labor.(28)

During the reporting period, the National Coordination Committee on Preventing and Combating Trafficking in Persons collected data on human trafficking victims from the NCCM, as well as district courts, in order to centrally gather data on investigations and court proceedings related to human trafficking.(25)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Egypt has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
First National Strategy for the Elimination of Child Labor	Aims to identify vulnerable children and remove them from child labor.(38, 43)
Second National Plan of Action Against Human Trafficking	Aims to maintain referral mechanisms, the training of law enforcement officials, and the combating of trafficking of street children.(40)

In June 2014, members of the National Coordinating Committee to Combat the Worst Forms of Child Labor drafted a National Strategy for the Elimination of Child Labor, which was not finalized during the reporting period.(28)

In 2014, the NCCM launched a consultation process in cooperation with the Egyptian Public Opinion Center to receive inputs and suggestions concerning the development of a national strategy for childhood and motherhood to protect basic rights of children.(44)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Egypt funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms.(Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Socio-Economic Development and Civil Society Support Program (2014-2018)†	\$75 million EU-funded, 4-year project implemented by the WFP provides food security for up to 100,000 children at risk of engaging in child labor, and financial assistance to 400,000 family members to compensate for wages that child labor would have otherwise generated, enabling children to attend school. Supports 50,000 households in income-generating activities to help keep their children in school.(45)
Combating Worst Forms of Child Labor through Education and Livelihood Interventions in Egypt (2010-2014)	\$9.5 million USDOL-funded, 4-year project implemented by the WFP that combats child labor, particularly the worst forms of child labor in agriculture in the key governorates of Sohag, Assiut, Fayoum, Minya, and Sharqiyah, through improved child labor policy and legislation and the promotion of educational opportunities for children. Targets 8,000 children for withdrawal and 8,000 children for prevention of the worst forms of child labor in agriculture. Provides 5,000 households with livelihood support.(46) From April to September 2014, provided educational services to 43 children at risk of or engaged in the worst forms of child labor, as well as economic strengthening services to 1,072 mothers.(44)
Combating Worst forms of Child Labor by Reinforcing Policy Response and Promoting Sustainable Livelihoods and Educational Opportunities in Egypt (2011-2015)	\$2.07 million WFP-funded, 4-year project implemented by ILO-IPEC that provides direct educational services and promotes sustainable livelihoods to targeted households. Supports the review and revision of legislation on child labor. Promotes the capacity of national institutions to combat child labor, and conducts research to collect reliable data on child labor through baseline surveys.(47, 48)
Shelters for Street Children‡	NCCM program that, in cooperation with NGOs, operates shelters and provides support services to street children. A center for male street children is operated by a Belgian NGO and the NCCM.(40)
Child Rights Program (2013-2017)*	UNICEF program, in cooperation with the Government, that aims to improve the quality and coverage of child protection services and programs to prevent violence against children.(49)
Awareness-Raising Campaigns‡	NCCM program that generates awareness of human trafficking and victim services among students and educators, the public, NGOs, and government officials.(25)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Care Centers and Shelters for Victims of Trafficking‡	Three facilities providing assistance and services to Egyptian and foreign victims of human trafficking.(25)
National School Feeding Program*‡	Improves food security by reaching 5.3 million school children with a budget of \$60 million per year.(50)

\*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Egypt.

Research found no evidence of programs to address the worst forms of child labor in domestic work, commercial sexual exploitation, and begging, each as a result of human trafficking.(40)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Egypt (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that law's minimum age provisions apply to children working in agriculture and domestic work.	2012 – 2014
Enforcement	Make publicly available data on the number of child labor inspectors, inspections, violations, citations and penalties, training of inspectors, sectors inspected, the quality of inspections, and whether unannounced inspections were carried out, as well as information on the number of investigators in cases of the worst forms of child labor.	2011 – 2014
	Strengthen the inspection system by initiating routine or targeted inspections, rather than performing inspections solely based on complaints received.	2014
	Make publicly available information on the number of complaints, including the number that involved children exploited in child labor, to the NCCM's hotlines.	2013 – 2014
	Increase funding for enforcement agencies to ensure effective enforcement of laws, particularly in rural areas.	2014
Coordination	Ensure coordination of the Government's efforts to investigate, prosecute, and provide services to children engaged in child labor, for example, through the reactivation of the Child Protection Committees at the governorate level.	2014
Government Policies	Finalize and implement the National Strategy for the Elimination of Child Labor.	2010 – 2014
Social Programs	Ensure universal access to free public education, including for girls and Syrian refugee children, by addressing the cost of school fees and supplies, overcrowding, and other barriers to education.	2010 – 2014
	Assess the impact that the National School Feeding Program may have on child labor.	2010 – 2014
	Institute programs to address the worst forms of child labor in domestic work, commercial sexual exploitation, and begging, each as a result of human trafficking.	2010 – 2014

## REFERENCES

- U.S. Embassy- Cairo. *reporting*. February 10, 2014.
- Marketplace. *Children keep Egypt's cotton spinning*, Marketplace, [online ] July 7, 2010 [cited March 25, 2014]; <http://www.marketplace.org/topics/world/children-keep-egypts-cotton-spinning>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Egypt (ratification: 2002) Published: 2011*; accessed February 5, 2013;
- Abu al-Khair, W. "Child Labour in Egypt a Growing Problem." al-shorfa.com [online] October 14, 2010 [cited March 27, 2014]; [http://www.al-shorfa.com/cocoon/meii/xhtml/en\\_GB/features/meii/features/main/2010/10/14/feature-02](http://www.al-shorfa.com/cocoon/meii/xhtml/en_GB/features/meii/features/main/2010/10/14/feature-02).
- ICF Macro. *Child Domestic Labor in Egypt*. Fairfax; January 2012.
- Yasmine M. Ahmed, Ray Jureidini. *An Exploratory Study on Child Domestic Workers in Egypt*. Cairo, Terre des hommes, American University of Cairo Center for Migration and Refugee Studies; June 2010. <http://www.aucegypt.edu/GAPP/cmrs/Documents/Child%20Domestic%20Workers%20Report.pdf>.
- Egyptian Central Agency for Public Mobilization and Statistics (CAPMAS), International Programme on the Elimination of Child Labour (IPEC), International Labour Organization (ILO). *Working Children in Egypt: Results of the 2010 National Child Labour Survey*. Cairo; 2012.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

9. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2005. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
10. WFP. *Child Labor in Agriculture Study. Combating Exploitative Child Labor through Education in Egypt*. Cairo; June 2011.
11. WFP. *Baseline Study, Combating Worst Forms of Child Labor through Education and Livelihood Interventions in Egypt*. Rapid Assessment. Cairo; February 2012.
12. Brook, P. "Haunting Photos of the Children Toiling in Egypt's Limestone Mines." wired.com [online] September 3, 2014 [cited March 10, 2014]; <http://www.wired.com/2014/09/myriam-abdelaziz-menyas-kids>.
13. Big Story. "In workshops, fields, Egyptian children at work." ap.org [online] October 30, 2012 [cited March 27, 2014]; <http://bigstory.ap.org/article/workshops-fields-egyptian-children-work>.
14. Samir, S. "Child labor: the hidden cost of small industries." thecairopost.com [online] November 6, 2014 [cited November 26, 2014]; [http://thecairopost.com/news/128469/inside\\_egypt/child-labor-the-hidden-cost-of-small-industries](http://thecairopost.com/news/128469/inside_egypt/child-labor-the-hidden-cost-of-small-industries).
15. IRIN. "Egypt: Focus on child labour." IRINnews.org [online] June 28, 2011 [cited November 28, 2014]; <http://www.irinnews.org/report/89653/egypt-focus-on-child-labour>.
16. U.S. Department of State. "Egypt" in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/r/pa/ei/bgn/5309.htm>.
17. U.S. Embassy- Cairo. *reporting, March 13, 2013*.
18. Kamaly, R. "Turning a blind eye to illegal child labor in New Cairo." aucegypt.edu [online] May 15, 2011 [cited November 26, 2014]; <https://academic.aucegypt.edu/caravan/story/turning-blind-eye-illegal-child-labor-new-cairo>.
19. Diaa, R. "Childhood sold off the back of a cart." The Cairo Post [online] December 17, 2013 [cited November 28, 2014]; [http://thecairopost.com/news/57174/inside\\_egypt/childhood-sold-cart](http://thecairopost.com/news/57174/inside_egypt/childhood-sold-cart).
20. United Nations Human Rights Council. *Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, Joy Ngozi Ezeilo, Egypt, Fourteenth Session*. Geneva; May 20, 2010. <http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.32.Add5.pdf>.
21. U.S. Department of State. "Egypt," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226716.htm>.
22. U.S. Embassy- Cairo. *reporting, February 24, 2013*.
23. Government of Egypt. *Human Trafficking in Egypt: Assessment Study*, Ministry of Foreign Affairs [Publication date unknown]. <http://www.mfa.gov.eg/Arabic/Ministry/TraffickinginPersons/summary/Pages/default.aspx>.
24. Fazza, R. "The plight of Syrian children in Egypt." The Cairo Post [online] January 12, 2014 [cited November 28, 2014]; [http://thecairopost.com/news/71852/inside\\_egypt/the-plight-of-syrian-children-in-egypt](http://thecairopost.com/news/71852/inside_egypt/the-plight-of-syrian-children-in-egypt).
25. U.S. Embassy- Cairo. *reporting, March 10, 2015*.
26. Y. Admon, L. Azuri. *In Egypt and Saudi Arabia, Conflict Escalates over Child Bride Marriages*. Inquiry and Analysis Series Report. The Middle East Media Research Institute; March 10, 2010. Report No. 594. <http://www.memri.org/report/en/0/0/0/0/4025.htm>.
27. El-Sherif, H. "Ministry Starts Campaign against Underage, Summer Marriages." thedailynewsegypt.com [online] July 15, 2010 [cited March 27, 2014];
28. U.S. Embassy- Cairo official. E-mail communication to USDOL official. March 30, 2015.
29. UNHCR. *2014 Syria Regional response Plan - Mid-Year Update (Strategic Overview)*. Geneva. <http://www.unhcr.org/syriarrp6/midyear/docs/syria-rrp6-myu-strategic-overview.pdf>.
30. UNHCR. *2014 Syria Regional response Plan - Egypt*. Geneva. <http://www.unhcr.org/syriarrp6/docs/Syria-rrp6-full-report.pdf>.
31. Government of Egypt. *Child Law*, Promulgated by Law No. 12 of 1996, as amended by Law No. 126 of 2008, enacted 2008.
32. Government of Egypt. *Ministry of Manpower and Migration Decree 118 of the Year 2003*, enacted 2003.
33. Government of Egypt. *Law No. 64 of 2010 regarding Combating Human Trafficking*, enacted 2010.
34. Government of Egypt. *Law No 127 on Military and National Service*, enacted 1980.
35. Ministry of Defense. *Guidelines on Youth Volunteers in the Armed Forces*. Guide. Cairo. [http://www.mod.gov.eg/Mod/Mod\\_TaggedServices11.aspx](http://www.mod.gov.eg/Mod/Mod_TaggedServices11.aspx).
36. Government of Egypt. *Constitution of the Arab Republic of Egypt 2014- unofficial translation*, enacted January 18, 2014. <http://www.sis.gov.eg/Newvtr/Dustor-en001.pdf>.
37. Government of Egypt. *Labor Law*, No. 12 of the Year 2003, enacted 2003. [www.egypt.gov.eg/english/laws/pdf/Book2.pdf](http://www.egypt.gov.eg/english/laws/pdf/Book2.pdf).
38. U.S. Embassy- Cairo. *reporting, February 16, 2010*.
39. World Food Program- Cairo official. E-mail communication to USDOL official. March 13, 2014.
40. U.S. Embassy- Cairo. *reporting, February 13, 2014*.
41. U.S. Embassy- Cairo official. E-mail communication to USDOL official. April 26, 2014.
42. U.S. Embassy- Cairo official. E-mail communication to USDOL official. April 6, 2015.
43. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Egypt (ratification: 2002) Submitted: 2011*; accessed February 5, 2013; <http://bit.ly/HNTYcn>.
44. World Food Program. *Combating Worst Forms of Child Labor through Education and Livelihood Interventions in Egypt*. Technical Progress Report. Cairo; October 28, 2014.
45. World Food Program. *The EU and WFP Launch a Project to Fight Child Labour through Education in Egypt*, World Food Program, [online] 2014 [cited November 10, 2014]; <http://www.wfp.org/news/news-release/eu-and-wfp-launch-project-fight-child-labour-through-education-egypt>.
46. U.S. Department of Labor. *Technical Cooperation Project Summary: Combating the Worst Forms of Child Labor through Education and Livelihood Interventions in Egypt*. Washington, DC; 2010. [http://www.dol.gov/ilab/projects/summaries/Egypt\\_CCL.pdf](http://www.dol.gov/ilab/projects/summaries/Egypt_CCL.pdf).
47. World Food Program. *Combating Worst Forms of Child Labor by Reinforcing Policy Response and Promoting Sustainable Livelihoods and Educational Opportunities in Egypt (CWCLP)*. Projects. Cairo; 2015. [http://www.ilo.org/ipec/Regionsandcountries/arab-states/egypt/WCMS\\_201300/lang-en/index.htm](http://www.ilo.org/ipec/Regionsandcountries/arab-states/egypt/WCMS_201300/lang-en/index.htm).
48. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
49. UNICEF. *Country programme document (2013 - 2017)*. New York. [http://www.unicef.org/about/execboard/files/2013-PL3-Egypt\\_CPD-final\\_approved-English.pdf](http://www.unicef.org/about/execboard/files/2013-PL3-Egypt_CPD-final_approved-English.pdf).
50. World Food Program. *World Food Program Egypt Overview*. online; 2015. <http://www.wfp.org/countries/egypt/overview>.



# El Salvador

## SIGNIFICANT ADVANCEMENT

*In 2014, El Salvador made a significant advancement in efforts to eliminate the worst forms of child labor. The Government signed the Alliance for Prosperity in the Northern Triangle, a development initiative that includes among its many goals increasing educational and vocational training opportunities for youth and combatting human trafficking. The Government passed the Special Law Against Trafficking in Persons that increased penalties for the trafficking of children to a minimum of 16 years in prison, and permanently established the Attorney General's anti-trafficking unit and the National Council Against Trafficking in Persons (CNCTP). The Government's National Council for Children and Adolescents (CONNA) provided technical assistance in developing Departmental and Local Committees for Children's and Adolescents' Rights, pursuant to the Law for the Comprehensive Protection of Children and Adolescents (LEPINA). The Government also expanded educational programs that aim to keep children in schools and out of harmful activities by providing meals, supplies, and extracurricular activities. However, children in El Salvador are engaged in the worst forms of child labor, including in agriculture and in illicit activities sometimes as a result of human trafficking. Law enforcement agencies continue to lack sufficient resources to enforce child labor laws, and monetary penalties for labor violations remain low.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in El Salvador are engaged in the worst forms of child labor, including in agriculture and in illicit activities sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in El Salvador.

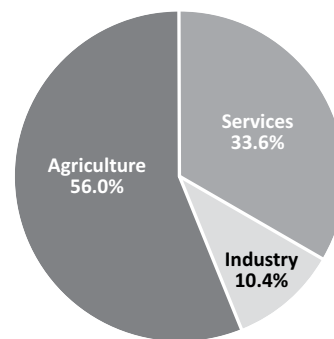
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	6.3 (84,927)
Attending School (%)	5-14 yrs.	92.2
Combining Work and School (%)	7-14 yrs.	6.2
Primary Completion Rate (%)		101.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2011.(6)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting sugarcane† and coffee† (3, 7, 8)
	Fishing,*† including harvesting shellfish† (3, 8-10)
Industry	Manufacturing fireworks† (3, 4, 8, 11)
	Construction,† activities unknown (3, 8, 12)
	Garbage scavenging† (3, 4, 8)
Services	Vending on the streets† and in markets† (3, 4, 8, 10)
	Street begging*† (8, 13)
	Domestic service† (3, 4, 8)
	Repairing motor vehicles*† (12, 13)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
	Commercial sexual exploitation sometimes as a result of human trafficking (2, 3, 8, 14)
Categorical Worst Forms of Child Labor†	Used by gangs to perform illicit activities, including committing homicides and trafficking drugs sometimes as a result of human trafficking (2, 4, 8, 15, 16)
	Forced begging and forced domestic service (2, 3, 8, 17)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In 2014, El Salvador, like Honduras and Guatemala, was a principal source of the high numbers of unaccompanied children from Central America migrating to the United States. These children often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation and the recruitment by gangs into illicit activities such as committing homicides and trafficking drugs.(18, 19) Children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Once en route, they become vulnerable to human trafficking and commercial sexual exploitation.(18, 19)




Child labor in El Salvador is predominantly male, with boys comprising more than three-fourths of child laborers ages 5 to 17.(20, 21) However, girls comprise the majority of children engaged in domestic service in third-party homes.(3) Victims of forced domestic service include migrant children from Guatemala, Honduras, and Nicaragua.(2) In some cases, girls do not attend school because they have child care responsibilities while their mothers work.(22) There are also reports that children are recruited into gang activity or are threatened by gangs while at school, which may cause children to stop attending school.(15, 23-25) The Government has reported that approximately 50 percent of sex trafficking victims in El Salvador are girls ages 13 to 18.(26)

The Government regularly collects statistics on children’s work through its annual Multipurpose Household Survey. It reports that with regard to 2012, there has been a decrease of 11.9 percent in child labor among children ages 5 to 17.(20, 27) However, the Government does not appear to conduct research on hard-to-reach populations who are engaged in the worst forms of child labor. For example, the Government reports that children who are used in illicit activities are not covered by its Multipurpose Household Survey.(20) A third-party monitoring group has documented an overall decrease in the use of child labor in the sugarcane harvest since 2010.(7)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

El Salvador has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

# El Salvador

## SIGNIFICANT ADVANCEMENT

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 114 of the Labor Code; Article 38 of the Constitution; Article 59 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (28-30)
Minimum Age for Hazardous Work	Yes	18	Article 105 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011 (28, 29, 31)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 1 of Agreement 241 of 2011 (31)
Prohibition of Forced Labor	Yes		Articles 3 and 54-55 of the Special Law Against Trafficking in Persons; Articles 4 and 9 of the Constitution (28, 32)
Prohibition of Child Trafficking	Yes		Articles 3 and 54-55 of the Special Law Against Trafficking in Persons; Article 56 of the LEPINA (30, 32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3 and 54-55 of the Special Law Against Trafficking in Persons; Articles 169-173 of the Penal Code; Article 55 of the LEPINA (30, 32, 33)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 54-55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code; Article 56 of the LEPINA (30, 32, 33)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 215 of the Constitution (28)
Minimum Age for Voluntary Military Service	Yes	16	Articles 2 and 6 of the Military Service Law (34)
Compulsory Education Age	Yes	16	Articles 5, 18, and 20 of the General Education Law; Article 82 of the LEPINA; Article 56 of the Constitution (28, 30, 35)
Free Public Education	Yes		Articles 5, 18, and 20 of the General Education Law; Article 82 of the LEPINA; Article 56 of the Constitution (28, 30, 35)

In 2014, the Government passed the Special Law Against Trafficking in Persons, which replaces previous legislation and increases prison sentences for convicted traffickers. The previous penalties of a minimum of 4 years and a maximum of 8 years for convictions are now 10 and 14 years, respectively.(32, 36) When the trafficking victim is a child or adolescent, these penalties are increased to 16 to 20 years, and when the convicted trafficker is the head of a gang or organized criminal group, the penalties are increased to 20 to 25 years.(32) The law also treats forced labor and the use of children in illicit activities as trafficking in persons (TIP) crimes, and expands mandated assistance to survivors of trafficking. The Law took effect on January 12, 2015.(26, 32, 36)

Article 627 of the Labor Code specifies a default fine of no more than \$60 per violation of all labor laws, including child labor laws.(29) The Government is currently reviewing national legislation to ensure that monetary penalties for all labor violations are proportionate to the nature and seriousness of the offense.(37)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Welfare (MTPS)	Enforce regulations on child labor, including hazardous child labor. Inspect registered businesses for all types of labor violations, including child labor.(8, 13) Maintain a special child labor unit that trains inspectors and businesses on child labor law.(38) Refer cases of possible crimes committed against children to the Office of the Attorney General.(8)
Office of the Attorney General (AG)	Enforce criminal law related to the worst forms of child labor. Maintain a TIP Unit, made permanent by the Special Law Against Trafficking in Persons, that consists of 14 prosecutors who investigate human trafficking and related crimes.(8, 32) Refer exploited children to the Salvadoran Institute for the Comprehensive Development of Children and Adolescents (ISNA) for social services and shelter.(8)

**Table 5. Agencies Responsible for Child Labor Law Enforcement(cont)**

Organization/Agency	Role
National Civilian Police (PNC)	Enforce criminal laws regarding the worst forms of child labor. Maintain a Special Unit on Trafficking in Persons that investigates cases of commercial sexual exploitation and human trafficking, including child trafficking.(8, 13) Maintain an emergency hotline that receives complaints about commercial sexual exploitation and human trafficking.(39)
Salvadoran Institute for the Comprehensive Development of Children and Adolescents (ISNA)	Receive referrals from law enforcement agencies on cases of criminal exploitation of children, including forced labor, human trafficking, and the commercial sexual exploitation of children. Provide child victims with services, including shelter, medical attention, psychological help, and legal advice.(40)

Law enforcement agencies in El Salvador took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor and Social Welfare (MTPS) employed 114 labor inspectors, which is a significant decrease from the 203 inspectors employed in 2013. The MTPS reported that this number of inspectors was inadequate.(4) During the reporting period, MTPS inspectors and their supervisors received training from the ILO, and MTPS inspectors participated in an additional child labor training with the Sugar Association of El Salvador.(4)

In 2014, the budget for the MTPS Inspection Department was approximately \$1.8 million, which was the same amount allocated in 2013.(4, 8) The MTPS acknowledged that this level of funding, and its 15 vehicles, were insufficient to fully enforce labor laws across the country. Despite these insufficiencies, the MTPS reported that it made efforts to increase efficiencies by holding preventative child labor workshops for employers in all 14 regions of the country.(4)

In El Salvador, inspectors conduct both complaint-driven and unannounced inspections.(4) It has been reported that the inspection process in El Salvador can entail multiple visits per site, and that the Ministry of Economy and the Office of the Attorney General (AG) issue penalties in a process that can take up to 6 months.(41)

In 2014, the MTPS conducted 25,538 labor inspections; of these, 1,477 were child labor-specific inspections. This was a substantial increase from the 249 child labor-specific inspections conducted in 2013.(4, 8) Research did not find information on the sectors or geographical regions in which these inspections were conducted. As a result of the inspections, the MTPS found 20 children engaged in work without prior authorization. Of that number, one child was under the minimum age for work, and two children were engaged in hazardous work.(4) Research did not find information on the activities in which these children were engaged. In December, the MTPS conducted a pilot project to increase labor inspections for child labor violations in the production and sale of fireworks, when these activities are prevalent. During this period, the MTPS reported that it removed one child from child labor.(4) In El Salvador, children removed from child labor are referred to the Salvadoran Institute for the Comprehensive Development of Children and Adolescents (ISNA) for services. In 2014, ISNA reported that it assisted 93 children who were engaged in child labor.(4) The MTPS also reported that no child labor-related penalties or citations were issued, and that no fines were collected, during the reporting period.(4)

### ***Criminal Law Enforcement***

In 2014, the Government reported that the National Civilian Police's (PNC) Special Unit on Trafficking in Persons employed a staff of 34 officials, including 15 investigators. Nine of these investigators received training on trafficking in persons during the reporting period.(4) The Office of the Attorney General's (AG) TIP Unit employed 14 prosecutors. The AG TIP Unit participated in 10 training courses related to child labor, exploitation, trafficking, and international organized crime.(4) The AG TIP Unit also provided TIP-focused training to officials of the PNC, ISNA, the Ministry of Justice, and municipal governments.(4) Criminal law enforcement agencies in El Salvador have reported that they lack sufficient resources to adequately investigate and prosecute crimes, including the worst forms of child labor.(4, 42)

Reports indicate that a lack of effective coordination between the PNC and the AG may hamper efforts to investigate criminal cases. In addition, reports indicate that coordination between criminal law enforcement agencies and social service agencies also

# El Salvador

## SIGNIFICANT ADVANCEMENT

needs improvement.(26) These gaps in coordination may be rectified by the complete implementation and funding of the Special Law Against Trafficking in Persons which expands, strengthens, and makes permanent existing law enforcement and coordinating bodies, including the National Council Against Trafficking in Persons (CNCTP).(26) In El Salvador, a lack of evidence is one of the major obstacles to investigating cases of child pornography.(42) Evidence that could be used by investigators is limited because Internet service providers, cell phone operators, and search engines are not required to keep information for a sufficient period of time to allow its use in investigations.(43)

In 2014, the AG investigated 53 cases of human trafficking. Of these cases, it investigated 40 cases of sex trafficking of children that included 39 female victims and 3 male victims.(26) The AG also investigated 2 cases of forced child labor that involved 2 female victims.(26) The AG reported that 4 of the 53 cases went to trial, with 3 cases resulting in convictions for the sex trafficking of children. Sentences ranged from 8 to 12 years of imprisonment in addition to civil compensation.(26) These crimes were prosecuted under Section 367-B of the Salvadoran Penal Code, given that the Special Law Against Trafficking in Persons did not take effect until January 12, 2015.(26)

During the reporting period, ISNA assisted 93 children who were rescued from the worst forms of child labor, including 35 children engaged in commercial sexual exploitation, 17 children engaged in forced begging, and 13 children engaged in illicit activities. ISNA also referred 13 female victims of trafficking to a government shelter.(4)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee for the Eradication of Child Labor (CNETI)	Determine and implement government efforts to combat child labor, including the Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms. Chaired by the MTPS and includes 12 government agencies, along with representatives from labor unions, business associations, and NGOs.(3, 13, 44) Utilize a Web-based monitoring system that allows government agencies to share and analyze information on their agencies to coordinate the implementation of the Roadmap.(45-47)
National Council Against Trafficking in Persons (CNCTP)	Coordinate government efforts to combat trafficking in persons, including by implementing the National Policy Against Trafficking in Persons.(48) Headed by the Ministry of Justice and Public Security, and composed of 11 government ministries and law enforcement agencies. Made permanent by the Special Law Against Trafficking in Persons, and administered by an Executive Secretariat and a Technical Committee.(1, 26, 32)
National Council for Children and Adolescents (CONNA)	Develop policies to protect the rights of children, including child labor policies, and implement the LEPINA and the National Policy for the Protection of Children and Adolescents (PNPNA).(30, 49, 50) Composed of Departmental and Local Committees for Children's and Adolescents' Rights, ISNA, the Ministry of Public Security and Justice, the AG, the Human Rights Ombudsman, and other agencies.(13)
Departmental and Local Committees for Children's and Adolescents' Rights	Implement CONNA's policies, including the PNPNA, at the departmental and municipal levels, as well as receive complaints of child rights violations at the departmental level. Composed of local elected officials, government specialists in public health and education, and members of civil society.(30, 51, 52)

In 2014, the National Committee for the Eradication of Child Labor (CNETI) met to review its members' progress in implementing the Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms.(44) Also during the reporting period, the National Council for Children and Adolescents (CONNA) continued to provide technical assistance in developing the Departmental and Local Committees for Children's and Adolescents' Rights, as mandated by the Law for the Comprehensive Protection of Children and Adolescents (LEPINA).(51, 52) With funding from the ILO and the Salvadoran Chamber of Farming and Agro Industries (CAMAGRO), CONNA also conducted an outreach campaign on the prevention and eradication of child labor in agriculture and associated sectors that involved more than 1,000 parents, 180 youth, and 125 employers.(4) In addition, CONNA published a Public Registry of civil associations that monitor and advocate for the rights of children and adolescents for 2014. Along with ISNA, the 39 associations contained in this Public Registry comprise the Network of Shared Services.(53)



Despite these efforts, challenges remain. CONNA does not have sufficient resources to implement all of its mandates established by the LEPINA. As a result, it cannot fully implement the interagency coordination mechanisms it has developed to combat child labor and protect children's rights.(13, 54)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of El Salvador has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms	Serves as the Government's main policy framework to eliminate the worst forms of child labor. Aims to eliminate the worst forms of child labor by 2015, and all child labor by 2020, by reducing poverty, improving education and health, protecting children's rights, raising awareness, and generating knowledge.(1, 55)
National Policy for the Protection of Children and Adolescents (2013–2023) (PNPNA)	Sets government policies and action plans aimed at guaranteeing children's rights and protecting them from violence and harm, including the worst forms of child labor. Objectives include improving health services for children, improving access to quality education, improving services for children with disabilities, reducing poverty among children, and others.(50) Drafted and launched by CONNA after it consulted thousands of children and adults throughout El Salvador per its mandate by the LEPINA.(56)
National Policy Against Trafficking in Persons	Defines a comprehensive plan to combat human trafficking of both adults and children, including commercial sexual exploitation, labor exploitation, begging, pornography, and sex tourism. Aims to improve prevention efforts, victim assistance, prosecution, interagency coordination, training, and anti-corruption efforts.(1, 57, 58)
Inclusive Education Policy	Defines actions that the Ministry of Education (MINED) should implement to improve education for marginalized and excluded groups, including child laborers.(1, 59)
National Youth Policy (2010–2024)*	Outlines the Government's strategy to provide integrated services to socially excluded youth. Includes the goal of providing vocational training and creating 50,000 temporary jobs for youth.(60)
Alliance for Prosperity in the Northern Triangle†	Aims to create economic growth, increase educational and vocational training opportunities for youth, and reduce violence in Honduras, Guatemala, and El Salvador, in part to reduce the number of unaccompanied minors who leave El Salvador and other Central American countries for the United States and who are vulnerable to human trafficking. Signed by the presidents of each country in 2014.(61-63)
Partnership for Growth: Joint Country Action Plan between El Salvador and the United States (2011–2015)	Aims to promote broad-based economic growth in El Salvador, with a focus on human capital development and crime prevention, including the provision of assistance to at-risk youth.(64, 65)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by El Salvador at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(66-68)
Memorandum of Understanding between El Salvador and Colombia on Preventing and Investigating Trafficking in Persons and Assisting Victims	Establishes joint actions between Salvadoran and Colombian government agencies to improve their coordination in preventing and investigating human trafficking cases, and protecting victims. Signed in 2013.(69)
Central American Regional Coalition to Combat Human Trafficking	Aims to improve government and civil society efforts to combat human trafficking in Central America. Includes the participation of civil society organizations and the national police and public prosecutor's offices in Central America, including those of the Government of Guatemala.(70-72) Includes a Memorandum of Understanding between El Salvador and Guatemala on Protecting Trafficking Victims and the Illicit Trafficking of Migrants, which establishes actions for the Governments of Guatemala and El Salvador to improve the protection of trafficking victims and reduce the trafficking of migrants along the Guatemala-El Salvador border. Includes a focus on improving services for children.(70-72)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

# El Salvador

## SIGNIFICANT ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of El Salvador funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Project to Combat Child Labor in El Salvador	\$14 million USDOL-funded, 4-year project implemented by ILO-IPEC to combat child labor, including by strengthening national and municipal government capacity to address child labor.(22, 73) As of October 2014, has provided educational or vocational services to 9,377 children engaged in, or at risk of engaging in child labor. In 2014, MINED implemented a teacher-training diploma program for 200 teachers in municipalities where child labor is prevalent so that they may better respond to students' educational and social needs, and to help prevent child labor.(74, 75)
Child Labor Measurement and Policy Development (MAP)	USDOL-funded research project implemented by the ILO in 10 countries, including El Salvador, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(76)
Solidarity Communities Programs ( <i>Comunidades Solidarias</i> )*‡	Government programs implemented in the poorest municipalities to reduce social exclusion and boost household income by increasing access to public services and building human capital. Includes Health and Education Bonus Programs that assist more than 100,000 families with cash transfers conditioned on children's school attendance and regular health checkups.(1, 77-79) Includes the Temporary Income Support Program (PATI) that provides financial support and vocational training to beneficiaries age 16 and older and female heads of household who face poverty. PATI is financed with support from the World Bank.(1, 77-79)
School Meal and School Supply Programs*‡	MINED programs that provide low-income children with school meals and school supplies, including uniforms, to encourage school attendance.(80-82) In 2014, expanded to assist 1.4 million students with school meals.(83)
Inclusive Full-Time School Program ( <i>Escuela Inclusiva de Tiempo Pleno</i> )*‡	Government program that provides extracurricular programs in schools, such as art and entrepreneurship classes, to extend the school day and prevent children from becoming involved in harmful activities. Funded by the World Bank, USAID, the Millennium Challenge Corporation, and others, with the Government providing \$10.2 million.(4, 84, 85) Begun in 2011; in 2014, the program expanded to incorporate 1,620 schools in 100 municipalities across the country.(4, 86)
School Prevention and Security Plan*‡	Programs implemented by MINED, the Ministry of Justice and Public Security, and the PNC in schools with high levels of violence. Includes activities such as providing psychological help, skills workshops for youth, crisis intervention, and increased police patrols.(87) In 2014, continued to operate in 345 schools.(88)
"Don't Put Your Lives at Risk" Public Awareness Campaign ( <i>No pongas en riesgo sus vidas</i> )†‡	CONNA campaign that sensitizes children and their families to the dangers of irregular and unaccompanied migration, including the risks of being trafficked and forced to engage in commercial sexual exploitation. Supported by UNICEF and IOM.(89)
Public Awareness Campaigns on Child Labor‡	Government public awareness campaigns implemented by MINED, the Ministry of Health, CONNA, and others to inform children about the dangers of child labor, including manufacturing and handling fireworks.(90, 91) In 2014, MINED implemented awareness efforts in 74 school districts with high levels of child labor.(4)
Research on Trafficking in Persons and Victims' Assistance Programs‡	Government program to conduct research on trafficking routes in El Salvador, and provide shelter and medical assistance to female victims of trafficking, including children.(92)
First I Learn ( <i>Primero Aprendo en Centroamérica</i> )	MTPS project implemented with the Ministries of Labor from Nicaragua and Guatemala that assisted 1,000 children at risk of commercial sexual exploitation in the three countries. Provided training to businesses in the tourism sector on commercial sexual exploitation and developed a manual for workers on the prevention and eradication of child labor.(4)
Education and Monitoring Program for the Eradication of Child Labor	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC to strengthen public policies and government capacity to combat child labor in 19 countries in the Americas, including El Salvador. A main objective of the project is to develop information systems on the worst forms of child labor.(93)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of El Salvador.

The Government implements several programs to reduce the worst forms of child labor by assisting poor families and school children; however, research found no evidence that the Government has programs that assist child laborers who may not be living with their families or attending school, such as children engaged in domestic service. In addition, although government programs have expanded basic education coverage, gang violence has hindered efforts to increase school enrollment and decrease dropout rates.(94, 95)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in El Salvador (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that monetary penalties for child labor violations are proportionate to the nature and seriousness of the offence.	2009 – 2014
Enforcement	Ensure the number of labor inspectors is sufficient to fully enforce child labor laws.	2014
	Provide sufficient funding and resources to the MTPS and criminal law enforcement agencies to fully enforce child labor laws.	2010 – 2014
	Strengthen enforcement of child labor and other laws by streamlining the labor inspection process and the issuance of fines.	2009 – 2014
	Publicly report on the sectors and geographical regions in which labor inspections are conducted, on the activities in which children are engaged in child labor, and on penalties or citations issued for child labor law violations.	2014
	Implement and fund the Special Law Against Trafficking in Persons to improve coordination between the PNC and the AG in their investigation and prosecution of criminal cases, as well as their referral of cases to social service providers.	2014
	Establish a code of conduct for Internet service providers, cell phone operators, and search engines to combat child pornography by reporting cases, blocking sites, and retaining information for investigations.	2009 – 2014
Coordination	Provide sufficient funding to CONNA to fully implement the LEPINA.	2012 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the National Youth Policy for 2010–2024.	2014
Social Programs	Improve children's access to education by: <ul style="list-style-type: none"> <li>■ Expanding childcare options for working mothers to allow girls to go to school.</li> <li>■ Ensuring that school children are safe in schools.</li> </ul>	2011 – 2014
	Conduct a study on the use of children in illicit activities.	2009 – 2014
	Assess the impact that existing social programs, such as the Solidarity Communities Programs, have on addressing child labor.	2014
	Implement programs to address child labor in domestic service.	2014

### REFERENCES

- UCW. *Entendiendo los Resultados del Trabajo Infantil y el Empleo Juvenil en El Salvador*. Rome; June 2013. [http://www.ucw-project.org/attachment/trabajo\\_infantil\\_empleo\\_juvenil\\_el\\_salvador\\_201320130912\\_132756.pdf](http://www.ucw-project.org/attachment/trabajo_infantil_empleo_juvenil_el_salvador_201320130912_132756.pdf).
- U.S. Department of State. "El Salvador," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226846.pdf>.
- Government of El Salvador. *Respuesta a Cuestionario del Departamento de Trabajo de los Estados Unidos sobre Trabajo Infantil y Trabajo Forzoso*. San Salvador; May 3, 2013.
- U.S. Embassy- San Salvador. *reporting, January 8, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta de Hogares de Propósitos Múltiples, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UL. *The Sugar Association of El Salvador Case Study*; 2013. [http://www.ul.com/global/documents/verification/services/businessesgments/RS/MC202\\_AAES\\_CaseStudy\\_F\\_Web.pdf](http://www.ul.com/global/documents/verification/services/businessesgments/RS/MC202_AAES_CaseStudy_F_Web.pdf).
- U.S. Embassy- San Salvador. *reporting, February 28, 2014*.
- Alas, M. "La isla encantada de dolor." *ContraPunto.com* [online] March 14, 2011 [cited April 10, 2014]; <http://www.archivocp.contrapunto.com.sv/pobreza/la-isla-encantada-de-dolor>.
- Fuentes, L. "Niños trabajan en peores condiciones en Usulután." *La Prensa Gráfica*, San Salvador, March 20, 2011; El Salvador. <http://www.laprensagrafica.com/el-salvador/lodeldia/179415-ninos-trabajan-en-peores-condiciones-en-usulutun.html>.
- La Prensa Gráfica. "Dos niños quemados tras explosión de cohetes." *laprensagrafica.com* [online] December 24, 2014 [cited January 5, 2015]; <http://www.laprensagrafica.com/2014/12/24/dos-ninos-quemados-tras-explosion-de-coheteria>.
- Salvadoran National Institute for the Full Development of Children (ISNA). *Situación del trabajo infantil en el municipio de Juayúa*. San Salvador, ISNA and ILO; 2012. <http://bit.ly/12LlqPk>.
- U.S. Embassy- San Salvador. *reporting, February 1, 2013*.
- Lopez, J. "Cinco de cada 10 casos de explotación sexual son niños." *El Salvador.com* [online] October 28, 2011 [cited April 10, 2014]; [http://www.elsalvador.com/mwedh/nota/nota\\_completa.asp?idCat=47654&cidArt=6334056](http://www.elsalvador.com/mwedh/nota/nota_completa.asp?idCat=47654&cidArt=6334056).
- AFP. "Maras" salvadoreñas confirman inédita tregua y declaran escuelas como "zonas de paz." *El Mercurio*, Santiago, May 3, 2012; *Mundo*. <http://www.emol.com/noticias/internacional/2012/05/03/538611/maras-salvadorenas-confirman-inedita-tregua-y-declaran-escuelas-como-zonas-de-paz.html>.

16. El Diario de Hoy. "Maras aún reclutan a menores de edad para delinquir." [elsalvador.com](http://www.elsalvador.com/mwedh/nota/nota_completa.asp?idCat=47859&idArt=7622016) [online] January 21, 2013 [cited December 11, 2014]; [http://www.elsalvador.com/mwedh/nota/nota\\_completa.asp?idCat=47859&idArt=7622016](http://www.elsalvador.com/mwedh/nota/nota_completa.asp?idCat=47859&idArt=7622016).
17. U.S. Department of State. "El Salvador," in *Trafficking in Persons Report- 2013*. Washington, DC; April 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/2013/>.
18. Dennis Stinchcomb and Eric Hershberg. *Unaccompanied Migrant Children from Central America: Context, Causes, and Responses*. Center for Latin American & Latino Studies, American University; 2014 November. [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2524001](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2524001).
19. United States Conference of Catholic Bishops. *Mission to Central America: The Flight of Unaccompanied Children to the United States*; November 2013. <http://www.usccb.org/about/migration-policy/upload/Mission-To-Central-America-FINAL-2.pdf>.
20. Government of El Salvador - Dirección General de Estadística y Censos. "Encuesta de Hogares de Propósitos Múltiples 2013." [digestyc.gov.sv](http://www.digestyc.gov.sv/index.php/temas/des/ehpm/publicaciones-ehpm.html) [online] 2014 [cited December 11, 2014]; <http://www.digestyc.gov.sv/index.php/temas/des/ehpm/publicaciones-ehpm.html>.
21. ILO-IPEC. *Niños, Niñas y Adolescentes Migrantes Trabajadores en Zonas Fronterizas en Centroamérica y Panamá*. San Jose; November 2014. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productid=25695>.
22. ILO-IPEC. *Eliminating Child Labour in El Salvador through Economic Empowerment and Social Inclusion*. Project Document. Geneva; December 2010.
23. El Diario de Hoy. "Maras Reclutan en Centros Educativos." [elsalvador.com](http://www.elsalvador.com/mwedh/nota/nota_completa.asp?idCat=6342&idArt=4569633) [online] March 2, 2010 [cited January 25, 2013]; [http://www.elsalvador.com/mwedh/nota/nota\\_completa.asp?idCat=6342&idArt=4569633](http://www.elsalvador.com/mwedh/nota/nota_completa.asp?idCat=6342&idArt=4569633).
24. El Mundo. "Simeduco denuncia acoso de pandillas y falta de presupuesto." [elmundo.com](http://elmundo.com.sv/simeduco-denuncia-acoso-de-pandillas-y-falta-de-presupuesto/) [online] March 17, 2015 [cited April 21, 2015]; <http://elmundo.com.sv/simeduco-denuncia-acoso-de-pandillas-y-falta-de-presupuesto/>.
25. El Mundo. "Estudiantes abandonan escuela ante supuestas amenazas." [elmundo.com](http://elmundo.com.sv/estudiantes-abandonan-escuela-ante-supuestas-amenazas/) [online] March 18, 2015 [cited April 21, 2015]; <http://elmundo.com.sv/estudiantes-abandonan-escuela-ante-supuestas-amenazas/>.
26. U.S. Embassy- San Salvador. *reporting, February 17, 2015*.
27. Ministerio de Trabajo y Prevision Social. "EHPM 2013 - El trabajo infantil en El Salvador se redujo en un 11.9%." [mtps.gov.sv](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=1823:ehpm-2013-el-trabajo-infantil-en-el-salvador-se-redujo-en-un-119&catid=1:noticias-ciudadano&Itemid=77) [online] June 12, 2014 [cited December 11, 2014]; [http://www.mtps.gov.sv/index.php?option=com\\_content&view=article&id=1823:ehpm-2013-el-trabajo-infantil-en-el-salvador-se-redujo-en-un-119&catid=1:noticias-ciudadano&Itemid=77](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=1823:ehpm-2013-el-trabajo-infantil-en-el-salvador-se-redujo-en-un-119&catid=1:noticias-ciudadano&Itemid=77).
28. Government of El Salvador. *Constitución de la República de El Salvador (with reforms until 2009)*, enacted 1983. <http://bit.ly/11XqQew>.
29. Government of El Salvador. *Código de Trabajo*, No. 15, enacted June 23, 1972. <http://www.asamblea.gob.sv/eparlamento/indice-legislativo/buscador-de-documentos-legislativos/codigo-de-trabajo>.
30. Government of El Salvador. *Ley de Protección Integral de la Niñez y la Adolescencia*, enacted 2009. <http://www.asamblea.gob.sv/eparlamento/indice-legislativo/buscador-de-documentos-legislativos/ley-de-proteccion-integral-de-la-ninez-y-adolescencia>.
31. Government of El Salvador. *Acuerdo No. 241*, enacted July 8, 2011. <http://www.diariooficial.gob.sv/diarios/do-2011/08-agosto/15-08-2011.pdf>.
32. Government of El Salvador. *Ley Especial Contra la Trata de Personas*, No. 824, enacted November 14, 2014. <http://www.asamblea.gob.sv/eparlamento/indice-legislativo/buscador-de-documentos-legislativos/ley-especial-contrala-trata-de-personas>.
33. Government of El Salvador. *Código Penal (with modifications until 2010)*, No. 1030, enacted June 15, 1974. [http://www.oas.org/dil/esp/Codigo\\_Penal\\_El\\_Salvador.pdf](http://www.oas.org/dil/esp/Codigo_Penal_El_Salvador.pdf).
34. Government of El Salvador. *Ley del Servicio Militar y Reserva de la Fuerza Armada*, No. 298 de 1992, enacted July 30, 1992. <http://www.refworld.org/docid/4c73c69d2.html>.
35. Government of El Salvador. *Ley General de Educación*, No. 917, enacted 1996. <http://www.asamblea.gob.sv/eparlamento/indice-legislativo/buscador-de-documentos-legislativos/ley-general-de-educacion>.
36. Government of El Salvador. "Asamblea aprueba Ley Especial contra la Trata de Personas." [asamblea.gob.sv](http://www.asamblea.gob.sv/noticias/archivo-de-noticias/asamblea-aprueba-ley-especial-contrala-trata-de-personas) [online] October 16, 2014 [cited December 10, 2014]; <http://www.asamblea.gob.sv/noticias/archivo-de-noticias/asamblea-aprueba-ley-especial-contrala-trata-de-personas>.
37. Ministerio de Trabajo y Prevision Social. "Titulares de Trabajo presentan Anteproyecto de Ley ante Comisión de Trabajo de Asamblea." [mtps.gov.sv](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=1787:titulares-de-trabajo-presentan-anteproyecto-de-ley-ante-comision-de-trabajo-de-asamblea&catid=1:noticias-ciudadano&Itemid=77) [online] May 1, 2014 [cited December 11, 2014]; [http://www.mtps.gov.sv/index.php?option=com\\_content&view=article&id=1787:titulares-de-trabajo-presentan-anteproyecto-de-ley-ante-comision-de-trabajo-de-asamblea&catid=1:noticias-ciudadano&Itemid=77](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=1787:titulares-de-trabajo-presentan-anteproyecto-de-ley-ante-comision-de-trabajo-de-asamblea&catid=1:noticias-ciudadano&Itemid=77).
38. Ministerio de Trabajo y Prevision Social. "Suscriben Convenio para Erradicar Trabajo Infantil y Fomentar el Empleo Juvenil." [mtps.gov.sv](http://www.mtps.gov.sv/index.php?option=com_content&view=article&catid=1:noticias-ciudadano&id=559:suscriben-convenio-para-erradicar-trabajo-infantil-y-fomentar-el-empleo-juvenil&Itemid=77) [online] March 4, 2011 [cited December 15, 2014]; [http://www.mtps.gov.sv/index.php?option=com\\_content&view=article&catid=1:noticias-ciudadano&id=559:suscriben-convenio-para-erradicar-trabajo-infantil-y-fomentar-el-empleo-juvenil&Itemid=77](http://www.mtps.gov.sv/index.php?option=com_content&view=article&catid=1:noticias-ciudadano&id=559:suscriben-convenio-para-erradicar-trabajo-infantil-y-fomentar-el-empleo-juvenil&Itemid=77).
39. Flores, H. "Consejo Nacional contra la Trata de Personas pide a población denunciar casos." [Transparencia Activa](http://www.transparenciaactiva.gob.sv/consejo-nacional-contrala-trata-de-personas-pide-a-poblacion-denunciar-casos/), September 5, 2014. <http://www.transparenciaactiva.gob.sv/consejo-nacional-contrala-trata-de-personas-pide-a-poblacion-denunciar-casos/>.
40. Instituto Salvadoreño para el Desarrollo Integral de la Niñez y Adolescencia (ISNA). "Áreas de Trabajo." [gov.sv](http://www.isna.gob.sv/ISNA/index.php?option=com_content&view=article&id=51&Itemid=86) [online] August 9, 2011 [cited December 15, 2014]; [http://www.isna.gob.sv/ISNA/index.php?option=com\\_content&view=article&id=51&Itemid=86](http://www.isna.gob.sv/ISNA/index.php?option=com_content&view=article&id=51&Itemid=86).
41. ILO. *Memorando Técnico: Diagnóstico de la situación de la inspección del trabajo en El Salvador*. Geneva, Labor Administration and Inspection Programme; 2009. <http://bit.ly/XBFmBh>.
42. UN Committee on the Rights of the Child. *Consideration of reports submitted by States parties under article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Concluding Observations: El Salvador*. Geneva; February 12, 2010. <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-OPSC-SLV-CO1.pdf>.
43. UN Committee on the Rights of the Child. *Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, Najat Maalla M'jid*. Geneva; February 04, 2011. Report No. A/HRC/16/57/Add.4. <http://www.unhcr.org/refworld/country,,UNHRC,,SLV,,4d8339d82,0.html>.
44. Ministerio de Trabajo y Prevision Social. "Se reactiva Comité Nacional para la Erradicación de las Peores Formas de Trabajo Infantil." [mtps.gov.sv](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=2051:se-reactiva-comite-nacional-para-la-erradicacion-de-las-peores-formas-de-trabajo-infantil&catid=1:noticias-ciudadano&Itemid=77) [online] November 13, 2014 [cited December 10, 2014]; [http://www.mtps.gov.sv/index.php?option=com\\_content&view=article&id=2051:se-reactiva-comite-nacional-para-la-erradicacion-de-las-peores-formas-de-trabajo-infantil&catid=1:noticias-ciudadano&Itemid=77](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=2051:se-reactiva-comite-nacional-para-la-erradicacion-de-las-peores-formas-de-trabajo-infantil&catid=1:noticias-ciudadano&Itemid=77).
45. ILO-IPEC. *Eliminating Child Labour in El Salvador through Economic Empowerment and Social Inclusion*. Technical Progress Report. Geneva; October, 2013.
46. Ministry of Labor and Social Welfare. *Ministro Centeno preside reunión del Comité Nacional Erradicación Trabajo Infantil*. Press Release. San Salvador; May 29, 2013. [http://www.mtps.gov.sv/index.php?option=com\\_content&view=article&id=1518:ministro-centeno-preside-reunion-del-comite-nacional-erradicacion-trabajo-infantil&catid=1:noticias-ciudadano&Itemid=77](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=1518:ministro-centeno-preside-reunion-del-comite-nacional-erradicacion-trabajo-infantil&catid=1:noticias-ciudadano&Itemid=77).
47. Ministerio de Trabajo y Prevision Social. "Lanzamiento de Sistema de Monitoreo y Evaluación del Trabajo Infantil." [mtps.gov.sv](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=1563:lanzamiento-de-sistema-de-monitoreo-y-evaluacion-del-trabajo-infantil&catid=1:noticias-ciudadano&Itemid=77) [online] June 28, 2013 [cited December 10, 2014]; [http://www.mtps.gov.sv/index.php?option=com\\_content&view=article&id=1563:lanzamiento-de-sistema-de-monitoreo-y-evaluacion-del-trabajo-infantil&catid=1:noticias-ciudadano&Itemid=77](http://www.mtps.gov.sv/index.php?option=com_content&view=article&id=1563:lanzamiento-de-sistema-de-monitoreo-y-evaluacion-del-trabajo-infantil&catid=1:noticias-ciudadano&Itemid=77).
48. Government of El Salvador. *Decreto No. 90*, enacted August 26, 2011. <http://www.diariooficial.gob.sv/diarios/do-2011/08-agosto/26-08-2011.pdf>.
49. Government of El Salvador. *CONNA, Quienes Somos*, [online] January 16, 2013 [cited April 10, 2014]; <http://www.conna.gob.sv/index.php/institucion/marco-institucional.html>.
50. Government of El Salvador. *Política Nacional de Protección Integral de la Niñez y de la Adolescencia*. San Salvador, National Council for Children and Adolescents; May 16, 2013. [http://centroamericajuven.org/sites/default/files/POLITICA\\_NIEZ\\_Y\\_ADOLESCENCIA\\_version\\_final.pdf](http://centroamericajuven.org/sites/default/files/POLITICA_NIEZ_Y_ADOLESCENCIA_version_final.pdf).
51. National Council for Children and Adolescents. "Avanza proceso de instalación de Comités Locales de Derechos en Municipios." [conna.gob.sv](http://www.conna.gob.sv/index.php/novedades/noticias/item/180-avanza-proceso-de-instalacion-de-comites-locales-de-derechos-en-municipios.html) [online] November 18, 2014 [cited December 10, 2014]; <http://www.conna.gob.sv/index.php/novedades/noticias/item/180-avanza-proceso-de-instalacion-de-comites-locales-de-derechos-en-municipios.html>.



52. National Council for Children and Adolescents. “CONNA inauguró Junta de Protección de la Niñez y de la Adolescencia Dos en el departamento de San Salvador.” conna.gob.sv [online] March 21, 2014 [cited December 10, 2014]; <http://www.conna.gob.sv/index.php/novedades/noticias/item/135-conna-inaugur%C3%B3-junta-de-protecci%C3%B3n-de-la-ni%C3%B1ez-y-de-la-adolescencia-dos-en-el-departamento-de-san-salvador.html>.
53. National Council for Children and Adolescents. *Directorio de Entidades de Atención de la Niñez y de la Adolescencia, Red de Atención Compartida*; October 2014 <http://www.conna.gob.sv/phocadownload/directorio%20entidades%20de%20atencion%20registro%20publico%2030102014.pdf>.
54. ISNA. *Boletín Informativo*. Press Release. San Salvador; July 16, 2012. <http://bit.ly/18loh7c>.
55. ILO-IPEC. *Hoja de Ruta para hacer de El Salvador un País Libre de Trabajo Infantil y sus Peores Formas*. Geneva; 2009. <http://white.oit.org/pe/ipcc/pagina.php?pagina=337>.
56. National Council for Children and Adolescents. *CONNA rinde cuentas a la ciudadanía*. Press Release. San Salvador; October 1, 2013. <http://www.conna.gob.sv/index.php/novedades/noticias.html?start=12>.
57. Government of El Salvador. *Política Nacional contra la Trata de Personas de El Salvador*. San Salvador; 2012. <http://bit.ly/Tw111L>.
58. U.S. Embassy- San Salvador. *reporting, February 15, 2013*.
59. Government of El Salvador. *Política de Educación Inclusiva: Para todas y todos*. San Salvador; 2010. [https://www.mined.gob.sv/jdownloads/Politicas/politica\\_educacion\\_inclusiva.pdf](https://www.mined.gob.sv/jdownloads/Politicas/politica_educacion_inclusiva.pdf).
60. Government of El Salvador. *Política Nacional de Juventud 2010-2024 y Plan Acción 2010-2014*. San Salvador; August 2010. <http://bit.ly/AyWIEE>.
61. Inter-American Development Bank. *Presidentes de El Salvador, Guatemala y Honduras presentan plan de Alianza para Prosperidad en Triángulo Norte*; November 14, 2014 <http://www.iadb.org/es/noticias/comunicados-de-prensa/2014-11-14/presidentes-del-triangulo-norte-presentan-plan.10987.html>.
62. Governments of El Salvador Guatemala and Honduras. *Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map*; September 2014. <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>.
63. The White House - Office of the Press Secretary. “Fact Sheet: Support for the Alliance for Prosperity in the Northern Triangle.” whitehouse.gov [online] March 3, 2015 [cited March 24, 2015]; <https://www.whitehouse.gov/the-press-office/2015/03/03/fact-sheet-support-alliance-prosperity-northern-triangle>.
64. U.S. Department of State. *Partnership for Growth: El Salvador 2011- 2015*, U.S. Department of State, [online] November 3, 2011 [cited December 15, 2014]; <http://www.state.gov/p/wha/rls/fs/2011/176636.htm>.
65. Governments of El Salvador and the United States. *Partnership for Growth: Joint Country Action Plan 2011 - 2015*. Washington, DC and San Salvador; November 2011. [http://photos.state.gov/libraries/elsalvador/92891/octubre2011/Joint\\_Country\\_Action\\_Plan.pdf](http://photos.state.gov/libraries/elsalvador/92891/octubre2011/Joint_Country_Action_Plan.pdf).
66. “Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO’s 18th Regional Meeting of the Americas, October 14, 2014.” [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b3l.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b3l.pdf).
67. ILO. “18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour.” October 17, 2014. [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
68. UN News Centre. “At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour.” October 15, 2014. <http://www.un.org/apps/news/printnews.asp?nid=49082>.
69. Colombian Ministry of Foreign Affairs. *Colombia y El Salvador unen esfuerzos para prevenir y enfrentar la trata de personas*, Colombian Ministry of Foreign Affairs, [online] September 27, 2013 [cited April 10, 2014]; <http://www.cancilleria.gov.co/newsroom/news/colombia-y-salvador-unen-esfuerzos-prevenir-y-enfrentar-la-trata-personas>
70. UN Human Rights Council. *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid: Addendum: Mission to Guatemala*. Geneva; January 21, 2013. Report No. A/ HRC/22/54/Add.1. [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-54-Add1\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-54-Add1_en.pdf).
71. Government of Guatemala and Government of El Salvador. *Memorandum de Entendimiento entre la República de El Salvador y la República de Guatemala para la Protección de las Víctimas de la Trata de Personas y del Tráfico Ilícito de Migrantes*. San Salvador and Guatemala City; 2011. [https://www.oas.org/dil/esp/Memorandum\\_de\\_Entendimiento\\_Guatemala\\_El\\_Salvador\\_Trata\\_de\\_Persona.pdf](https://www.oas.org/dil/esp/Memorandum_de_Entendimiento_Guatemala_El_Salvador_Trata_de_Persona.pdf).
72. EFE. “Instan a Centroamérica a articular medidas contra la trata de personas.” abc.es [online] September 9, 2013 [cited May 21, 2015]; <http://www.abc.es/agencias/noticia.asp?noticia=1492206>.
73. ILO-IPEC. *Eliminating Child Labour in El Salvador through Economic Empowerment and Social Inclusion*. Project Revision No. 1. Geneva; November 30, 2011.
74. ILO-IPEC. *Eliminating Child Labour in El Salvador through Economic Empowerment and Social Inclusion*. Technical Progress Report. Geneva; October, 2014.
75. Ministerio de Educación. “Estrategias Metodológicas para la Educación Inclusiva.” mined.gob.sv [online] May 26, 2014 [cited December 9, 2014]; <http://www.mined.gob.sv/index.php/ints/item/6928-clausuran-diplomado-educaci%C3%B3n-inicial.html>.
76. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP)*. Technical Progress Report. Geneva; April 2014.
77. Government of El Salvador. *Plan Quinquenal de Desarrollo 2010-2014*. San Salvador; May 2010. [http://tecnica.presidencia.gob.sv/index.php?option=com\\_content&view=article&id=54&Itemid=108](http://tecnica.presidencia.gob.sv/index.php?option=com_content&view=article&id=54&Itemid=108).
78. Presidencia de la República. *Avances en la implementación de Comunidades Solidarias*, Presidencia de la República, [online] February 6, 2012 [cited April 10, 2014]; <http://bit.ly/11gvmFa>.
79. Government of El Salvador. *Comunidades Solidarias: Resultados e Impacto*, [online] September 9, 2010 [cited April 10, 2014]; <http://www.fisdll.gob.sv/novedades/ciudadano/item/9172-comunidades-solidarias-resultados-e-impactos#.U0a7GrspCuk>.
80. Ministerio de Educación. “Programa de Alimentación y Salud Escolar.” mined.gob.sv [online] March 14, 2012 [cited December 12, 2014]; <http://www.mined.gob.sv/index.php/temas/programas-del-plan-social-educativo/item/5480-programa-de-alimentaci%C3%B3n-y-salud-escolar.html>.
81. Ministerio de Educación. “Programa Presidencial de Dotación de Paquetes Escolares.” mined.gob.sv [online] March 14, 2012 [cited December 12, 2014]; <http://www.mined.gob.sv/index.php/temas/programas-del-plan-social-educativo/item/5479-programa-presidencial-de-dotaci%C3%B3n-de-paquetes-escolares.html>.
82. Government of El Salvador. *Mayor inversión educativa y generación de empleos* [online] January 21, 2013 [cited January 30, 2013]; <http://www.mined.gob.sv/index.php/component/k2/item/6099-mayor-inversi%C3%B3n-educativa-y-generaci%C3%B3n-de-empleos.html>.
83. Voces. “MINED verificó funcionamiento de programa alimentación escolar.” voces.org.sv [online] March 7, 2014 [cited December 12, 2014]; <http://voces.org.sv/2014/03/07/mined-verifico-funcionamiento-de-programa-alimentacion-escolar/>.
84. Segura, B. “MINED expandirá el Sistema Integrado de Escuela Inclusiva de Tiempo Pleno a 900 escuelas en 2013.” *Diario Co Latino*, San Salvador, November 3, 2012. <http://bit.ly/Vwgvj>.
85. Alvarado, T. “Escuelas a Tiempo Pleno un modelo transformador de la educación.” *Transparencia Activa*, January 23 2013. <http://www.transparenciaactiva.gob.sv/escuelas-a-tiempo-pleno-un-modelo-transformador-de-la-educacion/>.
86. Alvarado, T. “Programa de Escuelas a Tiempo Pleno se extiende a 2,285 centros educativos.” *Transparencia Activa*, July 25, 2014. <http://www.transparenciaactiva.gob.sv/programa-de-escuelas-a-tiempo-pleno-se- extiende-a-2285-centros-educativos/>.
87. Ministerio de Educación. *Prevención y protección escolar*, Ministerio de Educación, [online] January 30, 2012 [cited December 12, 2014]; <http://www.mined.gob.sv/index.php/novedades/noticias/item/5387-prevenci%C3%B3n-y-protecci%C3%B3n-escolar.html>.



# El Salvador

## SIGNIFICANT ADVANCEMENT

88. Ministerio de Educación. “Plan de Prevención y Seguridad Escolar en Chalatenango.” [mined.gob.sv](http://www.mined.gob.sv) [online] March 4, 2014 [cited December 12, 2014]; <http://www.mined.gob.sv/index.php/ints/item/6824-plan-de-prevenci%C3%B3n-y-seguridad-escolar-en-chalatenango.html>.
89. National Council for Children and Adolescents. “CONNA acompaña presentación de campaña “No pongas en riesgo sus vidas.”” [conna.gob.sv](http://www.conna.gob.sv) [online] July 15, 2014 [cited December 10, 2014]; <http://www.conna.gob.sv/index.php/novedades/noticias/item/158-conna-acompa%C3%B1a-presentaci%C3%B3n-de-campa%C3%B1a-%E2%80%9Cno-pongas-en-riesgo-sus-vidas%E2%80%9D.html>.
90. National Council for Children and Adolescents. *CONNA participa en pre lanzamiento de campaña “No existe pólvora segura”*. Press Release. San Salvador; October 1, 2013. <http://www.conna.gob.sv/index.php/novedades/noticias/item/116-campa%C3%B1a.html>.
91. Ventura, AM. *Lanzan campaña para sensibilizar sobre el riesgo del uso de la pólvora* Radio Nacional de El Salvador; November 19, 2014. <http://rnes.sv/lanzan-campa%C3%B1a-para-sensibilizar-sobre-el-riesgo-del-uso-de-la-polvora/>.
92. U.S. Embassy- San Salvador. *reporting, March 25, 2014*.
93. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
94. Hernández, C. “Reconocen que la violencia influye en baja de escolares.” *El Mundo*, San Salvador, May 30, 2012. <http://elmundo.com.sv/reconocen-que-la-violencia-influye-en-baja-de-escolares>.
95. Morán, O. “Inseguridad, principal causa de deserción escolar en el país según Educación.” *Diario La Página*, San Salvador, May 30, 2012. <http://www.lapagina.com.sv/ampliar.php?id=67087>.

In 2014, Eritrea made efforts to eliminate the worst forms of child labor, but was also complicit in the use of forced child labor and forced military recruitment of children. While the Government ratified the Palermo Protocol on Trafficking in Persons, Eritrea is receiving this assessment of no advancement because it continued to require children to participate in a national program called Maetot, under which children in grades 9 to 11 engage in agricultural, environmental, or hygiene-related public works projects for varying amounts of time during their annual summer holidays from school. In addition, although Eritrean law prohibits the recruitment of children under age 18 into the armed forces, there may be children enrolled in the Government's compulsory military training program. Gaps in the legal framework exist, including a lack of specific penalties for employers of children in hazardous work and employers of children under the minimum age for work.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Eritrea are engaged in child labor, including in agriculture and street work.(1-4) Table 1 provides key indicators on children's work and education in Eritrea. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		31.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of corn,* wheat,* sorghum,* and other grains* (1-4)
	Herding livestock* (1, 2)
Industry	Small-scale manufacturing* (1-3)
	Mining* (4, 7)
Services	Domestic work (1-3)
	Working in garages, bicycle repair shops, tea and coffee shops, and metal workshops (1-3)
	Street work, including selling cigarettes, newspapers, and chewing gum, cleaning cars, and transporting goods on donkey carts or tricycles*† (1-3)
	Gathering firewood and hauling water* (1, 2)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (1-3, 8)
	Compulsory participation in Active National Service or the Popular Army prior to the age of 18 (1-3, 9-11)
	Forced labor sometimes as a result of human trafficking (1-3, 7)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

The Ministry of Education operates a national program called Maetot, under which children in grades 9 to 11 are required to engage in public works projects in agriculture, environmental protection, or hygiene during their summer holidays, in some cases for as long as 2 months.(1, 2, 12-14) Adolescents may be required to dig irrigation ditches or canals, maintain agricultural terracing, or produce and maintain school furniture.(1-3) Government declarations indicate that the purpose of Maetot is to instill a proper work ethic in adolescents and to expose them to persons of other ethnic backgrounds, with the aim of fostering their appreciation for diverse cultures and strengthening national unity through cooperation and self-reliance.(13)

The Proclamation on National Service No. 82/1995 establishes compulsory military training and service, known as Active National Service, for all citizens between ages 18 and 40.(15) In order to graduate from high school and meet the compulsory training component of Active National Service, students are required to complete their final year of schooling (grade 12) at the Sawa Military Training Camp in remote western Eritrea; these students have typically reached age 18, but some are younger.(2, 3, 7, 8, 15, 16) For some attending Sawa, National Service may consist of 6 months of military training followed by employment in a Government work unit for 12 months. However, for others, and for those who have no opportunity to attend grade 12, the Government often fails to abide by the Proclamation’s 18-month limit on National Service.(8) Eritreans may be compelled to remain in the military indefinitely or may be assigned to work units not of their choosing, both resulting in very low pay.(8) The uncertain length of service, the lack of hope of ever being demobilized, the inability to earn higher wages in the private sector, and notoriously harsh working conditions in the National Service provoke a significant number of youth to flee Eritrea and may also encourage many to resort to the use of international smuggling networks.(8, 10, 17) Adolescent children who attempt to leave Eritrea are sometimes detained or forced to undergo military training despite being younger than the minimum age of 18 for compulsory military recruitment.(3) During the reporting period, the Government attempted to reduce out-migration, including flight from Sawa, and although the circumstances varied considerably, penalties were less severe for those caught fleeing Sawa if they agreed to resume their studies and complete National Service.(13)



In Eritrea, children who are not in school often enter the workforce, and because of the limited number of schools, children may work at a young age.(2, 18) Additionally, children from nomadic communities have difficulty accessing education, as their seasonal movements are incompatible with the formal school calendar.(19)

The Government made no known effort to collect or publish data on the worst forms of child labor.(1)


## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Eritrea has ratified most key international conventions concerning child labor, including its worst forms (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓

**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

In September 2014, the Government ratified the Palermo Protocol on Trafficking in Persons.(20)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 68 of the Labour Proclamation of Eritrea No. 118/2001 (21)
Minimum Age for Hazardous Work	Yes	18	Article 69 of the Labour Proclamation of Eritrea No. 118/2001 (21)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 69 of the Labour Proclamation of Eritrea No. 118/2001 (21)
Prohibition of Forced Labor	Yes		Article 3 of the Labour Proclamation of Eritrea No. 118/2001; Article 565 of the Penal Code Proclamation of 1957 (21, 22)
Prohibition of Child Trafficking	Yes		Articles 565 and 605 of the Penal Code Proclamation of 1957 (22)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 594, 595, and 604 of the Penal Code Proclamation of 1957 (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 8 of the Proclamation on National Service No. 82/1995 (15)
Minimum Age for Voluntary Military Service	N/A		
Compulsory Education Age	No		
Free Public Education	No		

The Labour Proclamation of Eritrea No. 118/2001 does not require employers to keep a register containing the name, age, or date of birth of their employees, nor does it prescribe specific penalties for employers of children in hazardous work or employers of children under the minimum age for work.(21, 23)

A child may become an apprentice at age 14 and is not prohibited from engaging in hazardous work in supervised vocational training programs.(21, 23, 24)

Eritrean law does not have prohibitions on child pornography. Additionally, research did not find whether there are laws regulating the use of children in illicit activities.

Minimum age for voluntary military service is not applicable to Eritrea because all citizens age 18 to 40 have the compulsory duty of performing Active National Service under the Proclamation on National Service No. 82/1995.(15)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Human Welfare	Investigate labor abuses, including child labor.(8)
Popular Army	Perform night patrols and refer cases of commercial sexual exploitation of children or other exploitative practices to the Eritrean Police.(1, 25)
Eritrean Defense Forces	Refer cases of the worst forms of child labor to the Eritrean Police or the Ministry of Labor.(1, 25)

# Eritrea

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Eritrean Police	Enforce laws and investigate referred cases of child trafficking and commercial sexual exploitation of children.(1, 25)
National Security Administration	Work with the Eritrean police to combat the commercial sexual exploitation of children.(8)

Research found no evidence that law enforcement agencies in Eritrea took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, no information was available regarding the number and training of labor inspectors, the number and type of labor inspections, child labor law violations, and citations or penalties issued.(14)

### *Criminal Law Enforcement*

In 2014, no information was available regarding the number and training of investigators, the number of investigations, prosecutions, and convictions related to the worst forms of child labor.(14)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Eritrea has established policies related to child labor, including its worst forms (Table 6).

**Table 6. Policies Related to Child Labor**

Policy	Description
The National Plan of Action on Child Labor and National Program of Action on Children	Prevent child labor and support victims by reintegrating them with families, communities, and schools.(1) Incorporated into a Comprehensive Child Policy and the UN Strategic Partnership Cooperation Framework.(25)
UN Strategic Partnership Cooperation Framework (2013–2016)	Aligns with the Government's priorities, including protecting children from exploitative situations, and designed in consultation with the Government.(1, 26)
National Policy on Education	Establishes 8 years of compulsory, free education for all citizens.(23, 27)

Research did not uncover the extent to which the National Plan of Action on Child Labor and National Program of Action on Children have been implemented, or what their impact has been on the elimination of the worst forms of child labor. The Government's compulsory military training requirements for 12<sup>th</sup> graders may diminish the impact of Eritrea's policies to combat the worst forms of child labor on all those wishing to obtain high school diplomas. In addition, the Government's use of compulsory labor through the Maetot program may also diminish these efforts.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Eritrea participated in one program that may have an impact on child labor (Table 7).

**Table 7. Social Programs to Address Child Labor**

Program	Description
UNICEF Country Program (2013–2016)*	UNICEF program in collaboration with the Government that aims to build on previous progress in the areas of complementary education and nomadic education, and to assist the Government in enhancing the quality of basic education.(18) UNICEF also works with the Ministry of Labor to provide social integration and counseling services to approximately 3,500 street children.(28)

\*The impact of this program on child labor does not appear to have been studied.



Research found no evidence of programs to specifically address the worst forms of child labor in Eritrea, or programs that target areas in which the majority of children work, including agriculture and domestic service.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Eritrea (Table 8).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO C. 182 on the Worst Forms of Child Labor.	2013 – 2014
	Amend the Labor Proclamation to require employers to keep a register containing the name and age or date of birth of their employees, and provide penalties for employers of children in hazardous work and employers of children under the legal minimum age.	2010 – 2014
	Prohibit children in supervised vocational training programs from engaging in hazardous work, in line with international conventions.	2009 – 2014
	Enact legislation against child pornography and to prohibit the use of children in illicit activities.	2009 – 2014
Enforcement	Collect and publish data on the number of inspectors and investigators and their training, labor inspections, criminal investigations, and other steps taken to enforce laws.	2009 – 2014
Coordination	Establish a coordinating mechanism to combat the worst forms of child labor.	2009 – 2014
Government Policies	Implement child labor objectives in national policies and development plans by including budgets, detailed action plans, and targets related to the worst forms of child labor.	2009 – 2014
	Ensure that children under age 18 are not recruited into Active National Service.	2009 – 2014
	Cease requiring children to perform compulsory labor under the Maetot program during the school break.	2009 – 2014
Social Programs	Strengthen the education system by building more schools and developing alternative educational programs for nomadic communities.	2010 – 2014
	Conduct research on child labor, including its worst forms.	2009 – 2014
	Assess the impact of the UNICEF Education Program on child labor.	2013 – 2014
	Develop appropriate social protection programs for street children and children working in agriculture, domestic service, and the worst forms of child labor.	2009 – 2014

## REFERENCES

- U.S. Embassy- Asmara. *reporting, December 18, 2013.*
- U.S. Department of State. "Eritrea," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- U.S. Department of State. "Eritrea," in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- U.S. Embassy- Asmara. *reporting, February 7, 2012.*
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UN General Assembly. *Human Rights Council Report on the Situation of Human Rights in Eritrea*. New York; June 10, 2013. Report No. A/HRC/23/L.17. [http://ap.ohchr.org/documents/E/HRC/d\\_res\\_dec/A\\_HRC\\_23\\_L17.doc](http://ap.ohchr.org/documents/E/HRC/d_res_dec/A_HRC_23_L17.doc).
- U.S. Embassy- Asmara. *reporting, February 13, 2015.*
- Amnesty International. *Item 4: Human rights situations that require the Council's attention*; 2014. <http://www.amnesty.org/en/library/asset/AFR64/001/2014/en/f304e519-5202-4500-9b49-33c22873d169/afrc640012014en.pdf>.
- UN General Assembly. *Report of the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth*; May 13, 2014. [www.ohchr.org/EN/.../A\\_HRC\\_26\\_45\\_ENG.DOC](http://www.ohchr.org/EN/.../A_HRC_26_45_ENG.DOC).
- Human Rights Watch. "Eritrea " in *World Report 2014*. New York; 2014; <http://www.hrw.org/world-report/2014/country-chapters/eritrea>
- U.S. Embassy Asmara official. E-mail communication to USDOL official. May 23, 2012.
- U.S. Department of State official. E-mail communication to USDOL official. April 21, 2014.
- U.S. Embassy- Asmara. *reporting, January 12, 2015.*
- Government of Eritrea. *Proclamation of National Service*, Proclamation No. 82/1995, enacted October 23, 1995. file:///H:/Eritrea%202/GoE,%20Proclamation%20of%20National%20Service%20(1995).pdf.
- Child Soldiers International. *Louder than Words*. London; 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- allAfrica. *Number of Eritrean Asylum-Seekers in Europe Soars From Past Year*. 2014. <http://allafrica.com/stories/201411170231.html>.
- UNICEF. *Eritrea Country Programme Document 2013-2016*; February 8, 2013. [http://www.unicef.org/about/execboard/index\\_46487.html](http://www.unicef.org/about/execboard/index_46487.html)

19. Asai, Y. "UNICEF Supports a Revived Commitment to Nomadic Education in Eritrea." unicef.org [online] March 30, 2010 [cited February 20, 2013]; [http://www.unicef.org/infobycountry/eritrea\\_53217.html](http://www.unicef.org/infobycountry/eritrea_53217.html).
20. UN Treaty Collection. *Palermo Protocol: Eritrea*; accessed November 05, 2014; [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&cmdsg\\_no=XVIII-12-a&chapter=18&clang=en#EndDec](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&cmdsg_no=XVIII-12-a&chapter=18&clang=en#EndDec)
21. Government of Eritrea. *The Labour Proclamation of Eritrea*, no. 118/2001, enacted 2001. [source on file].
22. Government of Eritrea. *The Penal Code*, No. 158 of 1957, enacted 1957.
23. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Eritrea (ratification: 2000) Published: 2011*; accessed April 20, 2012; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:NO:13100:P13100\\_COMMENT\\_ID:2337233:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:2337233:NO).
24. U.S. Department of State official. E-mail communication to USDOL official. May 2, 2014.
25. U.S. Department of State official. E-mail communication to USDOL official. March 28, 2014.
26. United Nations. *Government of the State of Eritrea-United Nations Strategic Partnership Cooperation Framework*. Asmara; 2012. [http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=2&cad=rja&ved=0CDoQFjAB&url=http%3A%2F%2Fwww.unicef.org%2Fabout%2Fexecboard%2Ffiles%2FERI\\_GOSE-UN\\_SPCF\\_28th\\_Nov\\_2012.pdf&ei=rF0hUb33EI2z0QGbmIHgCg&usq=AFQjCNGm3--s0EuQuHeejFupDQgPP46JRA&sig2=Gbm7fj3vVESR7V\\_LpU31aQ](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=2&cad=rja&ved=0CDoQFjAB&url=http%3A%2F%2Fwww.unicef.org%2Fabout%2Fexecboard%2Ffiles%2FERI_GOSE-UN_SPCF_28th_Nov_2012.pdf&ei=rF0hUb33EI2z0QGbmIHgCg&usq=AFQjCNGm3--s0EuQuHeejFupDQgPP46JRA&sig2=Gbm7fj3vVESR7V_LpU31aQ).
27. UNESCO. *World Data on Education*. Geneva; September 2010. Report No. IBE/2010/CP/WDE/EA. [http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Eritrea.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Eritrea.pdf).
28. U.S. Embassy- Asmara Official. E-mail communication to USDOL Official. April 21, 2015.

In 2014, Ethiopia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Ethiopia ratified the UN CRC Optional Protocol on Armed Conflict and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. The Government also made a number of efforts to improve labor law enforcement, and participated in and implemented several programs, including the launching of a large-scale education improvement project, to combat the worst forms of child labor. However, children in Ethiopia are engaged in child labor including in agriculture and in the worst forms of child labor, including in domestic work. Ethiopia still lacks a compulsory education law which leaves children vulnerable to the worst forms of child labor. Social programs to combat child labor have not sufficiently targeted sectors with a high incidence of child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ethiopia are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in domestic work.(1, 2) Data from the Government's 2011 Demographic and Health Survey (DHS) show that most children work for a family business. In addition, DHS data indicate that the percentages of child labor are higher among males and in rural areas.(3) Table 1 provides key indicators on children's work and education in Ethiopia.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	22.0 (5,545,319)
Attending School (%)	5-14 yrs.	54.0
Combining Work and School (%)	7-14 yrs.	17.0
Primary Completion Rate (%)		47.4

Source for primary completion rate: Data from 2006, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2011.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting and harvesting apples,* coffee,* cotton,* onions,* bananas,* flowers,* sugarcane,* and tea* (6-14)
	Herding cattle (11, 12, 14, 15)
	Fishing,*† activities unknown (11-13, 16, 17)
Industry	Mining† gold (10, 17)
	Quarrying*† and working at stone-crusher plants*† (11, 16)
	Construction*† and manufacturing,* activities unknown (11-13, 17, 18)
	Making pottery products* (11, 19)
Services	Traditional weaving of handwoven textiles (11, 12, 20-22)
	Domestic work† (17, 18, 21)
	Unpaid household services, including carrying heavy loads of water* (11, 23)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Street work,† including as shoe shiners, assistants to taxi drivers,* vendors, porters,* and beggars (11-14, 17, 24-28)
	Garbage scavenging (29)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (17, 18, 30-32)
	Domestic work, herding, street vending, and traditional weaving of hand-woven textiles, each sometimes as a result of human trafficking (11, 33-36)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.




In Ethiopia, children work in the traditional weaving industry in Addis Ababa and in the Gamo Gofa and Wolayita Zones.(11, 12, 20-22) Anecdotal evidence suggests that some child weavers are held in debt bondage.(35, 37) In addition, children are trafficked from rural areas to Addis Ababa and to other regions of the country for forced labor in the weaving industry.(11, 33, 36) The Confederation of Ethiopian Trade Unions reports an increase in child labor in the construction industry in recent years.(18)

Although the Government has improved access to education, the lack of adequate schools in rural areas increases children’s risk of entering the workforce at a young age.(17, 38-40) In addition, although primary education is free, the cost of school supplies keeps some children from attending school.(1, 10) Droughts and floods also hindered access to education in Afar; Amhara; Benishangul-Gumuz; Dire Dawa; Gambella; Harar; Oromia; Somali Region; Southern Nations, Nationalities, and Peoples Region (SNNPR); and Tigray.(28, 41) In SNNPR, the sexual abuse and harassment of girls is also a barrier to education.(40) Although the Vital Events Registration Proclamation mandates the registration of all births, many children in Ethiopia are not registered. Unable to prove their citizenship, nonregistered children may have difficulty accessing services such as education.(21, 42-45) In 2013, the Government established the Vital Events Registration Agency to assist with the registration of births. The rollout of the Proclamation has been delayed by the absence of uniform national identification cards.(36, 44, 46)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ethiopia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

During the reporting period, the Government ratified the UN CRC Optional Protocol on Armed Conflict and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.(47, 48)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 89(2) of the Labor Proclamation (49)
Minimum Age for Hazardous Work	Yes	18	Articles 89(1) and 89(3) of the Labor Proclamation (49)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 89(4) of the Labor Proclamation; Activities Prohibited for Young Workers Directive (49-51)
Prohibition of Forced Labor	Yes		Article 18(3) of the Constitution (52)
Prohibition of Child Trafficking	Yes		Article 18(2) of the Constitution; Articles 597, 635, and 637 of the Criminal Code; local bylaws (52-54)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 634 of the Criminal Code (53, 54)
Prohibition of Using Children in Illicit Activities	Yes		Article 525 of the Criminal Code (53)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 270 of the Criminal Code (53)
Compulsory Education Age	No		
Free Public Education	No		

\* No conscription (53)

Ethiopian law is not completely consistent with international standards regarding child labor. Article 89(5) of the Labor Proclamation allows children ages 14 to 16 to engage in certain forms of hazardous work if this work is performed following a government-approved vocational training course.(49, 55) The minimum age provisions of the law do not apply to children working outside of a contractual employment relationship. (2, 55, 56) In addition, the penalties outlined in article 184 of the Labor Proclamation for violating child labor laws are low and do not generally deter violations.(49, 57)

There is no law establishing compulsory education in Ethiopia. The lack of compulsory education may increase the risk of children's involvement in the worst forms of child labor, as they are not legally required to be in school.(18, 55)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Affairs (MOLSA)/Occupational Safety and Health Case Team (OSHCT)	Enforce occupational safety, health, and wage and hour protections, which include child labor laws, at industrial enterprises in Addis Ababa and Dire Dawa.(54, 58) Collect and analyze data and make policymaking recommendations for labor purposes. The Occupational Safety and Health Case Team (OSHCT) is located within Ministry of Labor and Social Affairs (MOLSA).(14, 58, 59)
Regional Bureaus of Social and Labor Affairs (BOLSAs) and City Administration	Conduct labor inspections at the zonal offices, and at the regional and city levels.(57) In the case of the BOLSA office in Addis Ababa, operate an occupational safety and health laboratory to identify workplace hazards.(43)
Ethiopian Federal Police and the Ministry of Justice (MOJ)	Investigate and prosecute criminal violations of laws that protect against the worst forms of child labor.(10, 18) In the case of police stations at the regional level, employ a trained child protection officer, and employ Child Protection Units for the 10 subcity-level police stations in Addis Ababa.(31)
The Human Trafficking and Narcotics Section	Collaborate with the prosecutor's office to conduct investigations, prosecute offenders, and report and collect trafficking data. Located in the Organized Crime Investigation Unit of the Federal Police.(10, 18, 36)

Law enforcement agencies in Ethiopia took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Affairs (MOLSA) employed 382 labor inspectors. The increase from 291 in 2013 returns the level of inspectors to 2012 levels, but the high turnover of inspectors is common due to better-paying jobs in the



# Ethiopia

## MODERATE ADVANCEMENT

private sector.(2, 57) In response, MOLSA raised inspectors' salaries in 2014 by between 31 and 42 percent.(2) During the year, 35 professional trainers were trained to provide training to labor inspectors, including a component on child labor. In addition, 135 new labor inspectors were trained, including on how to bring cases to court.(2) In July of 2014, MOLSA issued a National Labor Safety, Health Policy and Strategy to enhance enforcement efforts.(2) Funding, facilities, and equipment were reported to be insufficient.(18)

During the year, MOLSA conducted 37,500 labor inspections, 14 of which were complaint based inspections.(60) However, the information on the number of labor inspections was not published publicly. (2) MOLSA does not disaggregate child labor data, and research found no information on the number of child labor law violations found, including in what industries or types of employment, or whether the violations were remedied; what type of referral mechanisms were in place; how many citations were issued; or whether appropriate penalties were applied.(18, 59) Labor inspectors do not have the authority to directly impose penalties. Inspectors, therefore, advise employers on compliance issues.(57)

### *Criminal Law Enforcement*

In 2014, a total of 456 checkpoint police officers were trained on child labor, identifying and investigating human trafficking, and referring to relevant agencies.(2, 61) Information for the reporting period was not available on the number and training of Ethiopian Federal Police Human Trafficking investigators or the type and quality of criminal investigations. In 2014, the Human Trafficking and Narcotics Section identified 99 cases of human trafficking, although it is unclear how many involved children. Of these, 93 cases were prosecuted pertaining to 118 suspected offenders.(61, 62) Federal courts secured 46 convictions for trafficking in persons in 35 cases. In addition, the Ethiopian Federal Police investigated 10 cases of child labor, and it arrested and transferred a total of 13 suspected offenders to prosecutors.(60, 62). During the year, 139 judges were trained on child labor issues.(2, 61) It is reported that police departments and district officials refer victims of the worst forms of child labor to NGO-run shelters and government orphanages.(33) During the year, the Wolayita and Gamo Gofa zones prevented 563 children from being trafficked.(2) The Federal Police also reported that it routinely intercepted children along the borders during the reporting period.(2, 31) Courts in the SNNPR sentenced 21 people for trafficking children, resulting in prison sentences ranging from two to seven years.(2) Although the Government attained prosecutions and convictions of transnational human trafficking during the year, there are low prosecution and conviction rates for the internal trafficking of children for forced labor and commercial sexual exploitation.(36, 61)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee on the Worst Forms of Child Labor	Coordinate activities on the worst forms of child labor. Includes members from MOLSA; the Ministry of Women, Children, and Youth Affairs (MOWYCA); and the Ministry of Education.(18)
MOLSA's Deputy Minister Forum	Combat the worst forms of child labor at the national level. Meets on a monthly basis and includes participants from the Ethiopian Employers' Federation and Confederation of Ethiopian Trade Unions.(18)
MOLSA child labor desk	Coordinate efforts between MOLSA and MOWYCA on child labor issues.(14, 43, 63)
National Steering Committee against Sexual Exploitation of Children	Develop action plans and coordinate activities against the commercial sexual exploitation of children.(38)
National Committee to Combat Trafficking in Persons	Address international exploitation, including the worst forms of child labor. Chaired by the Deputy Prime Minister and composed of all federal ministers and regional presidents.(18, 31, 61) Meets twice per year.(61)
National Human Trafficking Task Force	Develop action plans and coordinate activities against trafficking in persons on a quarterly basis. (33, 64) Chaired by the State Minister of Administration, Justice Planning, and Implementation and includes representation by deputy state ministers. In 2014, conducted monitoring trips to four primary regions of origin of victims of human trafficking.(61)
Regional Technical Working Groups on Trafficking	Identify trends and areas in need of public awareness campaigns on human trafficking. Meets on a weekly basis and includes officials from regional federal ministries and agencies.(31, 33, 36)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Child Protection Committees, Child Rights Clubs, and Orphans and Vulnerable Children (OVC) Task Forces	Promote children's rights; provide children with food and school supplies; and train members on child labor issues, case management, international child labor standards, and Ethiopian child labor laws. Composed of children, police, health workers, and teachers.(12, 14, 65, 66)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Ethiopia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2013-2015)	Includes guidelines on child labor identification, withdrawal, reintegration, and educational policies. Available in Amharic.(14, 43, 67) In 2014, 118 participants from the federal parliament, federal agencies, and regional governments attended a training on the implementation of the National Action Plan to Eliminate the Worst Forms of Child Labor.(68)
Protocols and Guidelines for Identification, Withdrawal, Rehabilitation, and Integration of Victims of the Worst forms of Child Labor in Solid Waste Management and the Traditional Weaving Sector (2010)	Describes the work conditions of children engaged in garbage scavenging and in the traditional weaving sector; includes guidelines for stakeholders to implement interventions.(29, 69)
National Labor Safety, Health Policy and Strategy†	Seeks to abolish child labor and ensure that working conditions for youth, women, and disabled workers are improved.(2)
Social Protection Policy (2014)†	Aims to improve the quality of, and access to, basic education and health services; includes child labor concerns.(60, 70)
National Youth Policy (2005)	Addresses the worst forms of child labor, including commercial sexual exploitation and illicit work.(71)
National Employment Policy and Strategy of Ethiopia (2009)	Describes the root causes of child labor in Ethiopia and lists interventions that may be used to combat child labor, including income-generating activities and awareness raising.(72)
UNDAF (2012-2015)	Promotes improved access to education and livelihood services for vulnerable children; seeks to protect children from abuse, violence, and exploitation; and seeks to withdraw children from child labor and rehabilitate them.(73)
Standard Service Delivery Guidelines for Orphans and Vulnerable Children's Care (2010)	Identifies that OVCs are at increased risk of exploitative child labor and includes the goal of keeping children in school.(74)
National Human Rights Action Plan (2013-2015)	Aims to strengthen the implementation of human rights in Ethiopia, including by making efforts to eliminate exploitative child labor.(75-77)
National Policy Framework for Early Childhood Care and Education (2010)*	Supports early education programs for children and community-based non-formal school readiness programs.(78, 79)
Growth and Transformation Plan (2010-2015)*	Calls for the expansion of education services and outlines interventions to provide greater opportunities for vulnerable households to engage in decent work.(80)
Education and Training Policy (1994) *	Provides free education through secondary education.(81)
National Technical Vocational Education and Training Strategy (2008)*	Aims to increase employment opportunities for school dropouts and youth without formal education through technology and skills training.(50, 82)
General Education Quality Assurance Package (2008)*	Seeks to improve the quality of general education through curriculum development, textbook assessment, teacher training, and school construction throughout Ethiopia.(83)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The National Youth Policy does not have a budget or detailed action plan related to the worst forms of child labor.(54, 71) In addition, the National Child Policy and National Action Plan to Combat Trafficking in Persons, which were drafted to protect the rights of children, have not yet been adopted.(61, 63, 84)

# Ethiopia

## MODERATE ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Ethiopia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Child-Labor-Free Zones	Government program that pilots child-labor-free zones in the cities of Addis Ababa and Adama, in collaboration with the Forum on Sustainable Child Empowerment. Child protection officers, labor inspectors, police officers, and other stakeholders support this initiative by reintegrating child laborers.(14).
Ethiopians Fighting Against Child Exploitation (2011-2015)	\$10 million USDOL-funded, 4-year project implemented by World Vision that targets 20,000 children engaged in or at risk of entering exploitative child labor, particularly in the traditional weaving industry and in rural areas.(12) Assists 7,000 households of targeted children to promote sustainable livelihoods, and collaborates with MOLSA to coordinate the provision of services and provide occupational safety and health training to labor inspectors. Operates primarily in Addis Ababa and in the Gamo Gofa and Wolayita Zones.(12) In 2014, the program raised public awareness of the worst forms of child labor through radio programming, television broadcasts and illustrated brochures.(60)
Engaged, Educated, Empowered, Ethiopian Youth Project (2014-2018)	\$10 million USDOL-funded, 4-year project implemented by World Vision that targets 12,000 male and female youth both in and out of school who are between ages 14 and 17 and engaged in or at risk of entering exploitative child labor.(85) Assists 7,500 households of targeted youth to promote sustainable livelihoods, increase access to education and decent work opportunities. Operates primarily in the SNNPR and Amhara Regions.(85)
Global Action Program on Child Labor Issues Project (2011-2016)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the Government and develop strategic policies to address the elimination of child labor in Ethiopia.(86)
Global Research on Child Labor Measurement and Policy Development (MAP) (2013-2017)	USDOL-funded research project implemented by the ILO in 10 countries, including Ethiopia, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(87) Aims to conduct a national child labor survey in Ethiopia.(87)
Child Labor Awareness Raising‡	MOLSA programs that raise awareness of child labor issues, including the quarterly media forum that raises awareness through broadcasts on national television; regional- and local-level awareness raising to encourage community members to report child labor violations to the authorities; and awareness raising to address the trafficking of humans from rural to urban areas.(18, 31, 75)
Afar Region Emergency Migration Response Center	Center operated by the Ethiopian Federal Police to assist human trafficking victims by providing them with shelter and transportation back to their villages, in collaboration with the IOM.(31, 63)
Cash Transfer Program (2011-2014)*	3-year government program, which, in partnership with UNICEF, provides vulnerable populations, including child laborers, with cash transfer in two districts of the Tigray Region, and in the Afar, Oromia, and SNNPR regions.(10, 46, 67, 88) Aims to improve school attendance and enrollment, and to support the health of the children in the targeted districts. Operates through Community Care Coalitions.(46)
Productive Safety Net Program Phase II (PSNP)‡	Government program that has assisted approximately 8.3 million beneficiaries as of 2014.(89-93) Considered Africa's second largest social protection program, it includes several components, one of which provides cash and in-kind transfers to OVCs and households without able-bodied adults who can work. This component has been shown to reduce the amount of time children spend doing household work and increase the amount of time children spend in school.(89, 91, 93, 94)
Decent Work Country Program (2013-2015)	Describes the child labor situation in Ethiopia and includes targets for the elimination of child labor, such as the establishment of child labor units at the City Administration level.(95)
General Education Quality Improvement Project II (2014-2018)†	\$550 million project funded by the World Bank and other donors aiming to improve learning conditions across Ethiopia through curriculum development, textbook assessment, teacher training, and school construction.(96)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Ethiopia.

While the Government participates in and implements several programs to combat the worst forms of child labor, its efforts have not sufficiently targeted sectors with a high incidence of the worst forms of child labor, such as agriculture and domestic work. In addition, in rare cases, the promotion of employment through the public works component of PSNP Phase II has been shown to increase the amount of time children work, as families substitute adult family members' labor with children's labor to receive benefits under the program.(94)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ethiopia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age when children may enter hazardous work following vocational training is changed from 14 to 16, in line with ILO C. 138.	2009 – 2014
	Ensure that relevant child labor laws and regulations apply equally to children working in non-contractual and contractual employment.	2009 – 2014
	Ensure that penalties are high enough to deter child labor law violations.	2013 – 2014
	Establish a compulsory education age that is consistent with the minimum age of employment.	2012 – 2014
Enforcement	Ensure that OSHCT and BOLSA inspectors have adequate resources to conduct systematic inspections in all sectors of the economy.	2009 – 2014
	Gather and publish information about available referral mechanisms, the number of inspections, child labor law violations found, citations, and criminal prosecutions initiated and issued, and the penalties applied.	2009 – 2014
	Enforce the Labor Proclamation by authorizing the inspectorate to determine and assess penalties when child labor law violations are found.	2013 – 2014
	Make information publicly available on the number and training of investigators and the type and quality of criminal investigations conducted.	2014
	Separate trafficking statistics for children and adults.	2011 – 2014
	Increase efforts to improve the likelihood of successful prosecution and conviction of offenders who internally traffic children for forced labor and sexual exploitation.	2011 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into this policy.	2013 – 2014
	Include budgets and action plans related to the worst forms of child labor in development agendas and policies.	2009 – 2014
	Adopt the National Child Policy and National Action Plan Against Trafficking.	2012 – 2014
Social Programs	Improve access to education in rural areas by building additional schools, implementing programs that protect communities from droughts and floods, ensuring children are registered at birth, and addressing sexual abuse and harassment in schools.	2010 – 2014
	Ensure that children can complete primary school by subsidizing or defraying the cost of school supplies.	2010 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2012 – 2014
	Develop social protection programs for the withdrawal from or prevention of children engaged in agriculture and domestic work.	2009 – 2014

## REFERENCES

- U.S. Department of State. "Ethiopia," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Addis Ababa. *reporting, January 15, 2015*.
- Government of Ethiopia. *Ethiopia: Demographic and Health Survey*. Addis Ababa, ICF International; March 2012.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Demographic and Health Survey, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Orkin, K. "In the Child's Best Interests? Legislation on Children's Work in Ethiopia." *Journal of International Development*, 22(2010);
- Hedemann, P. *Landgrabbing in Ethiopia: Legal Lease or Stolen Soil?*, [previously online] November 12, [cited November 26, 2012]; <http://ipsnews.net/news.asp?idnews=105815> [source on file].
- Pohl, D. *Field Report: Ethiopia*, Barista Magazine, [previously online] February/March, 2011 [cited 2011]; <http://www.commonriver.org/documents/Barista-Mag-Ethiopia-Final.pdf> [source on file].
- Tatek Abebe, Anne Trine Kjørholt. "Social Actors and Victims of Exploitation: Working Children in the Cash Economy of Ethiopia's South." *Childhood*, 16(no. 2)(2009);
- U.S. Embassy- Addis Ababa. *reporting, March 9, 2012*.
- Afri-Tech Consult PLC. *Baseline Survey on Child Labor in Gamo Gofa and Wolaita Zones of Southern Nations, Nationalities and Peoples Regional State and Gullele Sub-city of Addis Ababa City Administration*. Addis Ababa, World Vision; August 2012.
- World Vision. *Ethiopians Fighting Against Child Exploitation (E-FACE)*. Project Document. Washington, DC; October 21, 2011.



# Ethiopia

## MODERATE ADVANCEMENT

13. World Vision. *Brief Rapid Assessment Report on Child Labor In Potential Target Woredas in Gamo Gofa, Wolaita Zones, And Addis Ababa Gullele Sub-City*. Addis Ababa; October 2011.
14. U.S. Embassy- Addis Ababa. *reporting, February 4, 2013*.
15. Gender Equity and Rural Employment Division. *Children's work in the livestock sector: Herding and beyond*. Rome, Food and Agriculture Organization of the United Nations; 2013. <http://www.fao.org/documents/en/detail/307941>.
16. Tassew Woldehanna, Retta Gudisa, Yisak Tafere, and Alula Pankhurst. *Understanding Changes in the Lives of Poor Children: Initial findings from Ethiopia*. Addis Ababa, Young Lives; September 2011. <http://www.younglives-ethiopia.org/files/country-reports/understanding-changes-in-the-lives-of-poor-children-initial-findings-from-ethiopia>.
17. U.S. Department of State. "Ethiopia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220323.pdf>.
18. U.S. Embassy- Addis Ababa. *reporting, January 24, 2014*.
19. Plan International UK. "Preventing child labour in Ethiopia." plan-uk.org [online] October 6, 2011 [cited January 9, 2014]; <http://www.plan-uk.org/news/news-and-features/child-labour-ethiopia/>.
20. U.S. Embassy- Addis Ababa. *reporting, January 21, 2011*.
21. Ayode, D. *Rapid Assessment on Child Protection in Addis Ababa, Arada Sub City, Woreda 08*. Addis Ababa, Forum on Sustainable Child Empowerment (FSCE); February 2011.
22. Hofverberg, H. *Dorze Weaving in Ethiopia: A Model of Education for Sustainable Development?* Uppsala, Uppsala Universitet; 2010. Report No. 2010ht4661.
23. Plan UK. "Girls and women suffer most in drought in Ethiopia." February 08, 2011 [cited July 01, 2015]; <http://www.plan-uk.org/news/news-and-features/girls-and-women-suffer-drought-ethiopia/>.
24. Embassy of Finland. "Street children of Bahir Dar, Ethiopia, are getting into school." global.finland.fi [online] May 25, 2010 [cited January 9, 2014]; <http://global.finland.fi/public/default.aspx?contentlan=3&culture=sv-FI&nodeid=40122&contentid=193213>.
25. UNICEF. *Introduction- Child protection*, [previously online] [cited December 29, 2011]; [source on file].
26. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Ethiopia (ratification: 2003) Submitted: 2011* accessed December 29, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
27. Lelieveld, M. *Child Protection in the Somali Region of Ethiopia*. [previously online]; April 2011. <http://cpwg.net/wp-content/uploads/2012/01/Child-Protection-in-the-Somali-Region-of-Ethiopia-IA-2011.pdf> [source on file].
28. UNICEF. *Investing in Boys and Girls in Ethiopia: Past, Present and Future*. Addis Ababa; 2012. [http://www.unicef.org/ethiopia/resources\\_679.html](http://www.unicef.org/ethiopia/resources_679.html).
29. Ministry of Labour and Social Affairs. *Procedures, Protocols and Guidelines for Identification Withdrawal, Rehabilitation and Integration of Victims of the Worst forms of Child Labour (Solid Waste Management)* Addis Ababa, International Labour Organization; January 2010.
30. Yemataw Wondie, Workie Zemene, Konrad Reschke, and Harry Schroder. "Childhood Sexual Abuse Research, Early Marriage, Rape, Child Prostitution, and Related Factors Determining the Psychosocial Effects Severity of Child Sexual Abuse in Ethiopia." *Journal of Child Sexual Abuse*, 20(2011);
31. U.S. Embassy- Addis Ababa. *reporting, February 21, 2014*.
32. Binyam, T. *State condemns tourists' use of child prostitutes*, capitalet Ethiopia.com, [previously online] June 28, 2010 [cited January 05, 2011]; [source on file].
33. U.S. Embassy- Addis Ababa. *reporting, February 17, 2012*.
34. Ethiopian Press Agency. "Ethiopia: Say Not to Illegal Human Trafficking." allafrica.com [online] September 21, 2012 [cited January 9, 2014]; <http://allafrica.com/stories/201209210905.html>.
35. Mission for Community Development Program official. Interview with USDOL official. July 17, 2011.
36. U.S. Department of State. "Ethiopia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226846.pdf>.
37. U.S. Embassy- Addis Ababa. *reporting, February 11, 2010*.
38. UN Economic and Social Council. *Consideration of Reports Submitted by States Parties Under Articles 16 and 17 of the Covenant: Concluding Observations of the Committee on Economic, Social and Cultural Rights: Ethiopia*. Geneva: May 31, 2012. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FETH%2FCO%2F1-3&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FETH%2FCO%2F1-3&Lang=en).
39. World Vision. *Schools Rehabilitation Action Plan*. Washington, DC; 2012.
40. Ministry of Education. *Social Assessment of the General Education Quality Improvement Program PHASE 2*. Addis Ababa; July 2013. <http://www.moe.gov.et/English/Resources/Documents/Revised-SA.pdf>.
41. Integrated Regional Information Networks. "Ethiopia: Drought, floods hit education." IRINnews.org [online] January 18, 2012 [cited January 9, 2014]; <http://www.irinnews.org/report.aspx?ReportID=94669>.
42. Government of Ethiopia. *Registration of Vital Events and National Identity Card Proclamation, 760/2012*, enacted August 22, 2012. <http://chilot.files.wordpress.com/2013/04/proclamation-no-760-2012-registration-of-vital-events-and-national-identity-card-proclamation.pdf>.
43. World Vision. *Ethiopians Fighting Against Child Exploitation (E-FACE)*. Technical Progress Report. Washington, DC; September 30, 2012.
44. The Ethiopian Herald. "Essence of vital events registration: Ethiopia established Vital Events Registration Agency." unicefethiopia.wordpress.com [online] October 31, 2013 [cited January 6, 2014]; <http://unicefethiopia.wordpress.com/2013/10/31/essence-of-vital-events-registration-ethiopia-established-vital-events-registration-agency/>.
45. UNICEF. *Summary of the outcome of mapping and assessing Ethiopia's child protection systems* Addis Ababa; December 2012.
46. U.S. Embassy- Addis Ababa official. E-mail communication to USDOL official. February 26, 2013.
47. UN Treaty Collection. *Ethiopia Ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in Armed Conflict*; accessed November 4, 2014; [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-b&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en).
48. UN Treaty Collection. *Ethiopia Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography*; accessed January 13, 2015; [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-c&chapter=4&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-c&chapter=4&lang=en)
49. Government of Ethiopia. *Labour Proclamation, 377/2003*, enacted February 26, 2004. <http://chilot.files.wordpress.com/2011/08/proc-no-377-2003-labour.pdf>.
50. Ministry of Labour and Social Affairs official. Interview with USDOL official. July 19, 2011.
51. Ministry of Labour and Social Affairs. *List of Hazardous Occupations for Children in Ethiopia*. Addis Ababa, International Labour Organization; July 2011.
52. Government of Ethiopia. *The Constitution of the Federal Democratic Republic of Ethiopia*, enacted December 8, 1994. [http://www.servat.unibe.ch/icl/et00000\\_.html](http://www.servat.unibe.ch/icl/et00000_.html).
53. Government of Ethiopia. *The Criminal Code of the Federal Democratic Republic of Ethiopia*, 414, enacted 2004. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/70993/75092/F1429731028/ETH70993.pdf>.
54. Government of Ethiopia. *Information and Measures Taken on Elimination of Worst Forms of Child Labour in Ethiopia*. Submitted in response to U.S. Department of Labor Federal Register Notice (December 19, 2008) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; January 21, 2009.
55. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Ethiopia (ratification: 1999) Published: 2015*; accessed July 07, 2015; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100\\_COMMENT\\_ID:3189733](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3189733).
56. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Ethiopia (ratification: 2003) Published: 2012*; accessed October 25, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
57. Jeff Wheeler, and Keith Goddard. *Assessment of Ethiopia's Labor Inspection System*. Washington, DC, U.S. Department of Labor; March, 2013. <http://www.dol.gov/ilab/reports/2013AssessmentEthiopiaLaborInspection.pdf>.
58. ILO. *Technical Memorandum: Ethiopian Labour Inspection Audit*. Geneva; October 29, 2009. [http://www.ilo.org/wcmsp5/groups/public/--ed\\_dialogue/--lab\\_admin/documents/publication/wcms\\_119248.pdf](http://www.ilo.org/wcmsp5/groups/public/--ed_dialogue/--lab_admin/documents/publication/wcms_119248.pdf).
59. Labour Administration and Inspection Programme (LAB/ADMIN). *Labour Inspection Structure and Organization: Ethiopia*. Geneva; June 1, 2009. [http://www.ilo.org/labadmin/info/WCMS\\_112937/lang-en/index.htm](http://www.ilo.org/labadmin/info/WCMS_112937/lang-en/index.htm).
60. U.S. Embassy- Addis Ababa official. E-mail communication to USDOL official. April 23, 2015.
61. U.S. Embassy- Addis Ababa. *reporting, February 17, 2015*.
62. Government of Ethiopia. "Federal Police Statistics on Child Labor and Human Trafficking-2014." February 10, 2015 [cited April 16, 2015];



63. U.S. Embassy- Addis Ababa official. E-mail communication to USDOL official. March 4, 2014.
64. U.S. Embassy- Addis Ababa. *reporting, February 15, 2013.*
65. MOWYCA official. Interview with USDOL official. July 20, 2011.
66. USDOL. *Trip Report on Meetings attended in Ethiopia.* Washington, DC; July 18-26, 2011.
67. U.S. Embassy- Addis Ababa official. E-mail communication to USDOL official. September 25, 2012.
68. World Vision. *Ethiopians Fighting Against Child Exploitation (E-FACE).* Technical Progress Report. Washington, DC; October, 2014.
69. Ministry of Labour and Social Affairs. *Protocols and Guidelines for Identification Withdrawal, Rehabilitation and Integration of Victims of the Worst forms of Child Labour (Traditional Weaving Sector).* Addis Ababa, International Labour Organization; January 2010.
70. Government of Ethiopia. *Social Protection Policy.* Addis Ababa; November 2014.
71. Government of Ethiopia. *National Youth Policy.* Addis Ababa; July 2005. <http://www.mysc.gov.et/youth.html>.
72. Getachew Adem, and Kinde Getnet. *National Employment Policy & Strategy of Ethiopia.* Addis Ababa, Government of Ethiopia; December 2009.
73. United Nations. *United Nations Development Assistance Framework Ethiopia (2012-15).* Addis Ababa; 2012. [http://www.unicef.org/about/execboard/files/ETH\\_CPD - FINAL - UNDAF Draft Results Matrix 2012-2015.pdf](http://www.unicef.org/about/execboard/files/ETH_CPD - FINAL - UNDAF Draft Results Matrix 2012-2015.pdf).
74. Government of Ethiopia. *Standard Service Delivery Guidelines for Orphans and Vulnerable Children's Care and Support Systems.* Addis Ababa; February 2010. [http://hivaidsclearinghouse.unesco.org/search/resources/iiep\\_ethiopia\\_ovc\\_guidelines\\_2010.pdf](http://hivaidsclearinghouse.unesco.org/search/resources/iiep_ethiopia_ovc_guidelines_2010.pdf).
75. World Vision. *Ethiopians Fighting Against Child Exploitation (E-FACE).* Technical Progress Report. Addis Ababa; September 30, 2013.
76. Government of Ethiopia. "Ethiopia: The Government to Implement National Human Rights Action Plan." *allafrica.com* [online] October 28, 2013 [cited January 15, 2014]; <http://allafrica.com/stories/201310290061.html>.
77. Government of Ethiopia. *National Human Rights Action Plan 2013-2015.* Addis Ababa; June 2013. <http://www.ehrc.org.et/LinkClick.aspx?fileticket=E2YA0XI%2B5HM%3D&tabid=115>.
78. Government of Ethiopia. *National Policy Framework for Early Childhood Care and Education (ECCE) in Ethiopia.* Addis Ababa; 2010.
79. UNICEF. "Media Release: Three Ministries Join for Historic Milestone to Launch the Early Childhood Care and Education Policy and Strategic Framework." *unicef.org* [online] March 31, 2010 [cited January 9, 2014]; [http://www.unicef.org/ethiopia/ET\\_Media\\_PR\\_2010\\_ECCE\\_policy.pdf](http://www.unicef.org/ethiopia/ET_Media_PR_2010_ECCE_policy.pdf).
80. Government of Ethiopia. *Growth and Transformation Plan 2010/11-2014-15.* Addis Ababa; November 2010.
81. Government of Ethiopia. *Education and Training Policy.* Addis Ababa; April 1994. [http://www.moe.gov.et/English/Resources/Documents/education\\_and\\_training\\_policy.pdf](http://www.moe.gov.et/English/Resources/Documents/education_and_training_policy.pdf).
82. Government of Ethiopia. *National Technical & Vocational Education & Training (TVET) Strategy.* Addis Ababa; August 2008. [http://planipolis.iiep.unesco.org/upload/Ethiopia/Ethiopia\\_National\\_TVET\\_Strategy.pdf](http://planipolis.iiep.unesco.org/upload/Ethiopia/Ethiopia_National_TVET_Strategy.pdf).
83. Government of Ethiopia. *General Education Quality Improvement Package (GEQIP).* Addis Ababa, Ministry of Education; November 2008. [http://www.moe.gov.et/English/Resources/Documents/GEQIP\\_Plan.pdf](http://www.moe.gov.et/English/Resources/Documents/GEQIP_Plan.pdf).
84. Government of Ethiopia. *National Child Policy: Final Draft.* Addis Ababa, Ministry of Women, Children and Youth; April 2011.
85. USDOL. *Engaged, Educated, Empowered, Ethiopian Youth Project, Project Summary.* Washington, DC; 2014.
86. ILO-IPEC. *Global Action Program on Child Labour Issues.* Technical Progress Report. Geneva; May 5, 2014.
87. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP).* Technical Progress Report. Geneva; April 28, 2014.
88. Integrated Regional Information Networks. "Ethiopia: New cash transfer programme to reach vulnerable communities." *IRINnews.org* [online] September 2, 2011 [cited January 9, 2014]; <http://www.irinnews.org/Report/93641/ETHIOPIA-New-cash-transfer-programme-to-reach-vulnerable-communities>.
89. National Audit Office. *Transferring cash and assets to the poor.* London; November 9, 2011. <http://www.nao.org.uk/wp-content/uploads/2011/11/10121587.pdf>.
90. USAID Ethiopia. *Productive Safety Net Programme (PSNP).* Addis Ababa; August 5, 2011. [http://ethiopia.usaid.gov/sites/default/files/images/ALT\\_PSNP\\_Briefer\\_080511.pdf](http://ethiopia.usaid.gov/sites/default/files/images/ALT_PSNP_Briefer_080511.pdf).
91. Guush Berhane, John Hoddinott, Neha Kumar, Alemayehu Seyoum Taffesse, Michael Tedla Direesse, Yisehac Yohannes, et al. *Evaluation of Ethiopia's Food Security Program: Documenting Progress in the Implementation of the Productive Safety Nets Programme and the Household Asset Building Programme.* Washington, DC; October 19, 2011. [source on file].
92. World Bank. "Ethiopia: World Bank Support for Social Safety Net to Benefit 8.3 million Ethiopians by 2015." *web.worldbank.org* [online] March 29, 2012 [cited January 9, 2014]; <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/0,,contentMDK:23157131-menuPK:64282138-pagePK:41367-piPK:279616-theSitePK:40941,00.html>.
93. Babatunde Omilola, Sheshangai Kaniki. *Social Protection in Africa: A Review of Potential Contribution and Impact on Poverty Reduction;* March, 2014. [http://www.za.undp.org/content/dam/south\\_africa/docs/mdgs/Social%20Protection%20in%20Africa-A%20Review%20of%20Potential%20Contribution%20and%20Impact%20on%20Poverty%20Reduction1.pdf](http://www.za.undp.org/content/dam/south_africa/docs/mdgs/Social%20Protection%20in%20Africa-A%20Review%20of%20Potential%20Contribution%20and%20Impact%20on%20Poverty%20Reduction1.pdf).
94. Woldehanna, T. *Productive safety net programme and children's time use between work and schooling in Ethiopia.* Oxford, Young Lives; January 2009. <http://www.younglives.org.uk/files/working-papers/wp40-productive-safety-net-programme-and-children2019s-time-use-between-work-and-schooling-in-ethiopia>.
95. Government of Ethiopia. *Decent Work Country Programme (DWCP) 2013-2015.* Addis Ababa, International Labor Organization; November, 2013.
96. World Bank. *General Education Quality Improvement Project II (GEQIP),* World Bank, [online] [cited January 20, 2015]; <http://www.worldbank.org/projects/P129828/ethiopia-general-education-quality-improvement-project-ii?lang=en>.

In 2014, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Employment, Productivity, and Industrial Relations (MEPIR) appointed 18 additional labor inspectors and for the first time, Fiji's courts convicted and sentenced two perpetrators for the crime of trafficking in children and issued a heavy penalty for a violation of child labor law. The Government also approved the Free Education Grant policy that provides 13 years of free, basic education to children in Fiji and implemented a transportation assistance program that will improve access to schools for children in the most remote areas of the country. However, children in Fiji are engaged in child labor, including in agriculture and street work. Fiji has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography or the Palermo Protocol on Trafficking in Persons. In addition, the Government has yet to finalize the National Action Plan for Child Labor and 5-year Strategic Plan for Combatting Child Labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji are engaged in child labor, including in agriculture and street work.(1-3) Table 1 provides key indicators on children's work and education in Fiji. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		103.6

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Sugarcane farming,* including cutting sugarcane*† (1-3, 6-8)
	Planting, picking, spraying pesticides,† and spraying fertilizer in tobacco fields* (1)
	Production of coconuts,* rice,* roots (including <i>dalo</i> and <i>yaqona</i> ),* tubers,* and other kinds of vegetables* (1, 9)
	Pig farming* and goat and cattle herding* (1)
	Fishing* and deep-sea diving*† (1)
Services	Street work, including pushing wheelbarrows for shoppers in markets, vending, repairing and washing cars, repairing and shining shoes, and begging (1, 3, 8, 10-13)
	Selling fruit (1, 12)
	Collecting bottles and scrap metal*† (1)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1, 3, 14-20)
	Forced labor in agriculture,* begging,* domestic work,* and industrial sectors* each sometimes as a result of human trafficking (3, 16, 21, 22)
	Used in illicit activities, including in drug trafficking* (1, 14, 23)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.







‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Commercial sexual exploitation of children is a concern in Fiji, particularly in urban centers and near ports where fishing and other vessels dock.(1, 3, 14, 15, 17, 24) One source suggests that a large number of children from squatter settlements in Suva and Lami are engaged in child labor working in garages, washing cars, and selling food, including fruits and vegetables. Many of these children miss school in order to work.(12) Parents sometimes send their child to live with families in cities or near schools to facilitate their continuing education and to perform light household work. There are reports that the adopted households sometimes force children into involuntary domestic work or sexual activity in exchange for food, clothing, shelter, or school fees.(3, 16)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Fiji has ratified some key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 92 of the Employment Relations Promulgation 2007 (25)
Minimum Age for Hazardous Work	Yes	18	Article 40 of the Employment Relations (Administration) Regulations 2008; The Hazardous Occupations Prohibited to Children Under 18 Years of Age Order 2013 (26, 27)
Prohibition of Hazardous Occupations or Activities for Children	Yes		The Hazardous Occupations Prohibited to Children Under 18 Years of Age Order 2013 (27)
Prohibition of Forced Labor	Yes		Article 6 of the Employment Relations Promulgation 2007; Article 21 of the Immigration Act 2003; Article 10 of the Constitution of the Republic of Fiji (25, 28, 29)
Prohibition of Child Trafficking	Yes		Article 91 of the Employment Relations Promulgation 2007; Article 20 of the Immigration Act 2003; Article 10 of the Constitution of the Republic of Fiji; Articles 111-121 of the Crimes Decree 2010 (25, 28-30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 91 of The Employment Relations Promulgation; Articles 225-227 of the Crimes Decree; Juveniles Act (25, 30)
Prohibition of Using Children in Illicit Activities	Yes		Article 91 of the Employment Relations Promulgation 2007 (25)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 7 of the Royal Fiji Military Forces Act (31)
Compulsory Education Age	Yes	15	The 1997 Compulsory Education Order; the Compulsory Education Regulations (3, 32)
Free Public Education	No		

\* No conscription (33)

Although both human trafficking and the commercial sexual exploitation of children are issues in Fiji, the Government has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography or the Palermo Protocol on Trafficking in Persons.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The Ministry of Employment, Productivity, and Industrial Relations (MEPIR)	Enforce laws on child labor, including its worst forms. Monitor child employment including compliance with the requirement of the minimum age for employment and the Employment Relations Promulgation.(2, 8) Oversee 14 Divisional Labor Offices responsible for investigating cases of child labor and making appropriate referrals.(8)
The Child Labor Unit (CLU)	Serve as the mechanism within MEPIR for filing and responding to child labor complaints.(2) Coordinate activities at the national, divisional, and district levels through Interagency Committees on Child Abuse. These committees include the police; Ministries of Social Welfare, Labor, Health, and Education; the Public Prosecutor's Office; the Solicitor General's Office; and NGOs working on child labor issues.(2) Conduct training on child labor within MEPIR and in communities, schools, and industries where child labor occurs. Maintain a 24-hour phone line to accept reports of child labor and refer children to social services when appropriate.(2, 8)
Employment Relations Tribunal (ERT)	Adjudicate on alleged violations of child labor provisions in the Employment Relations Promulgation.(8)
Fiji Police Force	Enforce laws on child trafficking, commercial sexual exploitation, and other illicit activities.(8) Maintain a Human Trafficking Unit (HTU) to investigate allegations of human trafficking and to provide training focused on combating human trafficking to other police units.(24) Collaborate closely with the Department of Immigration and the Police Transnational Crime Unit.(34)
The Department of Immigration	Coordinate with the Fiji Police Force to investigate cases involving underage victims of commercial sexual exploitation and trafficking, which are then tried in the criminal court system.(35)
The Department of Social Welfare, and the Department of Public Prosecutions	Enforce laws on child trafficking.(2) Operate four homes for child trafficking victims.(34)

Law enforcement agencies in Fiji took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

During the reporting period, the Government appointed 18 new labor inspectors, bringing the total employees in the labor inspectorate up to 63.(36, 37) The Child Labor Unit (CLU) provided training to all 63 inspectors throughout its seven district offices. Training included general information on child labor and hazardous work issues as well as instruction on child labor withdrawal procedures, with an emphasis on returning children to the mainstream education system or to technical and vocational training programs.(36)

The Ministry of Employment, Productivity, and Industrial Relations (MEPIR) also provided trainings to approximately 100 stakeholders in the sugar industry, including farmers, Fiji Sugar Corporation field staff, and Cane Producing Associations. Trainings focused on the importance of withdrawing children from hazardous work in the sugarcane industry and returning them to school.(38) The CLU utilizes a reporting system targeted at withdrawing children from the production of sugar, tobacco, and other agricultural work, as well as one for children working in markets during school hours.(38) The reporting system includes forms to be completed by labor inspectors or Fiji Sugar Corporation Field Officers.(38, 39)

In 2014, MEPIR conducted a total of 2,735 inspections in 11 districts and identified five cases of child labor.(8, 36) Inspectors carried out routine and complaint-driven child labor inspections, which consisted of both desk reviews and site visits. Labor inspectors are authorized to conduct unannounced site visits as needed.(8) However, as labor inspectors are stationed in larger, more populated areas, they sometimes find it a challenge to access smaller, rural communities and outer islands.(2) The inspectorate is not empowered to assess penalties but may refer cases to the Employment Relations Tribunal (ERT) for prosecution if it suspects an employer is violating child labor law.(8)

MEPIR utilizes the National Child Labor Database to register, track, and respond expeditiously to reports of child labor in Fiji. Seven data operators have been appointed to manage the database in seven districts, and 24 additional officers were trained on child labor reporting procedures.(8, 36) Fiji has robust referral mechanisms for ensuring that children found engaged in child labor are referred to appropriate social services.(8) As a result of inspections, four children were withdrawn from child labor. Three of these children were returned to school and one was placed in a Technical and Vocational Training Program.(36) During the reporting period, MEPIR registered three child labor cases in the ERT. In one of these cases, the court found the employer guilty for two violations of child labor law and issued a fine of \$8,600. According to MEPIR, this is the first time in Fiji's history that a perpetrator has been given a heavy sentence for a child labor violation.(8, 38)

### ***Criminal Law Enforcement***

In 2014, the Fiji Police Force employed four officers responsible for enforcing criminal laws related to the worst forms of child labor.(8, 22, 40) In 2014, the Government funded anti-human trafficking training for police personnel through the Fiji Police Human Trafficking Unit's (HTU) workshops, with the goal of ensuring that every police station has an officer trained in human trafficking-related issues. The HTU also routinely conducts training for new recruits at the Police Academy.(22, 34)

During the reporting period, law enforcement officers investigated one child trafficking case and referred the two children involved to appropriate social services.(8) It is standard practice for the courts to place child victims in the custody of the Department of Social Welfare, which operates four gender-segregated homes for children.(22) In 2014, one prosecution was launched and a second pending case from 2013 was finalized. For the first time, the High Court of Fiji convicted two men on charges of slavery and domestic trafficking of children for the purpose of commercial sexual exploitation. The first accused is serving a 16-year prison sentence and the second is serving a 12-year sentence.(8)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
The Inter-Agency Network (IAN)	Focus on child labor issues at the district and provincial level. Monitor and report on cases of noncompliance, and conduct awareness-raising activities in collaboration with the Child Labor Unit (CLU).(38) Network consists of several interagency committees in nine towns in Fiji: Suva, Sigatoka, Nadi, Ba, Lautoka, Tavua, Rakiraki, Labasa, and Taveuni.(2, 39) Committees are comprised of the Fiji Police Force, the Director of Public Prosecutions Office, the Ministry of Woman, Children, and Poverty Alleviation, the Ministry of Education, and various NGOs.(36)
The Inter-Agency Taskforce on Beggars	Address issues related to children who beg and other exploited children. Includes the Fiji Police Force, the Department of Social Welfare, the Ministry of Local Government, the Suva City Council, the Fiji National Council for Disabled Persons, the Ministry of Health, the Ministry of <i>Taukei</i> Affairs, and local NGOs.(2)
The Interagency Trafficking Task Force	Implement the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking. Government-wide task force, headed by the Department of Immigration.(2, 8, 34)

During the reporting period, the Inter-Agency Network (IAN) met regularly to coordinate child labor issues at the grassroots level. IAN developed a training program for the general public to raise awareness of the hazardous work list and of the long-term consequences of child labor.(36) According to Ministry of Employment, Productivity, and Industrial Relations (MEPIR), IAN trained 1,125 parents, students, and teachers in 2014.(36)

In January, the Inter-Agency Taskforce on Beggars declared a zero-tolerance policy on child begging.(2) Since then, the Taskforce has been working with the Fiji Police Force to withdraw children from begging in the streets and refer them to state rehabilitation facilities when necessary.(41) The Inter-Agency Trafficking Task Force was inactive in 2013 and 2014.(8)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Fiji has established policies related to child labor, including its worst forms (Table 7).



**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking	Guides the Government's efforts to prevent and combat trafficking in persons. Focuses on public awareness raising and education on human trafficking-related issues and prioritizes anti-trafficking training for government officials.(34)
Free Education Grant 2014†	Provides 12 years of tuition-free education for children in Fiji. Covers the cost of school fees and textbooks for students in 904 eligible primary and secondary schools.(36, 42, 43)
UNDAF Pacific (2013-2017)*	Promotes sustainable development and economic growth for vulnerable groups in fourteen Pacific Island Countries and Territories: Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Nauru, Niue, Palau, Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu. In Fiji, includes initiatives to improve access to quality education, health, and housing services for children and strengthen child protective systems.(44, 45)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In 2014, the Government of Fiji continued consultation on the National Action Plan for Child Labor and the accompanying Five-year Strategic Plan for Combatting Child Labor, Including the Worst Forms.(37) The Government anticipated the Plan would be implemented by September 2013 and operational through 2018, but it appears the Plan remains in draft form.(2, 38) The Government has not provided updates on the comprehensive implementation of the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking.(24)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Fiji funded and participated in programs that include the goal of eliminating or preventing of child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Tackling Child Labor through Education (TACKLE) Project (2008-2014)	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states (ACP).(46) Aimed to support government efforts to remove children from commercial sexual exploitation and work in the sugarcane fields, and to increase capacity to address child labor and poverty in squatter settlements, which include a large number of vulnerable children.(47-50) Established the CLU, drafted a national action plan to eliminate child labor, trained government officials on the worst forms of child labor, and supported legislative reviews on labor and education in Fiji.(48, 50)
Safety Net Project‡	Government program that aims to combat human trafficking at the community level, largely by funding rehabilitation services targeting female victims of commercial sexual exploitation under the age of 18. Receives referrals from various entities including the Fiji Police.(51)
Food voucher and bus fare assistance*	Ministry of Education program that provides food vouchers and subsidized bus fares to offset the cost of education for children attending remote schools.(38, 42)
School transportation assistance scheme*†‡	Ministry of Education program implemented through the Transport Assistance Unit that provides \$70,000 for the purchase of four boats to ensure that children in areas inaccessible by roads are able to attend school.(52)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Fiji.

Fiji does not have sufficient support services available to address the particular needs of child victims of human trafficking and commercial sexual exploitation, especially for boys and for children in remote areas.(53) NGOs provide limited support services, but these are concentrated in the capital city of Suva.(39, 53)The Fiji Police's Sexual Offenses Unit has identified the lack of services for child victims, including counseling and victim-friendly court procedures, as one of their greatest challenges in protecting child trafficking victims.(39)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Fiji (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol.	2013 – 2014
Coordination	Ensure that the Trafficking Task Force meets regularly to address implementation of the National Plan of Action to Eliminate Trafficking in Persons and Child Trafficking.	2014
Government Policies	Finalize and Implement the National Action Plan for Child Labor and 5-year Strategic Plan for Combatting Child Labor, Including the Worst Forms.	2013 – 2014
	Provide public updates on the implementation of the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking.	2013 – 2014
Social Programs	Assess the impact that existing programs may have on child labor prevention and elimination.	2014
	Provide support services for child trafficking victims, including effective counseling, specialized shelters and victim-friendly court procedures.	2010 – 2014

## REFERENCES

- ILO-IPEC. *Child Labour in Fiji: A Survey of Working Children in Commercial Sexual Exploitation, on the Streets, in Rural Agricultural Communities, in Informal and Squatter Settlements and in Schools*. Suva; 2010. <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=16815>.
- U.S. Embassy- Suva. *reporting, January 26, 2014*.
- U.S. Department of State. "Fiji," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Fiji Sun. "Children Belong in Schools." [fijisun.com](http://www.fijisun.com) [online] February 27, 2013 [cited January 29, 2014]; <http://www.fijisun.com/fj/2013/02/27/children-belong-in-schools-not-in-cane-fields/>.
- Taleitaki, S. "Cane Growers Undergo Child Labor Training." Fiji Sun, Suva, May 25, 2014; News. <http://fijisun.com/fj/2013/05/25/cane-growers-undergo-child-labour-training/>.
- U.S. Embassy- Suva. *reporting, January 15, 2015*.
- Karan, M. "Orphans repay adopted parents." Fiji Times, Suva, July 6, 2010; News. <http://www.fjitimes.com/story.aspx?id=151228>.
- Silaitoga, S. "Faith in a plan." Fiji Times, Suva, May 13, 2010; Features. <http://www.fjitimes.com/story.aspx?id=146445>.
- Taylor-Newton, R. "Life on wheels." Fiji Times, Suva, March 5, 2010; Features. <http://www.fjitimes.com/story.aspx?id=141409>.
- Australia Network News. "Child labour a big concern in western Fiji: charity." [online] May 24, 2014 [cited 2014]; <http://www.abc.net.au/news/2013-05-24/an-study-reveals-fiji-child-labour/4711066>.
- Singh, S. "Amid Economic Slump, Children Face Bleak Future." Inter Press Service, Suva, January 6, 2010; Population. <http://ipsnews.net/news.asp?idnews=49895>.
- "Fiji sex workers start very young: ILO." Radio Fiji; December 17, 2010; radio broadcast; January 10, 2011; [www.radiofiji.com/fj/print.php?id=33042](http://www.radiofiji.com/fj/print.php?id=33042).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Fiji (ratification: 2002) Published 2012*; accessed April 9, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>.
- U.S. Department of State. "Fiji," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226846.pdf>.
- "Young girls lured into sex trade in Fiji." Fiji Times/Pacific Island News Association, Suva, December 22, 2010; News. [source on file].
- Talebula, K. "Human Trafficking Rated Third Highest." Fiji Sun, Suva, February 23, 2013. <http://www.fijisun.com/fj/2013/02/23/human-trafficking-rated-third-highest/>.
- Swami, N. "Fiji Police On The Lookout For Domestic Child Sex Trafficking." Fiji Times, Suva, April 25, 2013. <http://pidp.eastwestcenter.org/pireport/2013/April/04-26-12.htm>.
- ILO. *Fiji- Commercial Sexual Exploitation of Children*, International Labor Organization, [online] February 26, 2013 [cited October 24, 2014]; [http://www.ilo.org/ipec/projects/global/tackle/fiji/WCMS\\_207185/lang-en/index.htm](http://www.ilo.org/ipec/projects/global/tackle/fiji/WCMS_207185/lang-en/index.htm).
- U.S. Department of State official. E-mail communication to USDOL official. March 13, 2014.
- U.S. Embassy- Suva. *reporting, February 17, 2015*.
- Chand, S. "Children Used as Drug Mules." Fiji Times, Suva, June 14, 2010; News. <http://www.fjitimes.com/story.aspx?id=150121>.
- U.S. Department of State official. E-mail communication to USDOL official. May 23, 2013.
- Government of Fiji. *Employment Relations Promulgation 2007*, 36, enacted October 2, 2007. <http://labour.gov.fj/bills/ER.pdf> [source on file].
- Government of Fiji. *Employment Relations (Administration) Regulations*, enacted April 2, 2008. [http://www.labour.gov.fj/erp2008/ERPREGS/ERP\\_Admin\\_Regs\\_2008.pdf](http://www.labour.gov.fj/erp2008/ERPREGS/ERP_Admin_Regs_2008.pdf).
- Government of Fiji. *The Hazardous Occupations Prohibited to Children Under 18 Years of Age Order 2013*, 18, enacted May 28, 2013.
- Government of Fiji. *Immigration Act 2003*, 17, enacted November 6, 2003. [www.pacii.org/fj/legis/num\\_act/ia2003138/](http://www.pacii.org/fj/legis/num_act/ia2003138/).
- Government of Fiji. *Constitution of the Republic of Fiji*, enacted 2013. <http://www.fiji.gov.fj/getattachment/8e981ca2-1757-4e27-88e0-f87e3b3b844e/Click-here-to-download-the-Fiji-Constitution.aspx>.
- Government of Fiji. *Crimes Decree 2009*, 44, enacted November 5, 2009. [http://www.fiji.gov.fj/index.php?option=com\\_docman&task=doc\\_download&gid=100&Itemid=158](http://www.fiji.gov.fj/index.php?option=com_docman&task=doc_download&gid=100&Itemid=158).
- Government of Fiji. *Royal Fiji Military Forces Act*, Laws of Fiji Chapter 81, enacted 1949 [Revised Ed. 1985]. [http://www.pacii.org/fj/legis/consol\\_act/rfmfa276/](http://www.pacii.org/fj/legis/consol_act/rfmfa276/).
- UNESCO. *World Data on Education*; June 2011. [http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Fiji.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Fiji.pdf).

33. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
34. U.S. Embassy- Suva. *reporting, February 18, 2014*.
35. U.S. Embassy- Suva. *reporting, January 20, 2012*.
36. Government of Fiji. *Child Labour Unit Progress Update on Tackling Child Labour in Fiji: Report Compiled for the United States Department of Labour*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Suva; November 11, 2014.
37. Government of Fiji. *Child Labour Unit Progress Update on Tackling Child Labour in Fiji: Report Compiled for the United States Department of Labour*. Submitted in response to U.S. Department of Labor Federal Register Notice (December 14, 2013) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Suva; December 31, 2013.
38. Government of Fiji. *Child Labour Unit Progress Update on Tackling Child Labour in Fiji: Report Compiled for the United States Department of Labour*. Submitted in response to U.S. Department of Labor Federal Register Notice (December 3, 2013) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Suva; February 6, 2014.
39. U.S. Embassy- Suva official. E-mail communication to USDOL official. February 6, 2014.
40. U.S. Embassy- Suva official. E-mail communication to USDOL official. March 31, 2015.
41. Government of Fiji. *Zero Tolerance on Child Begging*. Press Release. Suva; January 14, 2014. <http://www.fiji.gov.fj/Media-Center/Press-Releases/ZERO-TOLERANCE-ON-CHILD-BEGGING.aspx>.
42. Government of Fiji. *2014 Fijian Government Education Grant Factsheet*. Press Release. Suva; November 24, 2013. <http://www.fiji.gov.fj/Media-Center/Press-Releases/2014-Fijian-Government-Education-Grant-Factsheet.aspx>.
43. Government of Fiji. *Final Batch of Free Education Grant Disbursement to School*, [online] [cited January 9, 2014]; <http://www.fiji.gov.fj/Media-Center/Press-Releases/FINAL-BATCH-OF-FREE-EDUCATION-GRANT-DISBURSEMENT-T.aspx>.
44. United Nations Pacific. *United Nations Development Assistance Framework (UNDAF) For the Pacific Region 2013-2017*. Suva; 2013. [http://pacific.one.un.org/images/stories/2013/UNDAF\\_Summary\\_Report.pdf](http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf).
45. United Nations Pacific. *Fiji: UNDAF Results Matrix 2013-2017*; 2013. [http://www.pacific.one.un.org/images/stories/2013/fiji\\_crm.pdf](http://www.pacific.one.un.org/images/stories/2013/fiji_crm.pdf).
46. ILO-IPEC. *Tackling child labour through education in African, Caribbean and the Pacific (ACP) States (TACKLE)*, ILO, [online] [cited March 3, 2014]; <http://www.ilo.org/ipec/projects/global/tackle/lang-en/index.htm>.
47. Government of Fiji. *EU and ILO Join Fight Against Child Labor*. Press Release Suva; December 17, 2010. [www.fiji.gov.fj/index.php?view=article&catid=71%3Apress-release&id=3039%3A](http://www.fiji.gov.fj/index.php?view=article&catid=71%3Apress-release&id=3039%3A).
48. ILO-IPEC Geneva official. E-mail communication to USDOL official. April 15, 2013.
49. "A Special Program in Fiji to Help Child Victims of the Sex Industry," Australia: ABC Radio Australia; May 30, 2012; 5 min., 10 sec., radio broadcast; <http://www.radioaustralia.net.au/international/radio/program/pacific-beat/a-special-program-in-fiji-to-help-child-victims-of-the-sex-industry/952794>.
50. ILO-IPEC. *Good practices in tackling child labour through education - Selected examples from the IPEC TACKLE Project*. Geneva; October 2013. <http://www.ilo.org/ipecinfo/product/viewProduct.do;jsessionid=d89ad28b4593f93a4b11a1167893351b13158826f7c0abaa6a5db2866b983a95.e3aTbhulbNmSe34MchaRah8Sc3j0?productId=22956>.
51. Targeted News Service. "Social Welfare Ministry Tackles Child Trafficking and Sexual Exploitation." targetednews.com [online] September 13, 2013 [cited January 20, 2015]; <http://www.lexisnexis.com.proxy1.library.jhu.edu/hottopics/lnacademic/>.
52. Ministry of Education. *Education Newsletter: New Boats for Northern Schools*. Suva; October 27-November 7, 2014. [http://www.education.gov.fj/images/Newsletter/EDUCATION\\_NEWSLETTER%20 VOLUME\\_1\\_ISSUE\\_1.pdf](http://www.education.gov.fj/images/Newsletter/EDUCATION_NEWSLETTER%20 VOLUME_1_ISSUE_1.pdf).
53. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Fiji*; September 19, 2014. Report No. CRC/C/FI/CO/2-4. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fFI%2fCO%2f2-4&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fFI%2fCO%2f2-4&Lang=en).

In 2014, Gabon made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified UN CRC Optional Protocol on a Communications Procedure, which allows children to bring complaints to the UN Committee on the Rights of the Child when their rights have been violated. The Government also completed a Rapid Situational Analysis on Child Domestic Work which includes a proposal to address gaps in social services, and launched a program to provide birth certificates to 20,000 Gabonese citizens with birth certificates. However, children in Gabon are engaged in child labor, including in domestic work and street vending. The Government continues to delay the development of a list of hazardous occupations prohibited for children under age 18 and has yet to conduct a proposed study on children trafficked into domestic work.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon are engaged in child labor, including in domestic work and street vending.(1-6) Table 1 provides key indicators on children’s work and education in Gabon. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	22.3 (83,073)
Attending School (%)	5-14 yrs.	94.4
Combining Work and School (%)	7-14 yrs.	23.3
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II) Survey, 2012.(8)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Fishing,* including the production and sale of smoked fish (4, 9, 10)
	Raising livestock,* activities unknown (9)
	Farming,* activities unknown (9)
Industry	Mining,* including in sand quarries* (4, 9)
	Working in brick factories* (4)
	Domestic work (4-6, 10)
Services	Street vending, including cleaning market spaces at night* and carrying heavy loads (1-4, 10)
	Garbage scavenging*(4)
	Working in transportation* and as mechanics (4, 9-12)
Categorical Worst Forms of Child Labor‡	Forced labor in markets or restaurants,* mining,* farming,* fishing,* domestic work,* and as mechanics,* each sometimes as a result of human trafficking* (11, 13)
	Commercial sexual exploitation* sometimes as a result of human trafficking (2, 4, 9, 11)

\* Evidence of this activity is limited and/or extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182

# Gabon

## MODERATE ADVANCEMENT







Gabon is primarily a destination and transit country for children from other countries in Central and West Africa who are the victims of child trafficking.(2, 5, 11, 13-15) Boys in Gabon are forced to work as street vendors or mechanics, while girls are forced into commercial sexual exploitation, domestic work, and work in restaurants.(5, 9, 11, 13) There is limited evidence of child trafficking occurring within Gabon as well.(3, 13, 16) In 2011, the Government made plans to undertake a survey on human trafficking. The survey was intended to include human trafficking routes and areas in which forced labor involving children was practiced. However, due to the lack of resources, the survey has yet to be conducted.(10, 16, 17)

According to the Constitution, education is free and compulsory until age 16, but in practice, students were often required to pay for supplies and school fees which may be prohibitive.(9, 18-20) The country also suffers from a shortage of schools and teachers, particularly in rural areas, and the school year has occasionally been disrupted by prolonged strikes.(18, 21-23) Reports suggest that some children, especially girls, are pressured by teachers to have sex in exchange for good grades.(24) The lack of schools and teachers, safe learning environments, and associated costs might increase the likelihood that children will enter into the worst forms of child labor.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Gabon has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

On April 14, 2014, the Government ratified UN CRC Optional Protocol on a Communications Procedure, which allows children to bring complaints to the UN Committee on the Rights of the Child when their rights have been violated. Gabon is the only African country to ratify this optional protocol.(25-27)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 177 of the Labor Code; Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment (28-31)
Minimum Age for Hazardous Work	Yes	18	Article 177 of the Labor Code (28-30)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Article 177 of the Labor Code; Decree N° 275 of 1962 (28-30, 32)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code (28)
Prohibition of Child Trafficking	Yes		Law N° 09/04 Preventing and Fighting Against Child Trafficking; Decree N° 0031/PR/MTEFP; Ordinance N° 4/2001 (11, 33, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 260 and 263 of the Penal Code; Law N° 09/04 (11, 35)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		



**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	20	Act N° 004/98 (36)
Compulsory Education Age	Yes	16	Article 1 of the Constitution; Article 2 of Act N° 21/2011; Article 344.8 of the Penal Code (19, 20, 35)
Free Public Education	Yes		Article 1 of the Constitution; Article 2 of Act N° 21/2011 (19, 20)

\* No conscription (36, 37)

Article 177 of the Labor Code prohibits children under the age of 18 from being employed in work considered as the worst form of child labor, but this does not apply to children without a formal employment contract.(30, 38) Additionally, the Labor Code does not comprehensively prohibit the categorical worst forms of child labor as described in ILO C.182, nor does it explicitly prohibit the use, procuring, or offering of a child for illicit activities. Existing legislation is not specific enough to facilitate enforcement.(6, 29) According to Article 177 of the Labor Code, the Ministries of Labor and Health, in consultation with employers and workers’ organizations, are responsible for drafting a list of hazardous occupations and activities prohibited for children and setting the age limit to which the prohibition applies. However, these ministries have not begun this task and the hazardous work list has not been updated since 1962.(6, 29, 32)

In addition to the prohibitions against hazardous work, Article 178 of the Labor Code permits labor inspectors to require health exams for anyone under age 21 who may be asked to perform work that is considered “high risk” to their health. However, the Labor Code does not specify the types of work that are considered “high risk.”(29) Additionally, Article 2 of Decree N° 0651/PR/ MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment permits children under age 16 to perform light work with parental permission. However, it does not set a minimum age for light work or include a list specifying the kinds of light work allowed.(31) The ILO Committee of Experts has also expressed concern over this gap in the law.(38)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment, and Professional Training (MLEPT)	Receive, investigate, and address child labor complaints through its inspectors.(4) Maintain a free helpline for victims of child trafficking that provides monitoring, counseling, and information services. Oversees the procedure for returning victims of child trafficking and exploitation to their families.(13, 17, 39) Refer cases of child trafficking to the Ministry of the Interior’s Police Force.(10)
Ministry of Health and Social Welfare (MHSW)	Provide social services and assistance to vulnerable children; assist in repatriation or resettlement processes for victims of child trafficking; operate shelters for victims of child trafficking.(10)
Ministry of the Interior’s Police Force	Investigate child labor law violations and refer cases to the Ministry of Justice for prosecution.(4, 40)
Ministry of Justice	Enforce child labor laws by prosecuting child labor complaints.(4, 9) Assist in supporting victims of child trafficking while prosecutors and investigators prepare their case.(10)
Local Vigilance Committees	Monitor potential cases of child exploitation and human trafficking at the local level. Identify and intercept children at risk of becoming victims of child trafficking and coordinate assistance to children in need.(13, 17, 34, 40-42)

Law enforcement agencies in Gabon took actions to combat child labor, including its worst forms. However, the president re-organized his cabinet in January and October 2014, initiating significant changes to the ministries charged with overseeing social issues, and causing possible disruption to their oversight on child labor issues.(23, 43)

#### *Labor Law Enforcement*

In 2014, one newly-hired labor inspector received training at the Regional African Center for Administration Work in Cameroon, but there was no specific training on child labor for most labor inspectors.(4) Although the government employs approximately 2,000 labor inspectors, social workers, police officials and other individuals to fight against child exploitation, the exact number of

# Gabon

## MODERATE ADVANCEMENT

labor inspectors the Government employed is not publicly available. Research indicates that the number of inspectors is sufficient in urban centers, but not in rural areas.(4, 30) Additionally, the country's heavily forested terrain in rural areas and a lack of resources such as transportation, fuel, and office supplies limits inspectors' ability to conduct investigations.(4, 13, 30)

In 2014, inspectors responded to complaints of child labor violations from NGOs, but did not proactively undertake any investigations. It is not known how many total investigations occurred, although research indicates it was insufficient to adequately enforce labor laws and the Government acknowledges more inspections are needed.(4, 30, 38) Moreover, although Article 178 of the Labor Code permits inspectors to make unannounced visits, none occurred during the reporting period.(4, 28, 29) Inspections were conducted through site visits and in languages spoken by the children being interviewed.(4) The Ministry of Labor, Employment, and Professional Training (MLEPT) referred victims of child labor violations to the Ministry of Health and Social Welfare (MHSW) for social services, and 14 received assistance in 2014.(4)

Although inspectors can suggest penalties, they do not have the authority to assess penalties.(4) Additionally, the number of calls made to the child protection hotline that were related to child labor is unknown.

### *Criminal Law Enforcement*

In 2014, investigators did not receive any specific training on child labor and the exact number of investigators is unknown.(4) Like labor inspectors, the number of investigators in rural areas is insufficient and inspectors lack resources for conducting investigations such as transportation and fuel.(4) However, the Government has reportedly stopped penalizing victims of exploitative child labor and does not treat them as criminals or try them as adults. There were at least 16 investigations into cases of human trafficking, and one prosecution. However, the defendant fled the trial and has not yet been recaptured.(4, 10, 44)

The MHSW referred victims of child trafficking to Government-run or NGO-run shelters for care and assistance. The MHSW provided assistance to at least 14 victims of child trafficking in 2014 and assisted in the repatriation of 12 of these children.(10) The Government did not provide any publicly available information on the total number of investigations conducted, prosecutions, convictions or penalties assessed during the reporting period.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established a mechanism to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Inter-ministerial Committee for the Fight Against Child Trafficking (IMC)	Coordinate national efforts against child trafficking and other worst forms of child labor by facilitating communication and coordinating enforcement actions among ministries. Led by the MLEPT, it includes the Ministry of Human Rights; Ministry of Justice; Ministry of Interior; MHSW; law enforcement agencies charged with the protection of minors; and local NGOs.(4, 10) Maintains provincial offices and centers for child trafficking victims. Removes children from exploitative labor situations, provides shelter, assists victims with prosecution, and repatriates victims when necessary.(4, 10, 11, 16, 40, 45-47)

As a result of a cabinet reorganization in January 2014, the Ministry of Economy transferred leadership for the Inter-ministerial Committee for the Fight Against Child Trafficking (IMC) to the MLEPT in January 2014, which may have affected the IMC's effectiveness.(4, 10) Moreover, the IMC did not have sufficient funds to effectively coordinate efforts among ministries and was unable to fully implement its Plan of Action for 2014.(10, 11) However, the IMC continued to respond to complaints of child trafficking, refer victims to social service providers, and work with the courts to prosecute child trafficking violations.(4, 10) A lack of communication between ministries also limited the Government's ability to collect data on the prevalence of human trafficking issues.(10)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Gabon has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
2014 Action Plan of the IMC†	Aims to address the worst forms of child labor by identifying and prosecuting those who use child labor, building capacity to enforce laws against human trafficking, and increasing cooperation with embassies of source countries for child trafficking victims. Led by the IMC, assigns actions to be taken by ministries and NGOs as well as a timeline.(4, 17)
National Manual of Procedures for the Care of Child Victims of Trafficking	Establishes a series of procedures to return a victim of child trafficking to their country of origin or facilitate their integration into Gabon.(16)
Education Policy (2010-2020)*	Aims to make pre-primary education widely available, improve the quality of primary education throughout the country, and improve the quality and access to secondary education.(19)
National Youth Policy of Gabon*	Aims to establish a ministry devoted to youth and strengthen the technical and operational capacities of existing ministries dealing with youth issues. Encourage youth participation in democratic practices by creating a National Youth Council and strengthening the existing Youth Parliament.(48) Improve the lives of youth by providing more professional opportunities, fostering patriotism, and developing good citizenship.(49-51)
UNDAF (2012-2016)*	Establishes six priority areas in alignment with the Millennium Development Goals: (1) promote sustained and diversified growth; (2) develop good infrastructure; (3) improve economic governance; (4) consolidate democratic governance; (5) promote decentralized government; and (6) promote human and social development.(52)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Although the Government of Gabon has adopted the 2014 Action Plan of the IMC, research found no evidence of a general policy to address child labor.

The Government of Gabon has drafted separate agreements with Benin, Nigeria, Cameroon, Guinea, Togo, and Mali to combat child trafficking, but they have not been signed by both parties.(5, 18, 30, 53)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Plan on Child Labor Issues Project (2011-2016)	\$15 million USDOL-funded 6-year project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to strengthen legal protections and social service delivery for child domestic workers in Gabon.(54) In 2014, completed a Rapid situational Analysis on Child Domestic Work including a proposal assessing and addressing gaps in social services.(54)
Gabon Emergent Strategic Plan (2011-2016)‡	Government program that outlines President Ali Bongo Ondimba's vision for the country's development, which includes a component on improving work conditions and eliminating child labor.(55, 56)
Shelters for Children in Need‡	Shelters operated by the Government and civil society organizations supported by UNICEF that provide victims of child labor, child trafficking, and orphans and other vulnerable children with health care, education, financial support, psycho-social support, and reintegration services.(4, 10, 13, 40, 47, 57, 58)
Repatriation Programs‡	Overseen by the IMC. Resettles children in their country of origin when possible or provides resettlement assistance in Gabon if repatriation is not possible.(10, 11, 59) If the country of origin is unable to provide financial restitution or support for victims of child trafficking, the Government of Gabon absorbs these costs.(10)
Birth Certificate Program‡	Ministry of Interior and MHSW program to provide 20,000 Gabonese citizens with birth certificates.(10, 44)
Africa Contingency Operations Training and Assistance Program‡	Government program to provide anti-trafficking in persons training to Gabonese peacekeepers as part of their preparation for deployment to the UN Support Mission for the Central African Republic. This program was reactivated in 2014 and provided training to approximately 450 peacekeepers.(10, 44)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Decent Work Country Program (2013-2016)*	Promotes decent work conditions with a focus on creating job opportunities for youth and promoting social protection.(60)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Gabon.

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. The Government continued to support existing programs related to child labor in 2014, but reduced funding for these programs as well as the IMC.(4, 10)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Gabon. (Table 9)

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure hazardous occupations and/or activities prohibited for children are specific enough to facilitate enforcement. Ensure that the legal framework prohibits the use of children in illicit activities and in hazardous occupations for children in all relevant sectors in Gabon.	2009 – 2014
	Ensure that laws specify the types of work that are considered “light work” and set a minimum age for light work no younger than 13.	2013 – 2014
Enforcement	Strengthen enforcement of child labor laws by: <ul style="list-style-type: none"> <li>■ Providing additional training on child labor issues;</li> <li>■ Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce, particularly outside urban areas;</li> <li>■ Ensuring adequate resources for inspectors to conduct investigations;</li> <li>■ Proactively planning inspections and including unannounced inspections; and</li> <li>■ Authorizing inspectors to determine and/or assess penalties.</li> </ul>	2009 – 2014
	Make statistics regarding the enforcement of child labor laws publicly available, including the number of inspections, prosecutions, violations and citations/penalties assessed and disaggregate the number of complaints related to child labor that are made to the child protection hotline.	2009 – 2014
Coordination	Ensure the Inter-ministerial Committee for the Fight Against Child Trafficking has sufficient funds to carry out its mandate, including improving communication and coordination among ministries.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the Education Policy, National Youth Policy of Gabon, and UNDAF.	2014
	Sign agreements with origin countries to combat child trafficking.	2014
Social Programs	Conduct research to determine the specific activities carried out by children working in agriculture and the informal sector to inform policies and programs.	2014
	Ensure children have access to education by eliminating school fees, increasing the number of teachers and schools in rural areas, and ensuring schools are free from sexual abuse.	2010 – 2014
	Carry out the proposed survey on child trafficking.	2011 – 2014
	Assess the impact that existing programs may have on child labor.	2013 – 2014
	Expand existing programs to address the scope of the child labor problem.	2010 – 2014

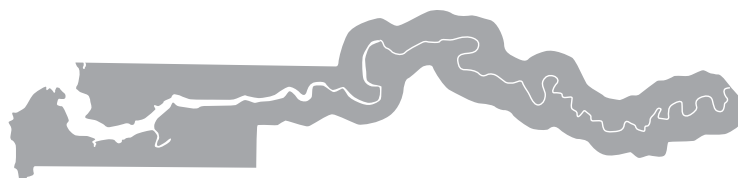
## REFERENCES

- INTERPOL. "Gabon Police Rescue 140 Victims of Child Trafficking and Labour in INTERPOL Coordinated Operation." [interpol.int](http://www.interpol.int) [online] December 20, 2010 [cited 2014]; <http://www.interpol.int/Public/ICPO/PressReleases/PR2010/PR109.asp>.
- AFP. "Trafficking of west African children spawns Gabonese hell." July 17, 2013. <http://www.foxnews.com/world/2013/07/17/trafficking-west-african-children-spawns-gabonese-hell/>.
- ILO Committee of Experts. *Observation Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (Ratification: 2001) Published: 2011*; accessed 2011; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
- U.S. Embassy- Libreville. *reporting, January 16, 2015*.
- UN OHCHR. "Gabon: UN expert urges action to tackle trafficking of children from West and Central Africa." [ohchr.org](http://www.ohchr.org) [online] May 23, 2012 [cited November 14, 2014]; <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12187&LangID=E>.
- ILO Committee of Experts. *Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (Ratification: 2001) Published: 2013*; accessed April 15, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 2012 Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Gabon," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Libreville. *reporting, February 17, 2015*.
- U.S. Department of State. "Gabon," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226725.htm>.
- UN News Centre. "UN Independent Rights Expert Urges Gabon to Combat Trafficking of Children." [un.org](http://www.un.org) [online] May 24, 2012 [cited November 5, 2012]; [http://www.un.org/apps/news/story.asp?NewsID=42075&Cr=human&Cr1=trafficking#\\_UjfulrE1km4](http://www.un.org/apps/news/story.asp?NewsID=42075&Cr=human&Cr1=trafficking#_UjfulrE1km4).
- Walk Free Foundation. *Global Slavery Index; 2013*. [http://www.ungift.org/doc/knowledgehub/resource-centre/2013/GlobalSlaveryIndex\\_2013\\_Download\\_WEB1.pdf](http://www.ungift.org/doc/knowledgehub/resource-centre/2013/GlobalSlaveryIndex_2013_Download_WEB1.pdf).
- eNCA. "Gabon, UNICEF Gear up to Combat Human Trafficking." eNews Channel Africa, Johannesburg, July 11, 2013 2013. <http://www.enca.com/africa/gabonunicef-gear-combat-human-trafficking>.
- UN OHCHR. "Le Comité des droits économiques, sociaux et culturels examine le rapport initial du Gabon." [ohchr.org](http://www.ohchr.org) [online] November 19, 2013 [cited <http://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=14008&LangID=F>].
- ILO Committee of Experts. *Observation Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (Ratification: 2001) Published: 2013*; accessed April 15, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
- U.S. Department of State official. E-mail communication to USDOL official. February 28, 2013.
- African Union. *Report of the Human Rights Promotion Mission to the Gabonese Republic*. Banjul; January 2014. [http://www.achpr.org/files/sessions/54th/mission-reports/gabon-promo-2014/achpr54os\\_misrep\\_promo\\_gabon\\_2014\\_eng.pdf](http://www.achpr.org/files/sessions/54th/mission-reports/gabon-promo-2014/achpr54os_misrep_promo_gabon_2014_eng.pdf).
- CRIN. *GABON: Children's Rights in the Universal Periodic Review (Second Cycle)*. London, Child's Rights Information Network; October 24, 2012. <http://www.crin.org/resources/infodetail.asp?id=29670>.
- Government of Gabon. *Constitution de la République Gabonaise*, enacted 2003. [http://www.ilo.org/dyn/natlex/natlex\\_browse.home?p\\_lang=en](http://www.ilo.org/dyn/natlex/natlex_browse.home?p_lang=en).
- AFP. "Teachers hit out at Gabon government." news24.com [online] November 27, 2013 [cited November 24, 2014]; <http://www.news24.com/Africa/News/Teachers-hit-out-at-Gabon-government-20131127>.
- Deutsche Welle. "Gabon: Les enseignants gabonais toujours en grève." [allafrica.com](http://www.allafrica.com) [online] November 26, 2013 [cited November 24, 2014]; <http://fr.allafrica.com/stories/201311261486.html>.
- U.S. Embassy- Libreville official. E-mail communication to US DOL official. October 7, 2014.
- Antonowicz, L. *Too Often in Silence: A Report on School-Based Violence in West and Central Africa*. Dakar, UNICEF WCARO, Plan West Africa, Save the Children Sweden West Africa and ActionAid; 2010. [www.unicef.org/wcaro/VAC\\_Report\\_english.pdf](http://www.unicef.org/wcaro/VAC_Report_english.pdf).
- Mba, BN. *Droits de l'enfant au Gabon: où en sommes-nous?*, Esprit Africain, [blog] April 14, 2014 [cited 2014]; <http://espritafricain.mondoblog.org/2014/04/14/droits-de-lenfant-au-gabon-ou-en-sommes-nous/>.
- UN Committee on the Rights of the Child. *Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure*. List of Signatories and Parties. April 2014 2014. [https://treaties.un.org/pages/viewdetails.aspx?src=treaty&cmdsg\\_no=iv-11-d&chapter=4&lang=en](https://treaties.un.org/pages/viewdetails.aspx?src=treaty&cmdsg_no=iv-11-d&chapter=4&lang=en).
- UN Committee on the Rights of the Child. *Resolution adopted by the General Assembly: Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure* 2012. [https://treaties.un.org/doc/source/docs/A\\_Res\\_66\\_138-E.pdf](https://treaties.un.org/doc/source/docs/A_Res_66_138-E.pdf).
- Government of Gabon. *Code du Travail*, loi No. 3/94, enacted November 21, 1994. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/39615/64948/F94GAB01.htm>.
- Government of Gabon. *Ordonnance du 25 février 2010 portant modification de certaines dispositions du Code du Travail de la République Gabonaise*, loi No. 018/PR/2010, enacted May 15, 2010. [http://www.ilo.org/dyn/natlex/natlex\\_browse\\_home?p\\_lang=en](http://www.ilo.org/dyn/natlex/natlex_browse_home?p_lang=en).
- U.S. Embassy- Libreville. *reporting, February 13, 2014*.
- Government of Gabon. *Décret N° 0651/PR/MTEPS fixant les dérogations individuelles à l'âge minimum d'admission à l'emploi en République Gabonaise*, enacted April 13, 2011. <http://faolex.fao.org/docs/pdf/gab107288.pdf>.
- ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (ratification: 2001) Published : 2011*; accessed 2011; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
- UN Economic and Social Council. *Periodic Reports of States Parties: Gabon*. Prepared by the Government of Gabon, Articles 16 and 17 of the Covenant on Economic, Social and Cultural Rights. June 29, 2012. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fGAB%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fGAB%2f1&Lang=en).
- ILO Committee of Experts. *Direct Request Concerning Forced Labour Convention, 1973 (No. 29) Gabon (Ratification: 1960) Published : 2013*; accessed November 11, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
- Government of Gabon. *Penal Code*, Loi N° 21/63, enacted May 31, 1963. <http://www.wipo.int/edocs/lexdocs/laws/fr/ga/ga026fr.pdf>.
- The African Child Policy Forum. *Minimum Age to Recruitment in to the Army: International and Regional Laws*; December 2013. [http://www.africanchildforum.org/cfr/Harmonisation%20of%20Laws%20in%20Africa/other-documents-harmonisation\\_6\\_en.pdf](http://www.africanchildforum.org/cfr/Harmonisation%20of%20Laws%20in%20Africa/other-documents-harmonisation_6_en.pdf).
- Child Soldiers International. *Louder than words: An agenda for action to end state use of child soldiers*. London; 2012. [http://www.child-soldiers.org/publications\\_archive.php](http://www.child-soldiers.org/publications_archive.php).



38. ILO Committee of Experts. *Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Gabon (Ratification: 2010) Published : 2013*; accessed November 22, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
39. Government of Gabon. *Implementation of the International Covenant on Economic, Social and Cultural Rights: Initial reports submitted by States parties under articles 16 and 17 of the Covenant* United Nations Economic and Social Council; June 2012 June 29, 2012. Report No. E/C.12/GAB/1. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGA.B%2F1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGA.B%2F1&Lang=en).
40. UN Working Group of Gabon. *Contribution à l'Examen Périodique Universel du Gabon 14ème session du Groupe de Travail, Octobre –Novembre 2012*. Libreville; 2012 April 2012. [http://lib.ohchr.org/HRBodies/UPR/Documents/Session14/GA/SNU\\_UPR\\_GAB\\_S14\\_2012\\_SystemeNationsUnies\\_F\\_2012.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session14/GA/SNU_UPR_GAB_S14_2012_SystemeNationsUnies_F_2012.pdf).
41. G.R.M. “Le comité de vigilance du Moyen-Ogooué en place.” *Journal L'Union*, (2010);
42. ILO-IPEC. *Going the distance to stop child trafficking: Local vigilance committees (West Africa)*. Geneva, International Labour Organization; 2010. [http://www.ilo.org/ipcc/Informationresources/WCMS\\_IPEC\\_PUB\\_15435/lang-en/index.htm](http://www.ilo.org/ipcc/Informationresources/WCMS_IPEC_PUB_15435/lang-en/index.htm).
43. Dzonteu, D-C. “La déclinaison du gouvernement Ona Ondo.” *Gabon Review*, (2014); <http://gabonreview.com/blog/la-declinaison-du-gouvernement-ona-ondo/>.
44. U.S. Embassy- Libreville official. E-mail communication to USDOL official. April 15, 2015.
45. UNICEF. *Halte à l'Exploitation des Enfants par le Travail!* Prepared by Ministry of Labor Employment and Social Security,
46. UN Committee on the Elimination of Discrimination against Women. *Periodic Reports of States Parties due in 2010: Gabon*. Prepared by the Government of Gabon, Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women. December 16, 2013. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fG.AB%2f6&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fG.AB%2f6&Lang=en).
47. Ezeilo, JN. *Report of the Special Rapporteur on trafficking in persons, especially women and children*; May 24, 2013. Report No. A/HRC/23/48/Add.2. [http://www.ohchr.org/documents/hrbodies/hrcouncil/regularsession/session23/a\\_hrc\\_23\\_48\\_add.2\\_eng.pdf](http://www.ohchr.org/documents/hrbodies/hrcouncil/regularsession/session23/a_hrc_23_48_add.2_eng.pdf).
48. Government of Gabon. *Politique Nationale de la Jeunesse*. Libreville; 2012. [http://www.youthpolicy.org/national/Gabon\\_2011\\_National\\_Youth\\_Policy.pdf](http://www.youthpolicy.org/national/Gabon_2011_National_Youth_Policy.pdf).
49. Ondimba, AB. “Politique Nationale de la Jeunesse du Gabon.” February 2, 2013. <http://www.presidentalibongo.com/l-actualite/toute-l-actualite/21209/politique-nationale-de-la-jeunesse-du-gabon?destination=taxonomy%2Fterm%2F785>.
50. Ntoutoume, L. “Ali Bongo Ondimba prend acte de la politique nationale de la jeunesse.” *Gabon Review*, (2013); <http://gabonreview.com/blog/ali-bongo-ondimba-prend-acte-de-la-politique-nationale-de-la-jeunesse/>.
51. Government of Gabon. *Presentation of the Gabonese Youth Parliament*. Libreville; 2014 November 18, 2014. <http://www.assemblee-nationale.ga/34-deputes/68-presentation-du-parlement-gabonais-des-jeunes/>.
52. Government of Gabon. *Plan Cadre des Nations Unies Pour l'Aide au Développement du Gabon UNDAF (2012-2016)*. Libreville; June 2011. <http://www.undg.org/docs/11992/Gabon-UNDAF.pdf>.
53. UNICEF. “UNICEF Annual Report 2013 -Gabon.” (2013); [http://www.unicef.org/about/annualreport/files/Gabon\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Gabon_COAR_2013.pdf).
54. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
55. U.S. Embassy- Libreville. *reporting, January 22, 2013*.
56. Government of Gabon. *Gabon Emergent Strategic Plan*, enacted July 2012. <http://medias.legabon.net/PROD/0000004928.pdf>.
57. UN Human Rights Council. *Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21: Gabon*. New York; August 13, 2012. Report No. A/HRC/WG.6/14/GAB/2. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/159/34/PDF/G1215934.pdf?OpenElement>.
58. Habib, O. *UN Secretary-General Visits a Child Protection Centre in Gabon*, UNICEF, [online] July 7, 2010 [cited October 30, 2014]; [http://www.unicef.org/infobycountry/gabon\\_54209.html](http://www.unicef.org/infobycountry/gabon_54209.html).
59. UN Committee on Economic, Social and Cultural Rights. *Examen des rapports des États parties soumis par les États parties conformément aux articles 16 et 17 du Pacte: Rapport initial: Gabon*. Geneva; November 22, 2013. Report No. E/C.12/2013/SR.51. [http://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/GAB/SR%2051\\_21548\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/GAB/SR%2051_21548_E.pdf).
60. République Gabonaise. *Programme Pays pour le Travail Decent (PPTD) de la République Gabonaise (2013-2016)*. Libreville, ILO; March 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/gabon.pdf>.

In 2014, The Gambia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government's Ministry of Education continued the Conditional Cash Transfer (CCT) initiative that provided subsidies to marabouts to support discontinuing the marabouts' practice of forcing students to beg in the streets. In addition, The Gambia Tourism Board (GTB) co-funded the installation of an electronic billboard at Banjul International Airport to warn visitors of the penalties of engaging in child sex tourism. The GTB also held five seminars on child sex tourism for 190 law enforcement officers, tourism industry operators, and members of the public. However, children in The Gambia continue to engage in the worst forms of child labor in street work and commercial sexual exploitation. Gaps in the legal framework persist, such as between compulsory education and minimum working ages. In addition, child labor laws are not effectively enforced, and existing social programs are not sufficient to meet the need.



In addition, The Gambia Tourism Board (GTB) co-funded the installation of an electronic billboard at Banjul International Airport to warn visitors of the penalties of engaging in child sex tourism. The GTB also held five seminars on child sex tourism for 190 law enforcement officers, tourism industry operators, and members of the public. However, children in The Gambia continue to engage in the worst forms of child labor in street work and commercial sexual exploitation. Gaps in the legal framework persist, such as between compulsory education and minimum working ages. In addition, child labor laws are not effectively enforced, and existing social programs are not sufficient to meet the need.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in The Gambia are engaged in child labor, including in domestic work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in The Gambia.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	36.4 (180,954)
Attending School (%)	5-14 yrs.	65.7
Combining Work and School (%)	7-14 yrs.	29.6
Primary Completion Rate (%)		70.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2005-2006.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including protecting crops by chasing animals (1, 6)
Industry	Working in carpentry,* masonry,* sewing,* plumbing,*and in metal welding workshops*†(1)
	Domestic work* (1)
	Street work,* including vending* (1, 3)
Services	Scavenging for scrap metal and jewelry at dump sites*(3, 6)
	Taxi and bus attendants*(1)
	Auto mechanics*† (1, 3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3, 7)
	Forced begging by Koranic teachers* (6, 8-10)
	Forced labor in domestic work and street vending each sometimes as a result of human trafficking* (1, 7, 10)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

# Gambia, The

## MINIMAL ADVANCEMENT

In The Gambia, it is a common practice to send boys to receive education from Koranic teachers called *marabouts*. Some Koranic students, or *almudus*, are forced by their teachers to beg in the streets for money and food or to do street vending.(1, 8, 10) Some reports indicate that cases of begging forced on *almudus* by *marabouts* have decreased as a result of increased enforcement and a government cash transfer program.(1, 2, 7) However, evidence suggests that instead of requiring *almudus* to beg, many *marabouts* now force students to sell items on the street. *Almudus* in rural areas also work for long hours doing farm work.(1) In addition, the commercial sexual exploitation of children is a serious problem in The Gambia. Children are exploited in brothels and motels in tourist areas.(1, 11, 12)




Children, mostly girls, are trafficked within The Gambia for domestic work and commercial sexual exploitation, including in the tourism industry. Children of both sexes are trafficked to neighboring countries such as Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea-Bissau, and Benin, where they are subject to commercial sexual exploitation, domestic work, and forced street vending.(1, 7, 10) Children are trafficked from other West African nations, including Ghana and Senegal, to The Gambia for commercial sexual exploitation.(7, 9, 10, 13)

Article 30 of the Constitution mandates free compulsory education; however, families are often required to buy books and uniforms for their children as well as contribute to the school fund, which is used to fund certain activities in the school.(2, 14, 15) The Government consistently waived school fees for girls in order to increase their enrollment.(2, 8)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Gambia has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 43 of the Children's Act(16)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Children's Act; Article 46 of the Labor Act(16, 17)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 44-45 of the Children's Act(16)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution; Article 41 of the Children's Act(15, 16)
Prohibition of Child Trafficking	Yes		Articles 30-39 of the Children's Act; Articles 28 and 56 of the Trafficking in Persons Act; Article 13 of the Tourism Offenses Act (16, 18, 19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 26, 27, 29-31, 32, and 34 of the Children's Act; Articles 7-9 of the Tourism Offenses Act; (16, 19)
Prohibition of Using Children in Illicit Activities	Yes		Articles 31, 36, and 37 of the Children's Act (16)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 59 of the Children's Act (1, 16)
Compulsory Education Age	Yes	12	Article 30 of the Constitution (15)
Free Public Education	Yes		Article 30 of the Constitution; Article 18 of the Children's Act (15, 16)

\*No conscription (20)

In The Gambia children are required to attend school only until the age of 12 at which point they are permitted under Sections 51 of the Children's Act to work as an apprentice in the informal sector. This standard makes children ages 13 to 15 that are not engaged in apprenticeships in the informal sector, particularly vulnerable to the worst forms of child labor as they are not required to be in school but are not legally permitted to work either.(2, 15, 21) However, under Section 43 of the Children's Act children at age 16 are permitted to do light work; light work means work that does not jeopardize the health or safety of the child and does not interfere with school attendance.(16) Although The Gambia has laws that criminalize the use and solicitation of children for sexual intercourse, in November 2014, President Jammeh declared the government would impose the death penalty for the crime of raping a child, which should take effect September 2015.(22)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Social Welfare (DSW)	Combat forced child labor and coordinate the handling of trafficking victims, working closely with social welfare officers in police units.(1, 7) Monitor, through the operation of 5 Neighborhood Watch Groups, suspected cases of child abuse or child sexual exploitation in urban areas near tourist sites such as resorts. Operate a 24-hour hotline to address human trafficking and maintain a database of persons suspected of pedophilia or child trafficking in collaboration with the GTB. Maintain an electronic database that contains information on cases related to child protection, including those involving labor and human trafficking violations.(10, 11)
Child Protection Alliance (CPA)	Promote child rights and child protection.(13, 23, 24) Raise awareness about child exploitation and build capacity for prevention and protection. Include government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions.(13)
Gambia Tourism Board (GTB)	Combat the commercial sexual exploitation of children in tourist areas.(1) Maintain a database of persons suspected of pedophilia or child trafficking in collaboration with the DSW.(11, 25)
Tourism Security Unit (TSU)	Prevent unaccompanied children from entering tourist areas and patrol tourist areas for child labor violations and criminal violations, such as commercial sexual exploitation and human trafficking. Has a dedicated child protection division.(1, 7, 25)
Gambia Police Force's Child Welfare Unit	Oversee all situations involving children.(24) Work with the DSW, the CPA, and other agencies and non-governmental organizations to assess and identify children engaged in the worst forms of child labor.(3)
Community Child Protection Committees (CCPCs)	Raise awareness and report cases of labor issues, including child labor, to the authorities. DSW currently operates 66 CCPCs in the country.(3, 7, 10, 26)
Neighborhood Watch Groups	Monitor for cases of child exploitation. Five existing groups established by DSW in urban areas near tourist resorts.(7) DSW provides members with allowances and cell phone credit.(7)

Law enforcement agencies in The Gambia took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Department of Labor, under the Ministry of Trade, Industry, Regional Integration and Employment (MOTRIE) employed 4 labor inspectors to enforce all labor laws, including those related to child labor. This number of inspectors is insufficient for the size of the population.(6) A source indicated that inadequate transportation and fuel posed a challenge for inspectors.(1)

# Gambia, The

## MINIMAL ADVANCEMENT

Children found during labor inspections are referred to the Department of Social Welfare (DSW). The Department of Labor reported it did not receive any child labor complaints during the year.(1, 6) Early in 2014, the Government tripled the budget for the DSW's child protection efforts.(7)The Department of Labor carried out unannounced inspections two or three days per week. However, the Government did not make labor inspection data accessible to the public, including the total number of inspections, sectors where inspections were conducted, notification system for inspections, type and quality of inspections, violations found, citations issued, and the severity of penalties applied.(1, 6)

### *Criminal Law Enforcement*

In 2014, the Gambia Tourism Board (GTB) co-funded the installation of an electronic billboard at Banjul International Airport to warn visitors of the penalties of engaging in child sex tourism. In addition, the GTB held five seminars on child sex tourism to 190 law enforcement officers, tourism industry operators, and members of the public.(10) The Gambia Tourism Board (GTB) trained 4 police officers and 32 individuals on human trafficking and commercial sexual exploitation of children. (6) In 2014, research found no information on DSW's and the Gambia Police Force's child protection and human trafficking awareness trainings or seminars for police, immigration officers and social workers.(6)

In 2014, the Government reported investigating one human trafficking case. The Government reported there were no human trafficking prosecutions or convictions during the year.(10) Research found no information about the number of investigators responsible for enforcing criminal laws related to the worst forms of child labor. (10)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Department of Social Welfare (DSW)	Coordinate government efforts to combat the worst forms of child labor. Headed by a Director and assisted by social welfare officers.(1)
National Agency Against Trafficking in Persons (NAATIP)	Coordinate, administer, and monitor the implementation of the Trafficking in Persons Act and sharing information among law enforcement agencies. Convene monthly meetings of the National TIP Taskforce.(1, 7, 25)

The National Agency Against Trafficking in Persons' (NAATIP) budget for the year was \$33,000.(1, 10) This amount was sufficient to cover salaries and administrative costs, but not enough to cover the costs of training NAATIP and law enforcement officials.(1, 7) In addition, the Agency does not have its own vehicles and must rely on the Ministry of Justice.(1, 24) The Agency is developing a database to monitor human trafficking and hired a data officer to gather and compile information from all organizations involved in anti-trafficking efforts; however, data was not available during the reporting period. NAATIP investigators lack specialized training on the worst forms of child labor.(1)NAATIP officials visited several border posts and trained police, immigration, and customs officials and community leaders on human trafficking issues.(10)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of The Gambia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Employment Strategy (2010–2014)	Aims to eliminate child labor through awareness raising, promotion of primary education, implementation of ILO Convention 182, and collection and analysis of child labor data.(27)
Code of Conduct of the Gambia Tourism Authority for the Protection of Children (year?)	Seeks to raise awareness within the tourism industry and among tourists of commercial sexual exploitation of children.(1, 28) At the beginning of the peak tourism season, new hotel staff were trained on the Code.(1)
National TIP Action Plan (2012–2016)	Aims to combat human trafficking. Initially drafted by the Ministry of Justice and recently updated by NAATIP. NAATIP is responsible for implementation.(7)



**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Program for Accelerated Growth and Employment (2012–2015)	Calls for improved social protection for children and access to education, as well as to prevent child labor, including its worst forms.(3, 29)
UNDAF (2012–2016)	Promotes improved access to education and develop child labor policies.(30)
Education Policy (2004–2015)	Outlines goals to expand school infrastructure, increase school enrollment, and improve the quality of education.(31)
The Gambia and Senegal Trafficking MOU	Coordinates the two countries' efforts to address human trafficking through meetings, information sharing, improved laws, and prevention, protection, and assistance activities. Includes the participation of 6 UN agencies and aims to develop a National Social Protection Policy and Operational Plan. (7, 32) Signed in December 2013.(7, 32)

The Government signed an MOU in 2013 that established a partnership on social protection that will focus on integrating existing social protection mechanisms in the country that target vulnerable groups, such as child laborers.(42) This partnership also aims to develop a National Social Protection Policy and Operational Plan in 2014.(42) The Government also was in the process of developing a National Children's Policy and a National Plan of Action to Combat Sexual Exploitation of Children to follow the 2004 Plan. However, neither plan has been approved.(3)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of The Gambia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Combating Child Sex Tourism Project	CPA project, funded by ECPAT Netherlands, to raise awareness about the commercial sexual exploitation of children and Tourism Offences Act among TSU, hoteliers, travel agencies, and other tourism stakeholders and provide them with Code of Conduct of the Gambia Tourism Authority for the Protection of Children.(33)
Street Children Center‡	DSW (with support from international organizations, foreign NGOs, and local businesses) drop-in center in Talinding Kunjang that provides medical care, food, and counseling to street children, including human trafficking victims and almusus.(1, 7, 25, 26) Center tries to prevent the children from returning to begging.(8, 34) Government allocated \$11,500 for the functioning of the center and another \$6,666 for its renovation during the reporting period.(7, 35)
Conditional Cash Transfers to the Majaalis‡	Ministry of Education (with support from NGOs) conditional cash transfer program that gives marabouts approximately \$2.56 per month and food rations for each student on condition that they not force students to beg.(7) Ministry of Education provides teachers for English, mathematics, and science. Government reports that more than a thousand children are benefiting from program and plans to expand into more rural areas.(1, 35, 36)
Shelter for Trafficking Victims	DSW (with support from international organizations, foreign NGOs, and local businesses) 24-hour shelter in Bakoteh for victims of human trafficking, including children. Accommodates 48 people and provides guests with food, medical care, and counseling.(7) Over 1,000 children have received services since it opened in 2006.(7)
One-Stop Center	DSW (with the support of NGO partners) center, opened in 2013, that provides medical care, counseling, and legal services to human trafficking victims and victims of gender-based violence.(7)
Family Assistance Hotline‡	DSW 24-hour hotline through which trafficking victims may reach social welfare officers.(7)
Protect Project	USDOS-funded ChildFund project to develop national child protection system for prevention of and response to child trafficking in The Gambia. Has trained 120 government officials on child trafficking since its inception.(37)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I & II	USDOL-funded regional projects to assist ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region.(38, 39)
Children on the Move	DSW participates in 3-year, 12-country regional project, funded by a Swiss NGO, which provides services to child trafficking victims, including repatriation.(1, 7)

‡ Program is funded by the Government of The Gambia.

# Gambia, The

## MINIMAL ADVANCEMENT

Although The Gambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem and reach all children vulnerable to human trafficking, commercial sexual exploitation, and work on the street. Furthermore, existing programs do not target children working in agriculture and domestic work.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified in that would advance the elimination of child labor, including its worst forms, in The Gambia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Adopt legislation that increases the age of compulsory education to 16 so that it is commensurate with the minimum age for work.	2010 – 2014
Enforcement	Provide sufficient staffing and financial resources for effective inspection and enforcement efforts.	2013 – 2014
	Establish a mechanism for public reporting on the number of child labor complaints, investigations, and prosecutions.	2012 – 2014
Coordination	Ensure the NAATIP is provided with adequate resources.	2012 – 2014
	Provide necessary specialized training for appropriate agency officials in the NAATIP.	2012 – 2014
Government Policies	Continue monitoring and evaluating the impact of the National Education Policy on child labor, including the average number of hours worked per child.	2010 – 2014
	Approve the National Children's Policy and the National Plan of Action to Combat Sexual Exploitation of Children.	2012 – 2014
Social Programs	Conduct research to determine the activities carried out by children working in agriculture to inform policies and programs.	2013 – 2014
	Expand existing programs to prevent child trafficking, commercial sexual exploitation, and work on the street.	2010 – 2014
	Conduct research into children in agriculture and domestic work .	2009 – 2014
	Ensure that children can complete primary school by subsidizing or defraying the cost of books, uniforms, and other fees.	2010 – 2014

### REFERENCES

- U.S. Embassy- Banjul. *reporting, January 27, 2014.*
- U.S. Department of State. "The Gambia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220116EXECUTIVE>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gambia (ratification: 2001) Published: 2014*; accessed April 22, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3186509:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186509:NO).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2005-06. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Banjul official. E-mail communication to USDOL official. April 10, 2015.
- U.S. Embassy- Banjul. *reporting, February 14, 2014.*
- U.S. Embassy- Banjul. *reporting, February 1, 2012.*
- Walk Free Foundation. *The Global Slavery Index 2013*. Dalkeith; 2013. <http://www.globallslaveryindex.org/report/?download>.
- U.S. Department of State. "The Gambia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226846.pdf>.
- U.S. Embassy- Banjul. *reporting, March 3, 2011.*
- Saliu, Y. "Say No to 'Child Sex Tourism'." *The Daily Observer*, Banjul, October 24, 2012. <http://allafrica.com/stories/201210240656.html>.
- ECPAT International CSEC Database. *The Gambia*; accessed March 14, 2014; [http://resources.ecpat.net/EI/Ecpat\\_directory.asp?id=31&groupID=1](http://resources.ecpat.net/EI/Ecpat_directory.asp?id=31&groupID=1).
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Gambia (ratification: 2000) Published: 2011*; accessed June 11, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2699984](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2699984).
- Government of The Gambia. *Constitution*, enacted January 1997. <http://www.accessgambia.com/information/constitution.html>.
- Government of The Gambia. *Children's Act*, enacted July 21, 2005. [source on file].
- Government of The Gambia. *Labour Act, 5/2007*, enacted October 17, 2007. [source on file].
- Government of The Gambia. *Trafficking in Persons Act*, enacted October 5, 2007. [source on file].
- Government of The Gambia. *Tourism Offences Act 2003*, enacted April 9, 2003. [source on file].
- Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).

21. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Gambia (ratification: 2000) Published: 2014*; accessed April 22, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3185722:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185722:NO).
22. U.S. Embassy- Banjul. *reporting, February 25, 2015*.
23. CRIN. *Child Protection Alliance*, [online] 2014 [cited February 6, 2014]; <http://crin.org/en/library/organisations/child-protection-alliance>.
24. U.S. Embassy- Banjul official. E-mail communication to USDOL official. May 20, 2014.
25. U.S. Department of State. "The Gambia," in *Trafficking in Persons Report-2011*. Washington, DC; June 27, 2011; <http://www.state.gov/documents/organization/142983.pdf>.
26. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gambia (ratification: 2001) Published: 2012*; accessed June 11, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3083542](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3083542).
27. Government of The Gambia. *The National Employment Policy and Strategies 2010-2014*. Banjul; March 2010. <http://www.gcc.gm/downloads/STRATEGIES2010-2014.pdf>.
28. Gambia Tourism Authority. *Code of Conduct of the Gambia Tourism Authority for the Protection of Children*. Banjul; 2004. <http://www.visitthegambia.gm/download/codeofconduct.pdf>.
29. Government of The Gambia. *Programme for Accelerated Growth and Employment (PAGE) 2012-2015*. Banjul, Ministry of Finance and Economic Affairs; 2011. [http://eeas.europa.eu/delegations/gambia/documents/about\\_us/page\\_2012\\_2015\\_en.pdf](http://eeas.europa.eu/delegations/gambia/documents/about_us/page_2012_2015_en.pdf).
30. The United Nations System in The Gambia, TGo Gambia. *United Nations Development Assistance Framework (UNDAF) 2012-2016*. Development Assistance Framework. Banjul; July 2011. <http://www.undg.org/docs/12726/UNDAF%20Final%203Oct.2011.pdf>.
31. Republic of the Gambia and Department of State for Education. *Education Policy 2004-2015*. Banjul; May 2004. [http://planipolis.iiep.unesco.org/upload/Gambia/Gambia\\_Ed\\_Pol\\_2004-2015.pdf](http://planipolis.iiep.unesco.org/upload/Gambia/Gambia_Ed_Pol_2004-2015.pdf).
32. Governments of The Gambia and Senegal. *Memorandum of Understanding between the National Committee against Trafficking in Persons (CNLTP) Republic of Senegal and the National Agency against Trafficking in Persons (NAATIP) Republic of The Gambia*, enacted December 6, 2013. [source on file].
33. Camara, A. "CPA, Stakeholders Warm up for Campaign against Child Sex Tourism." *observer.gm* [online] January 29, 2013 [cited February 5, 2014]; <http://observer.gm/africa/gambia/article/cpa-stakeholders-warm-up-for-campaign-against-child-sex-tourism>.
34. U.S. Embassy- Banjul. *reporting, February 6, 2013*.
35. U.S. Department of State. "The Gambia," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/tls/tiprpt/2013/index.htm>.
36. U.S. Embassy- Banjul. *reporting, March 8, 2013*.
37. Sanneh, A. "Gambia: Outcome of ChildFund's Two-Year Protect Project." *Foroyaa Newspaper*, Banjul, May 7, 2013. <http://allafrica.com/stories/201305080735.html>.
38. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 3, 2010.
39. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Project Document. Geneva; December 20, 2010.

# Georgia

## MINIMAL ADVANCEMENT

In 2014, Georgia made a minimal advancement in efforts to eliminate the worst forms of child labor. Georgia has received an assessment of minimal advancement because the Government lacked a labor inspectorate to monitor, inspect, and enforce child labor laws during the reporting period.<sup>1</sup>

This continued gap in enforcement delays the advancements made in eliminating child labor during the reporting period.

Although the Government participated in a project to improve its ability to enforce labor laws and adhere to international labor standards, including those related to child labor, the

Government did not take steps to establish a labor inspectorate during the reporting period. Children in Georgia continue to

engage in child labor in agriculture and in the worst forms of child labor in forced begging. Despite these gaps, the Government did make efforts to prevent and eliminate child labor, including participating in a project to collect and analyze data on child labor in Georgia.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Georgia are engaged in child labor in agriculture.(1-4) Children are also engaged in the worst forms of child labor, including in forced begging.(5-7) Table 1 provides key indicators on children's work and education in Georgia.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	29.1 (172,378)
Attending School (%)	5-14 yrs.	92.1
Combining Work and School (%)	7-14 yrs.	31.5
Primary Completion Rate (%)		108.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3 Survey, 2005.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown* (1-4)
Services	Street work, including begging and collecting scrap metal* (2-4, 10-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (5-7, 13) Forced begging* (5-7)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

While the specific activities children are involved in are unknown, many children in Georgia are known to perform agricultural work on farms.(1, 2)

<sup>1</sup> Although past *Findings on the Worst Forms of Child Labor* reports have reflected the absence of a labor inspectorate in Georgia, Georgia's assessment level in previous years did not reflect the extent to which this gap in enforcement delays advancements made in eliminating child labor. Georgia has not had a labor inspectorate to monitor, inspect, and enforce child labor laws since 2006, when the Government abolished the labor inspectorate that existed at that time.







The majority of children involved in street work, including victims of forced begging, are members of the Roma and Azerbaijani Kurd ethnic minorities. In situations of forced begging as a result of human trafficking, traffickers most often operate independently with a small network of three to four children.(7)

In 2014, the number of persons seeking asylum in Georgia doubled due to ongoing conflicts in the Near East and Ukraine. The Ministry of Refugees and Accommodation does not have the capacity to accommodate this increase.(14) Refugee status has been granted to less than 10 percent of asylum seekers, and some children have been denied refugee status. Those who are denied refugee status, including children, have no legal status in Georgia and no access to education or social services, increasing their vulnerability to the worst forms of child labor.(14)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Georgia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 4 of the Labor Code of Georgia (15)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Code of Georgia (15, 16)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Order No. 147/N, 3 May 2007 of the Minister of Labor, Health and Social Affairs 2007 "On Approving the List of Heavy, Harmful, and Hazardous Work" (10, 17)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution of Georgia (18)
Prohibition of Child Trafficking	Yes		Articles 143, 143-i, 143-ii, 143-iii, and 172 of the Criminal Code of Georgia; The Law of Georgia on Combating Human Trafficking (19, 20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 171, 253, 255, 255-1, and 255-2 of the Criminal Code of Georgia (10, 20, 21)
Prohibition of Using Children in Illicit Activities	Yes		Article 171 of the Criminal Code of Georgia (10, 20)
Minimum Age for Compulsory Military Recruitment	Yes	18	Articles 9 and 21 of the Law of Georgia on Military Duty and Military Service (22, 23)
Minimum Age for Voluntary Military Service	Yes	18	Legislation title unknown (22-24)
Compulsory Education Age	Yes	15	Articles 2 and 9 of the Law of Georgia on General Education (17, 25)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (25)

Research did not find a public version of the List of Heavy, Harmful, and Hazardous Work for review.(26)

Although the Government has confirmed that the minimum age for voluntary military service is 18, research did not find information on the legislation that establishes this standard.



# Georgia

## MINIMAL ADVANCEMENT

The Law on General Education makes education free through high school and compulsory for 9 years but does not specify a start or end age.(17, 25) Because children begin school at age 6, education is compulsory up to age 15.(2) The compulsory education age leaves children ages 15 to 16 vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work either.

In order to convict a trafficker, the Law of Georgia on Combating Human Trafficking requires the prosecutor to prove that the trafficker “exploited” the victim. As a result of judges imposing a higher-than-intended standard of proof for this exploitation, over the last 4 years the number of human trafficking cases brought, prosecuted, and convicted fell from 33 investigations, 40 prosecutions, and 37 convictions during the 2009 – 2010 reporting period to seven, two, and zero, respectively, during the 2012 – 2013 reporting period.(27) In May 2014, the Government adopted amendments to Article 143 of the Criminal Code to define the standard of proof for exploitation, with the intention of increasing the rate of successful prosecution of cases of trafficking in persons.(7, 27)

In March 2014, the Government of Georgia ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.(28)

In November 2014, the Government adopted legislative changes on domestic violence that prohibit corporal punishment of children, which is a tool used to coerce children into begging.(3)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Health and Social Affairs (MoLHSA)	Oversee child welfare issues and address labor matters.(10) Through the Child Protection and Social Programs sub-department, receive and forward complaints of child labor violations to law enforcement agencies for investigation and prosecution.(28)
The Department of Labor and Employment within MoLHSA	Address labor and employment issues, and revise existing laws and policies to be in accordance with international standards.(17)
Social Service Agency (SSA) within MoLHSA	Administer social benefits such as targeted social assistance, health care, and vouchers for day care. Employ social service agents who identify qualifying families for services and social workers who oversee child protection and family welfare cases.(3)
Ministry of Internal Affairs (MoIA)	Investigate child labor cases, including NGO and civilian reports of potential child labor violations.(2, 10) Enforce criminal laws related to child labor and child trafficking.(2, 3)
Central Criminal Police Department within the MoIA	Lead criminal investigations of trafficking in persons, including the trafficking of children, through the Division for Combating Illicit Trafficking of Drugs, Human Trafficking, and Irregular Migration.(28) Identify human traffickers and systematize data on traffickers across various agencies through the Information-Analytical Department.(29) Investigate potential human trafficking schemes by deploying teams of two law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad.(28, 30) In April 2014, the number of Mobile Units was expanded from 3 to 4.(7)
District Police Units within the MoIA	Collect information on minors within jurisdiction and visit families of these minors to inform them of their rights. Conduct classes for school teachers on children’s rights.(31)
The Prosecutor General’s Office within the Ministry of Justice	Investigate large-scale cases of child trafficking.(3)
Joint Child Referral Mechanism	Ensure interagency coordination of the enforcement of child labor laws and enumerate the procedures for referring children subject to any form of violence—including labor exploitation—to child protective services.(2, 28) Comprised of MoLHSA, the MoIA, and the Ministry of Education and Science (MoES).(32)

Criminal law enforcement agencies in Georgia took actions to combat child labor, including its worst forms. However, there were no agencies empowered to enforce child labor laws in Georgia during the reporting period.

**Labor Law Enforcement**

The 2006 Labor Code abolished the labor inspectorate within the former Ministry of Labor, Health and Social Security. As a result, the Ministry of Labor, Health and Social Affairs (MoLHSA) lacked inspectors or other means to effectively enforce labor laws during the reporting period.<sup>(3)</sup> While the Government has taken steps to reestablish a labor inspectorate, in part with the support of an ILO technical cooperation project funded by USDOL, this was not accomplished during the reporting period.<sup>(3)<sup>2</sup></sup>

**Criminal Law Enforcement**

In 2014, 16 investigators from the Division for Combating Illicit Trafficking of Drugs, Human Trafficking, and Irregular Migration are dedicated to detecting and investigating cases of human trafficking. In addition, 150 officers in the Unit on Combating Organized Crime are available to assist with human trafficking investigations when necessary.<sup>(28)</sup> In January 2014, the Ministry of Internal Affairs (MoIA) established a new anti-trafficking division in the Adjara region, a popular tourist destination and regional hub for commercial sexual exploitation in Georgia.<sup>(6, 27, 28)</sup> One month later, the MoIA and the Prosecutor's Office, assisted by the International Organization on Migration, established a Trafficking in Persons Task Force in Batumi that operates as part of the Adjara anti-trafficking division.<sup>(27)</sup> The Task Force is composed of 7 investigators and 5 prosecutors, and is designed to investigate all potential trafficking in persons cases brought by the criminal police in Batumi.<sup>(28)</sup> Task Force members also aim to identify potential victims of human trafficking by sending investigators and undercover agents to venues where victims of human trafficking are frequently forced to work.<sup>(27)</sup>

Law enforcement training includes modules on trafficking of minors.<sup>(28)</sup> Trafficking in persons trainings were held regularly throughout the year for investigators, prosecutors, and judges.<sup>(2, 27, 28)</sup> However, high turnover among human trafficking-dedicated investigators may prevent training from increasing law enforcement's investigative capacity over the long term.<sup>(27)</sup>

During 2014, the MoIA initiated two investigations into the trafficking of minors. Of the two investigations, one case involving two perpetrators was prosecuted resulting in two sentences of 14 and 11 years, respectively.<sup>(3)</sup> Victims of child trafficking are referred to the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking, a MoLHSA program that offers shelter and psychological rehabilitation services to child victims.<sup>(3)</sup> In addition, the Prosecutor's Office is working with the U.S. Embassy to develop a Victim/Witness Coordination Service, which would provide improved outreach and coordination with victims and witnesses of crime, including victims and witnesses of child labor and child trafficking.<sup>(3)</sup>

Research found that the Police have in some instances refused to investigate cases of forced begging raised by NGOs, claiming that street begging could not be considered a violation of children's rights under the current legislation.<sup>(7)</sup>

**IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established coordinating mechanisms to combat human trafficking and promote child welfare, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Inter-Ministerial Coordination Council on Childcare	Implement the 2012 – 2015 Child Action Plan, which addresses the issues of street children and child victims of abuse and neglect and promotes the rehabilitation and social integration of street children and juvenile criminals. Comprised of representatives of the MoES, Ministry of Finance, MoIA, Ministry of Justice, the Public Defender's Office, MoLHSA, and UNICEF. <sup>(3)</sup> The council as a whole convened once in 2014. <sup>(28)</sup>

<sup>2</sup> In March 2015, the Prime Minister signed two decrees that established Georgia's labor inspectorate under the MoLHSA, and in April 2015, the MoLHSA issued a ministerial regulation stipulating the competencies of the labor inspectors. However, significant work on the part of the Government is still needed to ensure that the labor inspectorate can effectively enforce child labor laws according to international standards, including by performing quality targeted, complaint-based, and unannounced inspections and by ensuring that inspectors have the ability to assess penalties for violations of labor law.

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
The Interagency Anti-Trafficking Coordination Council for the Implementation of Measures against Human Trafficking (ICC)	Coordinate government efforts against trafficking in persons and children, including efforts to protect and rehabilitate victims.(3) Refer child victims to shelters to receive social services.(2) Chaired by the Minister of Justice and comprised of representatives from state agencies and non-state entities.(3) In February 2014, the ICC published guidelines on enforcement of laws against trafficking in persons, including establishing standards on investigation; interrogation of victims, including children; and evidence collection. The ICC also produced a set of Standard Operating Procedures for law enforcement on victim identification.(28)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Georgia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
The 2012 – 2015 Action Plan for Child Welfare and Protection	Establishes an overarching framework to improve the welfare of children, including highly vulnerable groups like street children. Identifies the institutions responsible for carrying out activities, funding sources, and expected outcomes in a broad range of areas such as education, health, child care, public awareness campaigns, and rehabilitation programs.(2, 17, 33)
Anti-Trafficking Action Plan for 2013 – 2014	Supports implementation activities to address human trafficking, including the exploitation of children.(34)
National Human Rights Strategy 2014 – 2020†	Identifies human rights priorities, including the protection of child rights. Led to the adoption of a National Action Plan on the Protection of Human Rights 2014 – 2016, which includes objectives to strengthen provision of services to vulnerable children, such as those living and working on the streets.(35, 36)
EU Association Agreement and Association Agenda 2014 – 2016†	Outlines a framework for cooperation between Georgia and the EU. Requires Georgia to institute a number of initiatives to protect children's rights, including addressing child poverty, providing adequate resources to the Public Defender to undertake work for children, and focusing on measures to protect children against all forms of violence.(3)

† Policy was approved during the reporting period.

In November 2014, the Government adopted a new Anti-Trafficking Action Plan for 2015 – 2016, which will increase the number of Mobile Units to detect cases of human trafficking.(28)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Georgia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Research on Child Labor Measurement and Policy Development (MAP)	USDOL-funded research project implemented by the ILO in 10 countries, including Georgia, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(37)
Improved Compliance with Labor Laws in the Democratic Republic of Georgia†	\$2 million USDOL-funded grant implemented by the ILO to work with the Government to improve its ability to enforce labor laws, including child labor laws, and adhere to international labor standards.(38) Key objectives of the project include supporting the establishment of effective labor law enforcement mechanisms in Georgia through labor inspection and promoting effective tripartite cooperation.(39)
Reaching Highly Vulnerable Children in Georgia with a Focus on Children Living or Working on the Streets‡	MoLHSA program to assist children and youth living or working on the streets, supported by UNICEF and the EU and implemented by World Vision, Caritas, and Child and Environment. In 2014, began receiving Government funding through MoLHSA's Rehabilitation and Child Care Program.(7, 28) Includes the operation of four mobile street teams comprised of a social worker, a psychologist, and a former street child who serves as a mentor, who makes initial contact with street children and directs them to the program's services. Also provides three day care centers, two 24-hour crisis intervention centers, and two transitional centers that prepare children to enter long-term care.(7, 28) In 2014, the program removed at least 400 children from the street and transferred them to safe environments where they will receive education and health care.(2)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
The State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking (SFVPA)‡	MoLHSA program to protect, assist, and rehabilitate trafficking victims and victims of domestic violence, including minors.(3, 13) Implements the Government's Rehabilitation and Reintegration Strategy, which includes operating two trafficking shelters in Batumi and Tbilisi, each staffed with a social worker to further assist victims. Funds the Assistance to Victims of Trafficking in Persons Hotline and a related Web site.(2, 32, 40) In 2014, the SFVPA employed 620 people, 30 of whom focused on trafficking in persons.(3)
The Common Information Strategy†‡	Countrywide awareness-raising campaign launched by Interagency Council that is aimed at offering assistance to victims, warning potential victims, and generating dialogue around human trafficking. Campaign included information seminars intended for target audiences such as students, street children, minorities, and internally displaced persons.(27) Also included public service announcements, regularly broadcasted on the radio by the Interagency Council, on how to avoid traffickers.(27)
Program on Provision of School Children with Free Textbooks‡*	MoES program that distributes free textbooks to all public school students and private school students from social disadvantaged families.(28) In 2014, the Government allocated \$5.1 million for the program.(3)
The Georgian Language for Future Success Program*	MoES program implemented by the National Center for Teacher Professional Development that commissions teachers who are native speakers of Georgian to provide Georgian-language instruction to ethnic minority students. These teachers also assist local teachers in improving their abilities in the Georgian language.(26, 28) In 2014, 187 school teachers were sent to assist in ethnic minority schools through this program.(28)
Second Chance Education for Disadvantaged, Children with Behavior Problems and Out of School Children in Georgia‡	MoES program designed to promote inclusion of disadvantaged children, including street children, victims of forced begging, and children engaged in seasonal agricultural work into the educational system. Formerly funded in partnership with UNICEF, in 2014 the MoES took responsibility for financing and implementing the program.(28)
Social Rehabilitation and Childcare Program‡*	Government program that includes the provision of assistance to children with a high risk of abandonment and children with disabilities, as well as placement of abandoned children in foster care, guardianship, or small group homes. In 2014, received \$11 million in funding.(3)
Pension Program and Targeted Social Assistance*	SSA-administered program that provides financial assistance to the poorest 10 percent of the population.(41)
UNICEF Country Program 2011 – 2015*	Joint effort by UNICEF, the Government of Georgia, and other partners from intergovernmental organizations and NGOs to improve both provision of social services to children and the protection of children's rights. Includes support of the MoLHSA and SSA program to reform child care efforts by reducing the institutionalization of children.(42) In 2014, UNICEF allocated \$77,000 for capacity-building activities, including training for professionals involved with addressing the issue of children living and working on the streets.(3)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Georgia.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Georgia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Make the List of Heavy, Harmful, and Hazardous Work publicly available.	2014
	Increase the age of compulsory education to 16, the minimum age for work.	2009 – 2014
Enforcement	Reestablish the Labor Inspectorate to enforce child labor legislation. Ensure that the Labor Inspectorate has sufficient funding to provide an adequate number of inspectors; that inspectors are capable of performing quality targeted, complaint-based, and unannounced inspections; that inspectors have the ability to assess penalties; and that data on the number and type of inspections, violations, and penalties are made publicly available.	2009 – 2014
	Ensure that cases of forced begging are recognized as criminal acts and receive appropriate and thorough investigation by the Police.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2014
Social Programs	Ensure that all children, including those seeking asylum in Georgia, are able to access education and relevant social services.	2014
	Assess the impact that existing programs may have on child labor.	2009 – 2014

### REFERENCES

1. U.S. Department of State- Washington official. E-mail communication to USDOL official. July 13, 2012.
2. U.S. Embassy- Tbilisi. *reporting, March 6, 2014.*
3. U.S. Embassy- Tbilisi. *reporting, January 15, 2015.*
4. U.S. Department of State. "Georgia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
5. Paul Rimple, and Justyna Mielnikiewicz. *Georgia: Teenage Prostitution Part of a Bigger Problem*, Eurasia Net, [online] August 1, 2014 [cited December 17, 2014]; <http://www.eurasianet.org/node/69306>.
6. U.S. Department of State. "Georgia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215467.htm>.
7. U.S. Embassy- Tbilisi. *reporting, February 20, 2015.*
8. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
9. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2005 Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
10. U.S. Embassy- Tbilisi. *reporting, February 22, 2012.*
11. Eka Lomidze. *Street Children in Georgia*, Georgian Journal, [online] September 18, 2014 [cited May 20, 2015]; <http://www.georgianjournal.ge/society/28256-street-children-in-georgia.html>.
12. Georgia, WV. *Life Project in Georgia* April 2011. <https://www.worldvision.org/sites/default/files/images/Child-GeorgiaLIFEProject.pdf>.
13. U.S. Embassy- Tbilisi. *reporting, February 12, 2014.*
14. U.S. Embassy- Tbilisi. *reporting, November 17, 2014.*
15. Government of Georgia. *Labor Code of Georgia*, enacted 2006. [http://www.vertic.org/media/National%20Legislation/Georgia/GE\\_Labor\\_Code.pdf](http://www.vertic.org/media/National%20Legislation/Georgia/GE_Labor_Code.pdf).
16. Government of Georgia. *The Civil Code of Georgia*, enacted 2001. <http://www.lexadin.nl/wlg/legis/nofr/ocur/arch/geo/CIVILCODE.pdf>.
17. Government of Georgia. *Information on the Progress of Georgia regarding Child Labour*. Submitted in response to U.S. Department of Labor Federal Register Notice (December 14, 2012) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Tbilisi; January 25, 2013.
18. Government of Georgia. *The Constitution of Georgia*, enacted 1995. [http://www.parliament.ge/files/68\\_1944\\_951190\\_CONSTIT\\_27\\_12.06.pdf](http://www.parliament.ge/files/68_1944_951190_CONSTIT_27_12.06.pdf).
19. Government of Georgia. *Law of Georgia on Combating Human Trafficking*, enacted June 16, 2006. [http://www.tracce.cdn.ge/documents/human-trafficking/Law\\_Georgia\\_Human\\_Trafficking\\_eng.pdf](http://www.tracce.cdn.ge/documents/human-trafficking/Law_Georgia_Human_Trafficking_eng.pdf).
20. Government of Georgia. *Criminal Code of Georgia*, enacted 1999. <http://legislationline.org/documents/section/criminal-codes>.
21. U.S. Embassy- Tbilisi official. E-mail communication to USDOL official. March 2, 2015.
22. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
23. Government of Georgia. *The Law of Georgia on Military Duty and Military Service*, enacted 1997.
24. U.S. Embassy- Tbilisi official. E-mail communication to USDOL official. April 15, 2015.
25. Government of Georgia. *Law of Georgia on General Education*, enacted April 8, 2005. <http://www.mes.gov.ge/uploads/Licenzireba/kanoni%20zogadi%20ganatlebis%20shesaxe.pdf>.
26. U.S. Department of State official. E-mail communication to USDOL official. June 28, 2013.
27. U.S. Embassy- Tbilisi. *reporting, October 31, 2014.*
28. Government of Georgia. *Information on Government actions to eliminate worst forms of child labor*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 6, 2014) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Tbilisi; January 26, 2015.
29. Government of Georgia. *Human Trafficking*, Ministry of Internal Affairs, [online] [cited December 1, 2014]; <http://police.ge/en/projects/youarenotforsale>.
30. Government of Georgia. *Report submitted by the Georgian authorities on measures taken to comply with Committee of the Parties Recommendation CP(2012)5 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings*. Strasbourg, Council of Europe; November 17, 2014. [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/CommitteeParties/Reply\\_REC/CP\\_2014\\_20\\_RR\\_GEO\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/CommitteeParties/Reply_REC/CP_2014_20_RR_GEO_en.pdf).
31. ILO Committee of Experts. *Observation concerning Minimum Age Convention, 2012 (No. 138) Georgia (ratification: 1996) Published: 2013*. <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>
32. U.S. Embassy- Tbilisi. *reporting, January 31, 2013.*
33. Government of Georgia. *Child Welfare and Protection Action Plan for 2012-2015*. Action Plan. Tbilisi; 2012.
34. U.S. Department of State. "Georgia," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215467.htm>.
35. Government of Georgia. *Action Plan of the Government of Georgia on the Protection of Human Rights 2014-2016* 2014. <http://www.coe.int/t/commissioner/source/NAP/Georgia-National-Action-Plan-on-Human-Rights.pdf>.
36. The European Commission. *Second Progress Report on the Implementation by Georgia of the Action Plan on Visa Liberalisation*. Brussels; October 29, 2014. [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20141029\\_second\\_progress\\_report\\_for\\_georgia\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20141029_second_progress_report_for_georgia_en.pdf).
37. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP)*. Project Document. Geneva; October 2014.
38. U.S. Department of Labor. *Project to improve compliance with labor laws in the Democratic Republic of Georgia awarded \$2M grant by US Labor Department*. Press Release. Washington, DC; December 18, 2013. <http://www.dol.gov/opa/media/press/ilab/ILAB20132424.htm>.
39. ILO. *ILO Project to help Georgia improve compliance with labour laws*, ILO, [online] March 7, 2014 [cited November 28, 2014]; <http://www.ilo.org/public/english/region/eurpro/moscow/news/2014/0307.htm>.
40. U.S. Embassy- Tbilisi. *reporting, March 11, 2010.*
41. UNICEF. *Georgia and the Convention of the Rights of the Child: An update on the situation of children in Georgia*. Tbilisi, UNICEF; 2011. [www.unicef.org/ceecis/Unicef\\_Sitan\\_ENG\\_WEB.pdf](http://www.unicef.org/ceecis/Unicef_Sitan_ENG_WEB.pdf).
42. UNICEF. *Summary Results Matrix: Government of Georgia UNICEF Country Programme, 2011-2015*. 2011. [http://www.unicef.org/about/execboard/files/Georgia\\_SRM\\_version\\_120310\\_froml\\_from\\_RO.pdf](http://www.unicef.org/about/execboard/files/Georgia_SRM_version_120310_froml_from_RO.pdf).



In 2014, Ghana made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government reconstituted the Human Trafficking Management Board (HTMB), which had been inactive in 2013. Additionally, the Ghana Police Service's Anti-Human Trafficking Unit (AHTU) nearly doubled the number of investigators it employs and provided members with training on how to identify, investigate, and prosecute child labor cases. The Government also released the results of its Living Standards Survey Round 6, which included a subsection dedicated to child labor. However, children in Ghana continue to engage in the worst forms of child labor in agriculture, including in cocoa and fishing. Enforcement of legal protections against the worst forms of child labor is severely limited due to resource constraints, and social programs do not cover all of the sectors in which children work.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ghana are engaged in the worst forms of child labor in agriculture, including in cocoa and fishing.(1-12) In August 2014, the Government released the results of the Living Standards Survey Round 6, which estimates that 21.8 percent of all children in Ghana are engaged in child labor, with roughly half of these children engaged in hazardous work as defined by the law.(9) According to a report by Tulane University that assessed data collected during the 2013–2014 harvest season, there were an estimated 918,543 child laborers ages 5 to 17 in the cocoa sector, of which 95.7 percent were engaged in hazardous work in cocoa production.(13) Table 1 provides key indicators on children's work and education in Ghana.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	43.5 (2,731,596)
Attending School (%)	5-14 yrs.	83.1
Combining Work and School (%)	7-14 yrs.	39.8
Primary Completion Rate (%)		98.5

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(14)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2006.(15)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Land clearing,*† using machetes† and cutlasses† for weeding, collecting cocoa pods with a harvesting hook,† breaking cocoa pods,† working in the vicinity of pesticide spraying,† and carrying heavy loads† of water in the production of cocoa (4-7, 13)
	Cultivating pineapple* (7)
	Herding livestock*† (16)
	Fishing for tilapia, and to a lesser extent for mudfish,* catfish,* and electric fish,* including producing bait, nets, and fishing gear,* launching,† paddling,† and draining canoes;† diving for fish;† casting and pulling fishing nets† and untangling them underwater; sorting, picking, cleaning,† smoking,† transporting,* and selling* fish; cleaning and repairing nets,* and building and repairing boats* (2, 3, 6, 8-12, 17, 18)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Quarrying and small-scale mining, sometimes for gold, including using mercury,*† digging in deep pits,‡ crushing rocks by hand,‡ carrying heavy loads,* and machine operation*† (6, 17, 19, 20)
	Bricklaying* (16)
Services	Domestic work*† (16, 17, 21)
	Transporting heavy loads as <i>kayayes</i> (mainly girls who carry loads on their head)*† (10, 17, 22)
	Garbage scavenging,*† including sorting scavenged items*† and transporting items for sale*† (23)
	Street work, including begging*† and hawking* (17, 24)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (17, 25-27)
	Forced begging and forced work in agriculture; fishing, including for tilapia; artisanal gold mining; domestic work; carrying heavy loads; and street vending; each sometimes as a result of human trafficking* (2, 24-30)
	Forced ritual service for girls known as <i>trokosi</i> * (10, 17, 22, 31)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Some girls in the Greater Accra and Volta Regions are involved in a form of ritual servitude whereby families give a young girl to officials of a local shrine in atonement for their family members’ sins.(1, 10, 22, 31) These girls, known as *trokosis*, perform tasks such as fetching water, maintaining the shrines, and working on the priest’s land. Their basic needs often go unmet, and they frequently suffer sexual and physical abuse.(10, 31) There has also been an increase in the number of young girls from the Northern Region who migrate to Accra to work in markets, carrying heavy loads on their heads as *kayayes*.(27)







Ghana is a source, transit, and destination country for the trafficking of children for commercial sexual exploitation and forced labor, including in fishing.(2, 16, 24, 27) Children are subjected to commercial sexual exploitation, particularly in the Volta and Western Regions.(24, 27) Research found that child trafficking within Ghana was more predominant than transnational child trafficking.(3, 12, 27, 32) Ghanaian children are also transported to neighboring countries in West Africa as well as to Europe, the Middle East, and the United States for forced labor and commercial sexual exploitation.(24, 27)

Primary education is free and compulsory in Ghana, and the Government has taken measures to increase access to education by providing free uniforms and books to some children.(11, 33) However, in practice, children must pay for school fees and materials, which may be prohibitive for many families.(2, 9, 10, 23). In addition, although school uniforms and birth certificates are not required to attend school, children lacking these are often turned away by school authorities.(16, 34) Some children, especially girls, are reported to be sexually assaulted and harassed by teachers or classmates.(16, 35, 36) Moreover, the shortage of classrooms, overcrowding in urban schools, and poor educational infrastructure, particularly in rural areas, severely limits access to education for many children.(2, 37-41)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ghana has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 89 of the Children's Act (42)
Minimum Age for Hazardous Work	Yes	18	Section 91 of the Children's Act (42)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Sections 91-92 of the Children's Act; article 58 of the Labor Act (42, 43)
Prohibition of Forced Labor	Yes		Article 16.2 of the Constitution (44)
Prohibition of Child Trafficking	Yes		Sections 1-2 of the Human Trafficking Act (45)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 107-108; 110-111; 274-277; 279-283 of the Criminal Code (46)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Armed Forces Regulations (Administration) Volume I (47-49)
Compulsory Education Age	Yes	15	Article 2.2 of the Education Act (33)
Free Public Education	Yes		Article 2.2 of the Education Act (33)

\* No conscription (50)

Ghana's laws are not comprehensive with regard to commercial sexual exploitation of children and the use of children in illicit activities. Ghana does not have laws that specifically prohibit child pornography, including possessing child pornography or benefiting from its proceeds.(51) The law also does not proscribe penalties for recruiting, using, selling, or benefiting from the proceeds of commercial sexual exploitation of adults or children. Sections 101, 107, and 108 of the Criminal Code on prostitution only apply to children 15 years and younger, leaving children ages 16 to 17 without legal protection.(46) In addition, section 107 of the Criminal Code prohibits the procurement of any person younger than age 21 for prostitution, as long as that person is not a prostitute or of "known immoral character."(46) This makes punishment dependent on how others may judge the child's moral character, which may leave some child victims of commercial sexual exploitation unprotected.(46, 52) Further, penalties prescribed by the Criminal Code for child prostitution are not sufficiently severe to deter violations. The Criminal Code also creates certain barriers to prosecution, such as allowing an offender to defend himself with a reasonable belief that the child was 16 years of age or older.(46) Additionally, there are no laws prohibiting the use of children in illicit activities, including the offering, or procuring of a child for the production and trafficking of drugs.(22, 39, 46)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment and Labor Relations (MELR)	Enforce all labor laws and oversee child protection committees at the district level.(10, 16, 53) Implements the Ghana Child Labor Monitoring System (GCLMS) through the National Program for the Elimination of Child Labor in Cocoa (NPECLC), which enables communities to identify, report on, withdraw, and coordinate services for children in exploitative labor.(6, 17, 54-57)
District Assembly's District Social Welfare Officer and Social Services Subcommittee	Ensure child labor laws are enforced, perform spot checks on workplaces, and investigate child labor violations in the informal sector. Provide employers with information about how to comply with child labor laws.(2, 16, 39)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Ghana Police Service (GPS)	Make arrests and conduct investigations related to forced child labor, child trafficking, commercial sexual exploitation, and the use of children for illicit activities. Enforce anti-trafficking laws through the Anti-Human Trafficking Unit (AHTU) of the Criminal Investigation Division, which leads the Government's efforts to implement the 2005 Human Trafficking Act.(10, 17, 24, 27) Maintain a 24/7 phone line for reporting crimes, including human trafficking violations and a Web site to promote awareness about human trafficking.(1) The Domestic Violence and Victims Support Unit works with the AHTU to investigate cases of child trafficking.(17, 27) AHTUs maintain a permanent presence in all 11 of Ghana's police regions.(17, 58)
Economic and Organized Crime Office's Human Trafficking Unit	Share responsibility with the GPS's AHTU for investigating and prosecuting cases of human trafficking. Recover proceeds of human trafficking and provide ongoing training on preventing human trafficking.(27)
Office of the Attorney General	Prosecute child labor and child trafficking crimes.(17)
Ministry of Gender, Children, and Social Protection (MGCSP)'s Human Trafficking Secretariat	Oversee the creation, implementation, and review of Ghana's human trafficking policies. Ensure proper monitoring, evaluation, and data collection through the human trafficking database, in cooperation with the local NGO Rescue Foundation, with funding from the UK High Commission.(17, 27) Convene the Human Trafficking Management Board (HTMB).(27)
Ghana Immigration Service	Maintain a desk at headquarters in Accra, as well as 10 regional desks throughout the country, each staffed with 10-15 officers who work on human trafficking cases.(27)
Community Child Protection Committees (CCPCs)	Participate in the GCLMS to monitor, prevent, and withdraw children from the worst forms of child labor in cocoa, as well as other sectors, in more than 600 communities nationwide.(17) Report cases to the GPS, the MGCSP's Department of Social Welfare (DSW), or traditional authorities, who work with the police to launch investigations.(17, 53)

Law enforcement agencies in Ghana took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Employment and Labor Relations (MELR) had 97 labor inspectors responsible for the enforcement of all labor laws in the country, an increase from the 94 inspectors employed in 2013.(1, 17) However, this number remains insufficient to adequately enforce labor laws.(17) Research did not find how much funding the MELR received in 2014. Inspectors did not have sufficient resources, including office facilities, transportation, and fuel, to conduct inspections. Additionally, inspectors are not authorized to assess penalties.(1, 17, 51)

During the reporting period, the MELR provided training to 40 police officers in the Anti-Human Trafficking Unit (AHTU) on how to identify, investigate, and prosecute cases of child labor. Additionally, 47 of the MELR inspectors were trained on child labor issues, Ghana's child labor legal framework, the National Plan of Action for the Elimination of the Worst Forms of Child Labor, and best practices for labor inspections.(17) However, the MELR's Child Labor Unit (CLU) reports that child labor training opportunities are insufficient for the number of inspectors and the scope of the child labor problem, particularly at the district level.(17, 59) Additional training is needed in areas that include communicating using basic information technology; effectively carrying out labor inspections; interpreting labor laws; and learning report writing techniques.(17) Research also found that judges, police, and labor officials were sometimes unfamiliar with the provisions of the law that protect children.(16, 27)

Article 124 of the Labor Code permits inspectors to conduct unannounced visits in any type of workplace. Although inspectors had proactively planned child labor inspections, it is not known whether they had made unannounced visits.(17, 43) Research did not find information on the number or quality of the inspections conducted, whether inspections were carried out in all sectors, the number of child labor violations found, and the penalties assessed.(1, 16, 58) It is also not known how many calls the Ghana Police Service's (GPS) 24/7 hotline received related to child labor. A lack of resources further hindered the MELR's ability to effectively carry out its mission.(17) This resulted in a general lack of disaggregated and reliable data on the labor violations, the penalties imposed, and what type of assistance provided to victims.(10) Research did not find information about whether a referral mechanism exists between labor law enforcement and social service providers.

### *Criminal Law Enforcement*

During the reporting period, the GPS's AHTU employed 102 investigators located throughout Ghana. This is a significant increase from the 58 investigators employed in 2013.(1, 27, 58) Despite the increase in the number of investigators, it is still insufficient to allow the AHTU to fulfill its mandate.(17) Information on the number of officials employed by the GPS to investigate other worst

forms of child labor is unavailable. Research did not find how much funding the AHTU had received in 2014, although the AHTU indicated that funding was insufficient to maintain adequate logistical support, office facilities, transportation, and fuel. (17, 27) This lack of resources prevented the AHTU from investigating all the reports of human trafficking that were received. (27) Investigators typically receive training from the ILO, the IOM, UNICEF, INTERPOL, and the Department of State-funded International Law Enforcement Academy in Botswana. In 2014, the Director of the AHTU conducted training on trafficking in persons for new police officers at the police academy, and two AHTU officers travelled to Indonesia for INTERPOL training on trafficking in persons and smuggling. (17, 27, 51)

Although the AHTU refers victims of child trafficking to social service providers, there is not a formal referral mechanism in place. Moreover, there is no referral system for victims of other worst forms of child labor violations. (17, 27) In August 2014, the AHTU and a local NGO rescued 33 victims of child trafficking destined for the Lake Volta Region. (58, 60, 61) The Human Trafficking Secretariat reported that it had rescued 15 victims of child trafficking, conducted 94 investigations, prosecuted 15 cases, and convicted six individuals in 2014, double the number of convictions in 2013. (25, 27, 58) Additionally, coordination among agencies responsible for child labor laws is weak. (17)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee on Child Labor (NSCCL)	Oversee coordination, implementation, and monitoring of the National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labor and programs targeting the worst forms of child labor, including reviewing and endorsing project proposals and supporting the implementation of the GCLMS. (17, 62-64) Led by the MELR's Child Labor Unit (CLU) and comprising three subcommittees: (1) Policy Advisory, Education, and Skills Training; (2) Advocacy, Social Mobilization, and Child Labor Monitoring; and (3) Cocoa, Fisheries, and Mining and Quarrying. (2, 10, 17, 64, 65) Other members include representatives from the Ministries of the Interior, Food and Agriculture, Education, Local Government and Rural Development, Women and Children's Affairs, Employment and Social Welfare; employers' and workers' organizations; NGOs; the Ghana Cocoa Board; and international organizations. (65).
MELR's Child Labor Unit (CLU)	Coordinate child labor issues and provide technical support to ministries, departments and agencies, employers' and workers' organizations, and international agencies such as the ILO, the IOM, and UNICEF. (2, 39) Under the supervision of the NSCCL, lead implementation of the NPA. (27) In 2014, conducted three awareness-raising sessions in the Lake Volta Region, bringing together students, business owners, and traditional chiefs to discuss concrete ways to educate community members about child labor issues. (27)
Human Trafficking Management Board (HTMB)	Advise the MGCSP on human trafficking policy and promote prevention and rehabilitation strategies. Chaired by the MGCSP's Human Trafficking Secretariat, which convenes quarterly meetings of the intersectoral board that include police, immigration officials, local government, Ministries of Health and Education, and a parliamentarian, among others. (17) Comprised of five subcommittees: Monitoring and Evaluation; Research, Data Collection Information Dissemination, and Prevention; Legal Framework and Policy Development; Finance and Resource Mobilization; and Rescue, Rehabilitation, and Reintegration. (27)
MGCSP's Department of Social Welfare (DSW)	Implement cross-sectoral programs on social protection to combat child labor. (17)
National Partners Forum (NPF)	Discuss and coordinate interventions to address the worst forms of child labor in the cocoa sector. Convened by NPECLC within the MELR and comprised of district assemblies, NGOs, trade unions, and civil society organizations. (1, 66)

In 2014, the CLU was allocated a budget of approximately \$10,960 to coordinate activities to address child labor, and an additional \$5,950 to conduct activities for the World Day Against Child Labor. However, the CLU only received approximately \$2,273 of the budgeted \$10,960 in addition to the money received for World Day Against Child Labor activities. (17, 27, 58) The Government of Ghana reconstituted the HTMB, which was inactive in 2013, and it provided orientation for all its members in October 2014. (17) During the inaugural meeting, the Minister of Gender, Children, and Social Protection urged members to prioritize coordination and collaboration with partner organizations. (27) Although the Board is supposed to meet quarterly, it only met once in 2014, citing insufficient funding as the reason. (17, 27) The National Steering Committee on Child Labor (NSCCL) met three times in 2014. (17, 51)



### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Ghana has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labor (2009-2015)	Provides a comprehensive framework to significantly reduce the worst forms of child labor by 2015 and identifies specific roles for various ministries, NGOs, and civil society.(2, 27) Aims to reduce all forms of child labor but prioritizes nine key sectors: child trafficking; <i>trokosi</i> ; mining and quarrying; fishing; commercial sexual exploitation; <i>kayayes</i> and carrying heavy loads; agriculture; domestic work; and street vending.(27) Creates a framework for the new GCLMS that addresses all sectors in which the worst forms of child labor are present.(17, 27, 39) Helps coordinate 23 institutions and government agencies to combat child labor through data collection and analysis.(6, 67) Led by the CLU under the supervision of the NSCCL.(17)
Hazardous Child Labor Activity Frameworks	Comprises both the Hazardous Child Labor Activity Framework and the Hazardous Child Labor Activity Framework for the Cocoa Sector, which were developed in consultation with workers' and employers' organizations and prohibit hazardous activities for children. The existing framework extends protection to all child workers and supplement Ghana's existing laws on child labor.(68, 69)
ECOWAS Regional Action Plan for the Elimination of Child Labor, Especially the Worst Forms (2013-2015)	Aims to eliminate worst forms of child labor in West Africa by 2015 through the implementation of a regional action plan with 14 other ECOWAS countries.(70) In 2014, met to discuss actions taken since Ghana's 2013 Peer Review, progress of the Regional Action Plan's implementation, and the ILO's Study on "Child Labor and Educational Marginalization in West Africa."(71, 72)
2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol (2010 Declaration) and Its Accompanying Framework of Action	Under this joint declaration, the Governments of Ghana, Côte d'Ivoire, the United States, and the International Cocoa and Chocolate Industry provide resources and coordinate with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas.(73, 74) The Governments take steps to ensure that all project efforts implemented under the Declaration and Frameworks align with Ghana's national action plans in order to promote coherence and sustainability.(62, 73, 74)
Ministry of Food and Agriculture's Child Labor Strategic Plan (2013-2015)	Aims to improve coordination and monitors implementation of efforts to address child labor in the agriculture, cocoa, and fishing sectors by 2015. Works with farmers and fishermen to increase their livelihoods and their awareness of child labor.(75, 76)
UNDAF (2012-2016)	Aims to provide education or vocational training opportunities to children ages 5 to 17 withdrawn or prevented from engaging in child labor as part of Ghana's National Development Priority for Human Development, Productivity, and Employment.(77)
Education Strategic Plan (2003-2015)*	Seeks to improve access to and the quality of education by 2015, particularly at the primary level, by increasing opportunities for out-of-school and hard-to-reach children, providing scholarships to needy students, and improving education infrastructure.(38)
Free Compulsory Universal Basic Education (F-CUBE)	Aims to enable all children in Ghana to attend primary school by improving educational quality, improving access to education, raising the enrollment of hard-to-reach and out-of-school children, and increasing the management efficiency of the education sector.(17, 38)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Ghana funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government also has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
National Program for the Elimination of Child Labor in Cocoa (NPECLC)‡	Housed within the MELR, provides awareness-raising in cocoa-growing communities, increases access to education, builds institutional capacity for organizations combatting child labor, and aims to strengthen legal protections for child workers as part of the NPA. Oversees interventions to eliminate the worst forms of child labor at the community level.(17, 53, 78, 79) In 2014, established nine Information Communication Technology (ICT) centers and held a training workshop for ICT teachers in February. NPECLC also focused on scaling up the GCLMS and completed a trainers' manual on how to identify and withdraw children from situations of exploitative child labor.(58, 79) By the end of 2014, NPECLC was monitoring and supporting 7,191 children at risk of child labor.(79)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Subregional Cooperation through ECOWAS (ECOWAS I) (2009-2014)	\$7.95 million USDOL-funded, 5-year project implemented by the ILO with direct interventions to accelerate progress on the elimination of the worst forms of child labor in Côte d'Ivoire, Ghana, and Nigeria. Supported Economic Community of West African States (ECOWAS) to strengthen its role in combating the worst forms of child labor in the West Africa subregion by providing policy and capacity-building support for all ECOWAS states.(80) By the close of the project in April 2014, had withdrawn or prevented 5,536 children from the worst forms of child labor in fishing, mining, and agricultural production in Ghana and provided livelihoods services to 440 Ghanaian households. Helped establish CCPCs in 120 communities in the country.(81, 82)
Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Subregional Cooperation through ECOWAS (ECOWAS II) (2010-2014)	Linked to the ECOWAS I project, a \$5 million USDOL-funded, 4-year project implemented by the ILO with direct interventions in Benin, Côte d'Ivoire, Ghana, and Nigeria. Supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa subregion by providing policy and capacity-building support for all ECOWAS states.(83) In Ghana, worked with the Government to support the initial stages of implementation of GCLMS in 20 communities. By the close of project in April 2014, the project had also provided education services to 1,004 children and livelihoods services to 1,124 households in Ghana.(84)
Towards Child Labor Free Cocoa Growing Communities in Côte d'Ivoire and Ghana through an Integrated Area-Based Approach (2010-2015)	\$10 million USDOL-funded, 4-year project implemented by the ILO. In support of the 2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol, goal was to reduce the worst forms of child labor in cocoa-producing areas in Côte d'Ivoire and Ghana by providing direct services to communities.(40, 73) In Ghana, aimed to rescue more than 2,500 children and provide livelihood assistance to at least 1,000 households.(40) Works with the Government to support the GCLMS in cocoa-growing areas. By the end of 2014, the project had withdrawn or prevented 2,879 children from engaging in child labor by providing educational services and provided livelihood services to 2,145 households in Ghana.(63)
Survey on Child Labor in West African Cocoa-Growing Areas (2012-2015)	\$1.9 million USDOL-funded, 3-year research project implemented by the Payson Center at Tulane University. Supports the collection of nationally representative survey data on child labor in Côte d'Ivoire and Ghana to assess the prevalence of the worst forms of child labor in cocoa-growing areas. (55, 62, 85) Coordinates with the Government and works with government statistical experts to build the country's capacity to implement future child labor surveys.(62) In Ghana, the project conducted a nationally representative survey in the cocoa sector during the 2013-2014 harvest season.(13)
Industry-Funded Projects in Support of the 2010 Declaration	Aims to reduce the prevalence of child labor in Ghana's cocoa-growing areas, including by improving children's access to education and increasing household incomes.(73, 74, 86) Funding provided by the cocoa industry in Ghana as follows: Ferrero, \$1.14 million; Hershey, \$600,000; and Mondelez International, \$1.55 million.(62) Global Issues Group provided \$2 million for a project being implemented in both Ghana and Côte d'Ivoire.(62)
Follow-up to the resolution on child labour statistics adopted at the 18th International Conference of Labor Statisticians through methodological development and expansion of child labor data collection	\$3.5 million USDOL-funded, 4-year project implemented by the ILO. Included a subsurvey on child labor within the Ghana Statistical Service's Ghana Living Standards Survey.(87) Results were not available during reporting period.(1, 87)
Reintegration and Repatriation Services‡	The HTMB's Human Trafficking Fund provides financial support to human trafficking victims, including children; entails Government-assisted repatriating of victims when possible.(17, 27) The AHTU and DSW operate shelters and provide support services to victims of child trafficking with support from the IOM and UNICEF.(12, 27, 32) NGOs also operate shelters for victims of exploitative child labor in the Lake Volta Region.(27)
Anti-Human Trafficking Project (2014-2016)†	French Ministry of Foreign Affairs-funded, 3-year project to fight human trafficking in the Gulf of Guinea; implemented locally by Plan Ghana.(26) Provides training to Civil Society Organizations and shelters on delivering psychosocial support to victims of human trafficking, legal framework, reporting needs, and advocacy. Aims to strengthen the capacity of law enforcement officials to investigate and prosecute crimes.(26, 88)
Livelihoods Empowerment Against Poverty*‡	Government-funded conditional cash transfer program that provides monetary grants to households on the condition that children attend school and not engage in child labor. Aims to reach 300,000 households by 2015.(1, 17, 27, 39) Provided approximately \$1.5 million to 76,913 households in 103 districts throughout the country in 2014.(17)
Child Protection Compact Partnership†	US Department of State and Government of Ghana compact that aims to reduce child trafficking through increased efficiency and improved coordination between the MGCSF, Ministry of the Interior, GPS, and the Office of the Attorney General. Aims to improve prosecution and conviction of individuals guilty of child trafficking and improve protection for victims.(72)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Empowering Cocoa Households with Opportunities and Education Solutions (2007-2015)*	World Cocoa Foundation, USAID, and the International Chocolate and Cocoa Industry project implemented by World Education and Winrock that strengthens cocoa-growing communities by expanding education for youth and young adults; empowers community based organizations; and improving household livelihoods.(89)
Programs to Assist <i>Kayayes</i> *‡	DSW program, with the support of community based organizations, that provides rehabilitation and reintegration facilities for <i>kayayes</i> . The Women's Development Fund provides microcredit and income-generating activities for the mothers of <i>kayayes</i> .(22)
Education Programs*‡	Government-funded programs under F-CUBE that aim to increase school attendance and enrollment.(17, 27, 38) Ghana School Feeding Program, ongoing since 2005, aims to reduce malnutrition among children attending school in selected schools by providing meals and covering other incidental costs.(2, 16, 17, 39, 52) Capitation Grant Scheme pays school fees for all students attending public primary schools.(2, 16, 17, 39, 52) Ghana Education Service provides scholarships to girls, and free housing to female for junior and senior high school teachers.(16) Also places girls' education officers at the regional and district levels, and mobilizes communities to enroll more girls in school.(16)
National Health Insurance Scheme*‡	As part of the NPA, which aims to eliminate the worst forms of child labor, this government program waives health insurance premiums for children, requiring a minimal registration fee.(17, 39)
Millennium Villages*	Seeks to achieve the UN Millennium Development Goals by increasing universal primary education, improving access to health care and sanitation services, and providing livelihood assistance to agricultural families. Established early childhood education centers in villages with no primary schools.(90)
Public Awareness Campaigns‡	Various Ministry-funded programs that aim to raise awareness of child trafficking and educate community members on human trafficking issues.(27) In 2014, Head of the Human Trafficking Secretariat conducted eight public outreach appearances on radio and television. Additionally, the Secretariat collaborated with two NGOs to show a documentary on child trafficking on 540 inter-city buses that travelled throughout the country.(27)

\* The impact of this program on child labor does not appear to have been studied.

† Program was approved during the reporting period.

‡ Program is funded by the Government of Ghana.

Insufficient funding has limited the Government's ability to provide shelters for victims of child trafficking, and those that exist are frequently understaffed and lack adequate security.(10, 12, 26, 27, 88) Although the Government has worked closely with industry; NGOs; and international organizations to implement child labor programs in cocoa, fishing, and mining, the size of these programs remains insufficient to address the scope of the problem. Research found no evidence of programs to assist children involved in commercial sexual exploitation or forced labor in domestic work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ghana (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2014
	Prohibit child pornography and ensure laws prohibit the possession of child pornography or benefitting from its proceeds.	2014
	Strengthen protections for children against commercial sexual exploitation by removing barriers to prosecution and ensuring that penalties are sufficiently severe to deter violations and that the law applies equally to all children, regardless of age, moral standing, or occupation.	2014
	Ensure laws prohibit children from being used, offered, or procured for the production and trafficking of drugs.	2009 – 2014
Enforcement	Allocate and disburse adequate funding to support enforcement efforts, including by increasing the number of labor inspectors and AHTU investigators; and providing them with adequate training, particularly in the areas of using basic information technology; effectively carrying out labor inspections; interpreting labor laws; and report writing techniques.	2009 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen law enforcement by authorizing inspectors to assess penalties for labor violations.	2014
	Collect and make public statistics on the number of inspections and investigations conducted, violations found, penalties assessed, prosecutions, and convictions under child labor and trafficking laws, as well as the disaggregated data on the number of calls related to child labor made to the Ghana Police Service's 24/7 hotline.	2010 – 2014
	Strengthen coordination among agencies responsible for child labor issues, and develop a referral system between labor and criminal law enforcement agencies and social service providers.	2013 – 2014
Coordination	Ensure the Human Trafficking Management Board, National Partners Forum, and the Child Labor Unit receive adequate funding to convene on a regular basis and fulfill their respective coordinating roles.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the Education Strategic Plan.	2013 – 2014
Social Programs	Increase access to education by: <ul style="list-style-type: none"> <li>■ Ensuring an adequate number of classrooms;</li> <li>■ Improving school infrastructure;</li> <li>■ Eliminating school-related fees; and</li> <li>■ Ensuring school administrators and teachers allow children without birth certificates and uniforms to attend school.</li> </ul>	2010 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2013 – 2014
	Ensure that shelters that assist child trafficking victims have adequate funding, staff, and security to provide appropriate services.	2014
	Create, replicate, and/or expand effective models for addressing exploitative child labor, including commercial sexual exploitation and forced domestic work..	2009 – 2014

## REFERENCES

- U.S. Embassy- Accra. *reporting, January 30, 2014.*
- ILO-IPEC. *Analytical Study on Child Labour in Lake Volta Fishing in Ghana.* Geneva; 2013. [source on file].
- Thomas, M. "Child Trafficking in Ghana: An Examination of the Cultural Impact." *Prospect: Journal of International Affairs at UCSD*, (2011); <http://prospectjournal.org/2011/09/13/child-trafficking-in-ghana/>.
- Integrated Regional Information Networks. "GHANA: Efforts to Reduce Child Labour on Cocoa Plantations Beginning to Pay Off." IRINnews.org [online] September 23, 2011 [cited October 27, 2014]; <http://www.irinnews.org/report/93805/ghana-efforts-to-reduce-child-labour-on-cocoa-plantations-beginning-to-pay-off>.
- Buono, C, M Odonkor. *Daily Life, Social Norms and Child Labour in the Cocoa Producing Communities*; November 2011. <http://www.cocoainitiative.org/en/documents-manager/english/11-dailylifesocialnormsandchildlabourinthecocoa-producingcommunitiesghana-2010-ici-study/file>.
- UN Human Rights Council. "Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises." (2014); [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A\\_HRC\\_26\\_25\\_Add.5\\_ENG.DOC](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A_HRC_26_25_Add.5_ENG.DOC).
- Thorson, D. *Children Working in Commercial Agriculture: Evidence from West and Central Africa.* Briefing Paper n.2. New York, UNICEF; April 2012. [http://www.unicef.org/wcaro/english/Briefing\\_paper\\_No\\_2\\_-\\_children\\_working\\_in\\_commercial\\_agriculture.pdf](http://www.unicef.org/wcaro/english/Briefing_paper_No_2_-_children_working_in_commercial_agriculture.pdf).
- IOM. *Support Trafficked Children in Ghana*, IOM, [online] 2010 [cited February 6, 2013]; <http://www.iom.int/cms/en/sites/iom/home/what-we-do/countertrafficking/support-trafficked-children-in-ghana.html>.
- Government of Ghana. *Ghana Living Standards Survey (GLSS6) Child Labour.* Accra, August 26, 2014. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=25515>.
- UN Human Rights Council. "Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian." (2014); [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A-HRC-27-53-Add3\\_en.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A-HRC-27-53-Add3_en.doc).
- Ananga, ED. "Child Migration and Dropping Out of Basic School in Ghana: The Case of Children in a Fishing Community." *Creative Education*, 4(6):405-410 (2013); <http://dx.doi.org/10.4236/ce.2013.46057>.
- Johansen, R. *Child trafficking in Ghana*, UNDOC, [cited December 12, 2014]; <http://www.unodc.org/unodc/en/frontpage/child-trafficking-in-ghana.html>.
- Tulane University. *Final Report: 2013/14 Survey Research on Child Labor in West African Cocoa-Growing Areas.* New Orleans, Payson Center for International Development and Technology Transfer; 2015 July 30, 2015.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from Multiple Indicator Cluster Survey 3, 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Ghana," in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220329.pdf>.
- U.S. Embassy- Accra. *reporting, January 15, 2015.*
- Integrated Regional Information Networks. "GHANA: Paying families and curbing child trafficking." IRINnews.org [online] March 23, 2010 [cited December 11, 2014]; <http://www.irinnews.org/report/88521/ghana-paying-families-and-curbing-child-trafficking>.



19. ILO-IPEC. *Analytical Studies on Child Labour in Mining and Quarrying in Ghana*. Geneva; 2013. [source on file].
20. Human Rights Watch. *Human Rights Watch submission to the Committee on the Rights of the Child for the pre-session of Ghana*. July 2014. [http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GHA/INT\\_CRC\\_NGO\\_GHA\\_17937\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GHA/INT_CRC_NGO_GHA_17937_E.pdf).
21. Government of Ghana, and ILO. *National Child Labour Policy Advocacy Forum to Mark the World Day Against Child Labour*. Accra; June 2010.
22. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Ghana (ratification: 2000) Submitted: 2010* accessed March 26, 2013; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2322701](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2322701).
23. Yeebo, Y. "Inside a Massive Electronics Graveyard." *The Atlantic*, (2014); [http://www.theatlantic.com/technology/archive/2014/12/inside-a-massive-electronics-graveyard/383922/?single\\_page=true](http://www.theatlantic.com/technology/archive/2014/12/inside-a-massive-electronics-graveyard/383922/?single_page=true).
24. U.S. Department of State. "Ghana," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226729.htm>.
25. U.S. Embassy- Accra. *reporting, February 14, 2014*.
26. Ghana Web. "Anti-Trafficking Unit rescued over 200 people." ghanaweb.com [online] September 18, 2014 [cited <http://www.ghanaweb.com/GhanaHomePage/regional/artikel.php?ID=326341>].
27. U.S. Embassy- Accra. *reporting, February 19, 2015*.
28. Murphy, L. "Ghana's Commitment to End Child Labor." ftsblog.net [online blog] July 11, 2011 [cited February 7, 2013]; <http://ftsblog.net/2011/07/11/ghanas-commitment-to-end-child-labor/>.
29. IOM. *IOM Rescues 20 Ghanaian Children from Trafficking for Last Time as Programme Runs Out of Funds*, IOM, [online] April 29, 2011 [cited February 6, 2013]; <http://www.iom.int/jahia/jahia/media/press-briefing-notes/pbnAF/cache/offonce/lang/en?entryId=29599>.
30. Torgbor-Ashong, GO. "Ghana Marks World Day Against Child Labour." voicesofyouth.org [online] June 16, 2011 [cited February 6, 2013]; <http://voicesofyouth.org/posts/ghana-marks-world-day-against-child-labour-2>.
31. Mistiaen, V. "Virgin wives of the fetish Gods - Ghana's trokosi tradition." trust.org [online] October 4, 2013 [cited March 4, 2014]; <http://www.trust.org/item/20131003122159-3cmeil>.
32. GNA. "Internal human trafficking widespread in Ghana." modernghana.com [online] August 27, 2012 [cited December 11, 2014]; <http://www.modernghana.com/news/414004/1/internal-human-trafficking-widespread-in-ghana.html>.
33. Government of Ghana. *The Education Act, 778*, enacted 2008.
34. U.S. Embassy- Accra. *reporting, July 26, 2011*.
35. Antonowicz, L. *Too Often in Silence: A Report on School-Based Violence in West and Central Africa*; March 2010. [http://www.unicef.org/wcaro/VAC\\_Report\\_english.pdf](http://www.unicef.org/wcaro/VAC_Report_english.pdf).
36. UNICEF. *Global Initiative on Out-of-School Children: Ghana Country Study*. New York; April 2012. [http://www.unicef.org/education/files/Global\\_OOSC\\_Ghana\\_Report\\_Apr\\_2012.pdf](http://www.unicef.org/education/files/Global_OOSC_Ghana_Report_Apr_2012.pdf).
37. Government of Ghana, Ministry of Education. *Education Sector Performance Report*. Accra; 2010.
38. Government of Ghana, Ministry of Education. *Education Strategic Plan: 2003-2015*. Accra; May 2003. <http://planipolis.iiep.unesco.org/upload/Ghana/Ghana%20Education%20Strategic%20Plan.pdf>.
39. Government of Ghana, Ministry of Employment and Social Welfare. *National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labour in Ghana (2009-2015)*. Accra; November 2009.
40. ILO-IPEC. *Towards Child Labor Free Cocoa Growing Communities through an Integrated Area Based Approach Project*. Project Document. Geneva; December 21, 2010.
41. ILO-IPEC. *Education Needs Assessment in Target Cocoa Growing Communities in Ghana*. Geneva; November 1, 2011. <http://www.ilo.org/ipecinfor/product/download.do?type=document&cid=19715>.
42. Government of Ghana. *The Children's Act, 560*, enacted September 24, 1998. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/56216/65194/E98GHA01.htm>.
43. Government of Ghana. *The Labour Act of 2003*, 651, enacted March 31, 2004. <http://www.nlcghana.org/nlc/privatecontent/document/LABOURACT2003.pdf>.
44. Government of Ghana. *Constitution of the Republic of Ghana*, enacted 1992. <http://www.ghanaweb.com/GhanaHomePage/republic/constitution.php>.
45. Government of Ghana. *Human Trafficking Act*, 694, enacted December 5, 2005.
46. Government of Ghana. *Consolidation of Criminal Code of 1960*, Act 29, enacted December 10, 1999. <http://www.wipo.int/edocs/lexdocs/laws/en/gh/gh010en.pdf>.
47. U.S. Embassy- Accra official. E-mail communication to USDOL official. June 2, 2014.
48. UN Convention 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 - Ghana*; 2005 July 14, 2005. <http://www.refworld.org/country,CRC,,gha,,43f3054a0,0.html>.
49. Government of Ghana. *Recruitment into Ghana Armed Forces 2014 General Eligibility*. [Online] [cited November 30 2014]; [http://www.gaf.mil.gh/index.php?option=com\\_content&view=category&layout=blog&id=76&Itemid=107](http://www.gaf.mil.gh/index.php?option=com_content&view=category&layout=blog&id=76&Itemid=107).
50. Child Soldiers International. *Louder than words*. Oxford, Oxuniprint; 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
51. U.S. Embassy- Accra official. E-mail communication to USDOL official. March 4, 2015.
52. ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Ghana (ratification: 2000) Published: 2014*; accessed October 24, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEX\\_PUB:13100:0::NO::P13100\\_COMMENT\\_ID:3147133](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEX_PUB:13100:0::NO::P13100_COMMENT_ID:3147133).
53. Government of Ghana, Ministry of Employment and Labour Relations. *Pilot Report on Ghana Child Labor Monitoring System (GCLMS)*. Accra; July 2013.
54. Government of Ghana, Ministry of Employment and Social Welfare. *Ghana Child Labour Monitoring System Validation Report from Workshop of August 23-25, 2011*. Accra; September 28, 2011.
55. Tulane University. *Fourth Annual Report: Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d'Ivoire and in Ghana*. New Orleans, Payson Center for International Development and Technology Transfer; September 30, 2010. <http://childlabor-payson.org/default.html>.
56. Government of Ghana. *Submission to Child Labor Cocoa Coordinating Group Annual Report 2012*. Accra; January 24, 2013.
57. Government of Ghana. *Final Submission to Child Labor Cocoa Coordinating Group Annual Report 2013*. Accra; January 20, 2014.
58. U.S. Embassy- Accra official. E-mail communication to USDOL official. April 24, 2015.
59. ILO Committee of Experts. *Observation concerning Labour Inspection Convention, 1947 (No. 81) Ghana (ratification: 1959) Published: 2014*; accessed October 14, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3139071](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3139071).
60. Challenging Heights. *Anti Human Trafficking Unit Operation saves dozens of children*; 2014. <http://challengingheights.org/joint-challenging-heights-anti-human-trafficking-unit-operation-saves-dozen-of-children/>.
61. Antonio, R. "Trafficked Kids Rescued." Daily Guide, August 12, 2014 2014. <http://www.dailyguideghana.com/trafficked-kids-rescued/>.
62. Child Labor Cocoa Coordinating Group. *2013 Annual Report*. Washington DC; 2013.
63. ILO-IPEC. *Towards Child Labor Free Cocoa Growing Communities through an Integrated Area Based Approach Project*. Technical Progress Report. Geneva; October 31, 2014.
64. ECOWAS. *ECOWAS Peer Review of Child Labor Elimination Activities in Ghana*; April 9-10, 2014. <http://labourdepartment.gov.gh/welcome/wp-content/uploads/2014/11/Report-Peer-Review-Ghana-Final-.pdf>.
65. Government of Ghana, Ministry of Employment and Social Welfare. *Institutional and Management Framework for the National Child Labour Elimination Programme: The National Steering Committee on Child Labour- Terms of Reference*. Accra; 2010.
66. U.S. Embassy- Accra. *reporting, March 1, 2013*.



67. Government of Ghana, Ministry of Employment and Social Welfare. *List of Agencies Signing MOU National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labour in Ghana (2009-2015)*. Accra; October 20, 2010.
68. Government of Ghana. *Hazardous Child Labour Activity Framework for the Cocoa Sector*, enacted June 2008. [source on file].
69. Government of Ghana. *Hazardous Child Labour Activity Framework for Ghana (HAF)*, enacted 2012. [source on file].
70. ECOWAS. *ECOWAS Regional Action Plan for the Elimination of Child Labour Especially in the Worst Forms*. Abuja; June 2013. [http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms\\_227737.pdf](http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_227737.pdf).
71. ECOWAS. "Member States Meeting on the Implementation of the Regional Action Plan on the Elimination of Child Labour," in Meeting on the Implementation of the Regional Action Plan on the Elimination of Child Labour; December 16-18, 2014;
72. ILO-IPEC. *Towards Child Labor Free Cocoa Growing Communities through an Integrated Area Based Approach Project*. Technical Progress Report. Geneva; April 3, 2015.
73. Senator Harkin, Congressman Engel, USDOL, Government of Cote d'Ivoire, Government of Ghana, and International Cocoa and Chocolate Industry. *Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol*. Abidjan; September 13, 2010. <http://www.dol.gov/ilab/projects/summaries/GhanaSignedDeclaration.pdf>.
74. Senator Harkin, Congressman Engel, USDOL, Government of Cote d'Ivoire, Government of Ghana, and International Cocoa and Chocolate Industry. *Framework of Action to Support Implementation of the Harkin-Engel Protocol*. Abidjan; September 13, 2010. <http://www.dol.gov/ilab/projects/summaries/CocoaFrameworkAction.pdf>.
75. ILO-IPEC Geneva official. E-mail communication to USDOL official. April 4, 2014.
76. Government of Ghana. *Ministry of Food and Agriculture (MOFA) Child Labour Strategic Plan for Directorate of Agriculture Extension Service 2013-2015*. Accra; April 2013. <http://www.fboghana.com/sites/default/files/documents/Child%20Labour%20Strategic%20Plan%20for%20DAES%20%282013-2015%29.pdf>.
77. UNDAF. *United Nations Development Assistance Framework, 2012-2016: Ghana*. Accra; December 2011. [http://www.gh.undp.org/content/dam/ghana/docs/UNDAF\\_Action\\_Plan\\_2012-2016.pdf](http://www.gh.undp.org/content/dam/ghana/docs/UNDAF_Action_Plan_2012-2016.pdf).
78. Government of Ghana. *National Programme for the Elimination of the Worst Forms of Child Labour in Cocoa (NPECLC) Programme Goals & Objectives*, Government of Ghana, [online] [cited February 17, 2015]; [http://npeclc.gov.gh/home/?page\\_id=10](http://npeclc.gov.gh/home/?page_id=10).
79. Ministry of Employment and Labour Relations. *National Program for the Elimination of Child Labor in Cocoa (NPECLC) Semi Annual Report (September 2013 - June 2014)*. Accra; 2014.
80. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 25, 2009. [http://www.dol.gov/ilab/projects/summaries/WestAfr\\_ECOWAS.pdf](http://www.dol.gov/ilab/projects/summaries/WestAfr_ECOWAS.pdf).
81. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Technical Progress Report. Geneva; April 22, 2014.
82. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. IPEC Response to USDOL Comments on Technical Progress Report. Geneva; May 27, 2014.
83. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Project Document. Geneva; December 20, 2010. [http://www.dol.gov/ilab/projects/summaries/WestAfr\\_ECOWASII.pdf](http://www.dol.gov/ilab/projects/summaries/WestAfr_ECOWASII.pdf).
84. ILO- IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS II*. Technical Status Report. Geneva; September 30, 2014.
85. US Department of Labor. *Approval of Request to Add Additional Funding for Sole Source Cooperative Agreement #IL-23796-12-75-K to Administrators of the Tulane Educational Fund for the Survey on Child Labor in West African Cocoa Growing Areas*. Project Document. Washington, DC; December 16, 2014.
86. Child Labor Cocoa Coordinating Group. *2012 Annual Report*. Washington, DC; 2012.
87. ILO-IPEC. *Follow-up to the resolution on child labour statistics adopted at the 18th ICLS through methodological development and expansion of child labour data collection*. Technical Progress Report. Geneva; April 2014.
88. Government of Ghana. "Workshop on Human Trafficking." Accra, 2014. <http://allafrica.com/stories/201409121094.html>.
89. World Cocoa Foundation, USAID, and Winrock International. *Empowering Cocoa Households with Opportunities and Education Solutions*, World Cocoa Foundation, [online] [cited February 6, 2013]; <http://worldcocoafoundation.org/echoes/>.
90. Millennium Villages. *Millennium Villages in Ghana*, [Online] [cited November 30, 2014] <http://millenniumvillages.org/the-villages/>.

# Grenada

## MODERATE ADVANCEMENT

*In 2014, Grenada made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the Prevention of Trafficking in Persons Act, which specifically prohibits the trafficking of children for labor and commercial sexual exploitation. The Government participated in the XVIII Inter-American Conference of Ministers of Labor discussions on the prevention and elimination of child labor, and continued to support programs that provide school meals, uniforms, and transportation costs to students of low-income families. While the worst forms of child labor do not appear to be a problem in Grenada, the Government's ability to prevent children from becoming engaged in exploitative work is limited due to a lack of express prohibitions against children's involvement in hazardous work and illicit activities, including the production and trafficking of drugs.*






### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research did not indicate that child labor, including its worst forms, exists in Grenada.(1)

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Grenada has ratified all key international conventions concerning child labor (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 32 of the Employment Act (2)
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 25 of the Employment Act; Article 4 of the Constitution (2, 3)
Prohibition of Child Trafficking	Yes		Article 10 of the Prevention of Trafficking in Persons Act (1, 4)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 137 and 188 of the Criminal Code; Article 12 of the Electronic Crimes Act; Article 10 of the Prevention of Trafficking in Persons Act (1, 4-6)

**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 10 of the Prevention of Trafficking in Persons Act; Article 12 of the Electronic Crimes Act (4, 5)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	16	Articles 2 and 15 of the Education Act (7)
Free Public Education	Yes		Article 16 of the Education Act (7)

† No standing military (8)

The Prevention of Trafficking in Persons Act came into force in June 2014. Article 10 of this act prohibits the human trafficking of children, including for commercial sexual exploitation, and establishes penalties of 25 years imprisonment, a fine of approximately \$370,000, or both.(1, 4)

Although the worst forms of child labor do not appear to exist in Grenada, gaps exist in the legal framework to prevent children from involvement in the worst forms of child labor. Article 32 of the Employment Act allows holiday employment for children under the age of 16 and does not specify the minimum age, types of work, or hours permitted for this work.(2) There are no existing provisions prohibiting the employment of children in hazardous work.(1, 9) Although the law prohibits the commercial sexual exploitation of children, research did not indicate there are laws prohibiting the use of children in other illicit activities, including the production and trafficking of drugs.(10)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including in its worst forms (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Child Protection Authority, Royal Grenada Police Force, Ministry of Social Development and Housing, and Ministry of Education truancy officers	Enforce laws related to child labor and school attendance.(1)

Law enforcement agencies in Grenada took actions to combat child labor, including its worst forms. In 2014, the Ministry of Labor (MOL) employed seven labor inspectors responsible for general labor inspections.(1) MOL labor inspectors did not receive training related to child labor during the reporting period. MOL had a budget of approximately \$279,311 to carry out all activities during the reporting period, including labor inspections.(1) There were no complaints or inspections related to child labor during the reporting period. In 2014, members of the Royal Grenada Police Force received training from the U.S. Government on sex crimes, including on components relating to children.(1) During the reporting period, the perpetrator of a 2013 child pornography was convicted and fined approximately \$7,400; both the victim and the perpetrator received counseling. There were no new criminal investigations, prosecutions, or convictions relevant to child labor during the reporting period.(1)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms. However, the Government has policies that may contribute to the prevention of child labor, including its worst forms (Table 4).

# Grenada

## MODERATE ADVANCEMENT

**Table 4. Policies Related to Child Labor**

Policy	Description
National Child Protocol (2013–2014)	Implements and strengthens the Child Protection and Adoption Act of 2011. Includes guidelines on areas such as coordination of government efforts related to the protection of children, investigations, and referrals to appropriate social services for victims of child labor, including its worst forms.(1, 10)
Child Abuse Reporting Guidelines (2013–2014)	Requires health care employees to report cases of child abuse.(1)
Poverty Reduction Strategy (2014)†	Supports compulsory school attendance.(1)

† Policy was approved during the reporting period.

In September 2014, Grenada participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(11, 12)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms. However, there is no current research on whether the worst forms of child labor exists in Grenada.(1) In 2014, the Government of Grenada funded programs that may have an impact on child labor (Table 5).

**Table 5. Social Programs to Address Child Labor**

Program	Description
School Feeding Programs‡	Government program that provides free breakfast and subsidized lunches to primary school students and students in 11 secondary schools; waives lunch fee for students who cannot afford to pay.(10, 13, 14) The Government decreased funding for school meals by approximately \$18,500 in 2014.(1)
Uniform and Transportation Allowances‡	Government program that covers costs of uniforms and transportation to schools for students from low-income families.(10) The Government increased support for transportation fees in 2014.(1)

‡ Program is funded by the Government of Grenada.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would continue the prevention of child labor, including its worst forms, in Grenada (Table 6).

**Table 6. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law conforms to international standards on light work in order to protect children engaged in holiday employment.	2014
	Establish specific provisions prohibiting hazardous work for children.	2009 – 2014
	Prohibit the use of children in illicit activities, including the production and trafficking of drugs.	2011 – 2014
Social Programs	Conduct research to determine whether any of the worst forms of child labor exist in Grenada.	2009 – 2014

## REFERENCES

1. U.S. Embassy- Grenada. *reporting, January 15, 2015.*
2. Government of Grenada. *Employment Act*, Act No. 14 of 1999, enacted 1999. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/53925/65176/E99GRD01.htm>.
3. Government of Grenada. *Constitution*, No. 2155 of 1973, enacted 1973. <http://pdba.georgetown.edu/constitutions/grenada/gren73eng.html>.
4. Government of Grenada. *Prevention of Trafficking in Persons Act*, enacted June 11, 2014.
5. Government of Grenada. *Electronic Crimes Bill*, enacted October 3, 2013. <http://grenadabroadcast.net/pastshows2/hor1>.
6. Government of Grenada. *Criminal Code*, enacted January 20, 1987. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/95182/111978/F2077022491/GRD95182.PDF>.
7. Government of Grenada. *Education Act*, No. 21 of 2002, enacted 2002. <http://laws.gov.gd/>.
8. Child Soldiers International. *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
9. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Grenada (ratification: 2003) Published: 2014*; accessed April 9, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
10. U.S. Embassy- Grenada. *reporting, January 31, 2014.*
11. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
12. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
13. UN Committee on the Rights of the Child. *Second Report: Implementation of the Convention on the Rights of the Child: Grenada*. Prepared by Government of Grenada, September 2007. [http://www.unicef.org/barbados/spmapping/Legal/national/Grenada/Reporting/2008\\_CRCStateReport.doc](http://www.unicef.org/barbados/spmapping/Legal/national/Grenada/Reporting/2008_CRCStateReport.doc).
14. U.S. Embassy- Grenada official. E-mail communication to USDOL official. April 19, 2011.



# Guatemala

## MODERATE ADVANCEMENT

In 2014, Guatemala made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government signed the Alliance for Prosperity in the Northern Triangle, a development initiative that includes among its many goals increasing educational and vocational training opportunities for youth and combatting human trafficking. The Government also implemented the Public Policy on Human Trafficking and Comprehensive Protection of Victims (2014–2024), establishing government-run shelters for victims of human trafficking. The Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons' (SVET) budget reached \$2 million, the highest in its history. Also, for the first time in Guatemala, six individuals were prosecuted by the Public Ministry and convicted of trafficking for labor purposes. However, children in Guatemala are engaged in child labor, including in agriculture and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. The lack of government resources, inability of the labor inspectorate to impose fines, and inadequate judicial enforcement of court orders remain key challenges for enforcement efforts to combat the worst forms of child labor. The Government delayed payments to recipients from the conditional cash transfer program, *Mi Bono Seguro*, and there is a lack of social programs targeting sectors in which children are known to engage in exploitative labor, such as domestic work and agriculture, as well as other sectors.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guatemala are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking.(1) Table 1 provides key indicators on children's work and education in Guatemala.

According to the 2014 National Survey of Employment and Earnings (ENEI), in Guatemala, approximately 66 percent of child labor occurs among males and 65 percent of overall child labor is found in agriculture. The ENEI also indicates that 69.2 percent of child labor is found among indigenous children.(1)

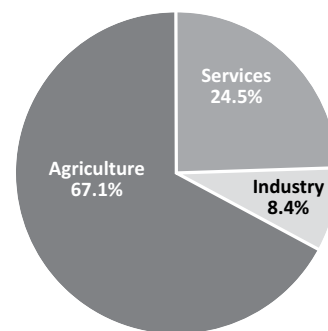
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	7-14 yrs.	19.2 (597,561)
Attending School (%)	7-14 yrs.	90.1
Combining Work and School (%)	7-14 yrs.	14.6
Primary Completion Rate (%)		87.7

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(2)

Source for all other data: Understanding Children's Work Project's analysis of statistics from ENEI Survey, 2012.(3)

**Figure 1. Working Children by Sector, Ages 7-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting and harvesting coffee, sugarcane, corn, beans,* and broccoli (4-7)
	Production of rubber* and timber* (6)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Agriculture	Harvesting palm kernels* and producing palm oil* (8)
	Mining*† (1, 9)
Industry	Construction,* including as bricklayers and mason helpers (9, 10)
	Production of garments,* activities unknown (11)
	Manufacturing gravel† and fireworks† (1, 6, 9, 12)
	Domestic work† (5, 6, 9)
Services	Street work,† including vending,† performing,*† begging,* and shoe shining† (1, 6)
	Garbage scavenging*† and working in garbage dump† (6, 9)
	Forced labor in agriculture, production of garments,* domestic work, garbage scavenging,* street begging* and vending (1, 6, 11)
Categorical Worst Forms of Child Labor‡	Used in the production of pornography* (13-16)
	Commercial sexual exploitation sometimes as a result of human trafficking (1, 11, 17)
	Used in illicit activities, including stealing* and transporting contraband as a result of criminal and gang recruitment* (6, 11)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined hazardous by national law or regulation as understood under Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3 (a)–(c) of ILO C. 182.

Approximately 40 percent of Guatemalans belong to three different ethnic groups representing more than 26 linguistic communities, among which the majority are indigenous.(18, 19) Government data indicate that more than two-thirds of working children in Guatemala are of indigenous heritage.(1) Traditionally, indigenous Guatemalan children have traveled to the Mexican border region of Guatemala to work; however, more recently, minors from other Central American countries have also migrated to the Mexican border for work, often times as a stop before they migrate farther north.(20)

In 2014, there was a steep increase in unaccompanied children from Guatemala, El Salvador and Honduras, leaving their countries to travel to the United States. These children often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation and recruitment by gangs.(21, 22) Gangs in Guatemala, including transnational criminal organizations, use children to commit illegal acts such as stealing and transporting contraband; some of these children are reported to be victims of human trafficking.(11) Children often emigrate to escape such violence and extortion by gangs, in addition to searching for economic opportunities and family reunification. Once *en route*, they are also vulnerable to human trafficking and commercial sexual exploitation.(17, 23, 24)

Reports indicate that children in Guatemala are victims of commercial sexual exploitation in the tourist areas of Antigua, Puerto Barrios, Rio Dulce, Lake Atitlan communities, Peten, and Guatemala City.(25)

In the last several decades, the Government has improved access to education for children; however, many significant challenges still remain. In 2014, only 60 percent of children completed the sixth grade in Guatemala.(26) In the Western Highlands, indigenous children only complete an average of 5.6 years of school. Moreover, there are still not enough qualified teachers who can speak and teach in all of the children’s native languages in the country nor are there classrooms materials available in all languages.(10)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guatemala has ratified all key international conventions concerning child labor (Table 3).



**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

# Guatemala

## MODERATE ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 102 of the Constitution; Articles 31 and 150 of the Labor Code; Government Accord 112-2006 (27-29)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (27, 30)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 4 of Ministerial Accord 154-2008 (31)
Prohibition of Forced Labor	Yes		Article 4 of the Constitution; Article 202 of the Penal Code (28, 32)
Prohibition of Child Trafficking	Yes		Articles 47 and 49 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons No. 9-2009; Article 50 of the Law of Integral Protection of Children and Adolescents, No. 27-2003 (33, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 36-42 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009 (33)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (32)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 57 of Law of Integral Protection of Children and Adolescents, No. 27-2003 (34)
Minimum Age for Voluntary Military Service	Yes	18	Article 57 of Law of Integral Protection of Children and Adolescents, No. 27-2003 (34)
Compulsory Education Age	Yes	15	Article 74 of the Constitution (28, 35)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (28, 36)

Guatemalan law is not fully consistent with international standards regarding child labor. Article 150 of the Labor Code allows the Ministry of Labor and Social Security (MTPS) to authorize children under age of 14 to work under exceptional circumstances, including if the MTPS determines that children must work to support their family due to poverty.(27) However, in 2006, the President's Office and the MTPS signed an agreement reiterating the Labor Code's prohibition of the employment of children under the age of 14 and committing the MTPS to grant exceptions to the minimum age for work only in very special cases.(29)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security's (MTPS) Inspection Division (IGT)	Enforce child labor laws, including prohibitions on the worst forms of child labor.(37) Inspect businesses to find cases of the worst forms of child labor and respond to child labor complaints and refer children to government social services. Refer complaints to the MTPS Adolescent Workers Protection Unit. Refer children to government social services.(10, 38-40) Establish periods for employers to remedy the violations found. Refer cases of violations that are not remedied within the specified time periods to labor courts, which review the cases and impose sanctions, as appropriate.(9, 27)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Secretariat of Social Welfare and Departmental Social Welfare Offices	Establish and manage a national protocol for identifying and assisting child victims of commercial sexual exploitation.(41) In the case of Departmental Social Welfare Offices, coordinate services for children outside of Guatemala City.(40)
National Civil Police (PNC)	Maintain Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and a hotline to receive reports of suspected child trafficking cases. Investigate cases of child trafficking.(1, 11, 24)
Public Ministry, Public Prosecutors' Office (MP)	Maintain an Anti-Human Trafficking Unit, which conducts investigations on all forms of trafficking in persons.(13, 24, 42)
Human Rights Ombudsman	Receive complaints regarding child victims of trafficking in persons.(23)
Solicitor General's Office (PGN)	Receive complaints regarding the exploitation of children. Also initiate legal proceedings to protect children in cases of violation of criminal law and ensure the legal representation of children whose rights have been infringed.(13, 23, 24) Maintain a Child Rescue Unit that assesses the risk of children whose rights have been violated, including making a determination on whether the children should remain with family members, and request appropriate protection measures.(13)

Law enforcement agencies in Guatemala took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the MTPS employed approximately 300 inspectors throughout Guatemala; however, 40 of the inspectors do not conduct inspections, but rather serve as conciliators who attempt to address and resolve labor violations rather than forwarding them for judicial review and potential sanction.(1, 10) There are no inspectors specifically dedicated to child labor, but there are approximately 20 “emergency” inspectors. These inspectors are employed full time to respond to complaints from minors or those received on behalf of minors.(1, 10, 43) However, all labor inspectors were trained in child labor in 2014. The Labor Inspectorate had a budget of approximately \$3.7 million in 2014, which is a small increase from \$3.6 million in 2013.(1) Only 3 percent of the MTPS's budget is allocated for carrying out inspections. Labor inspectors, especially outside of Guatemala City, still lack the necessary resources, such as vehicles and fuel, to carry out inspections.(1, 6, 44)

According to the MTPS, in 2014, 161 inspectors conducted a total of 30,552 inspections, 5,823 of which were in industries and areas that are at high risk of employing children, including in agriculture, manufacturing, textiles, and the service industry. This represents a 22 percent decrease from 2013 in inspections in such high-risk industries and areas.(10) The MTPS holds press conferences announcing certain sectors it will target, after which these sectors undergo random inspections. Inspections are generally announced, but inspectors also may conduct unannounced inspections, such as in response to a child labor complaint.(1) There are reports that question the quality of child labor inspections, in particular the scope and coverage across industries.(1)

In 2014, the MTPS received and investigated 102 child labor complaints. During the reporting period, 101 children were found in the worst forms of child labor. In 11 cases of child labor in violation of the labor code, inspectors chose to conciliate with employer instead of referring the case to the court.(1) Approximately 59 of the 102 cases are still pending. During inspections, 87 adolescents and 14 children were found in unlawful child labor.(1, 10) The children were referred to social services, including to the MP and the PGN.(1, 10)

As a result of these inspections, the MTPS referred 18 cases of child labor violations to labor courts. Research did not uncover whether the 18 cases were a result of complaint-driven inspections or total child labor inspections.(10) In total, \$1.19 million was assessed by the labor courts for labor law violations in 2014, of which only \$486,000 was collected. Information is not available on the amount assessed and collected specifically for child labor violations, however.(1) In general, there are significant delays in penalizing employers for labor law violations, in large part because the MTPS cannot directly impose fines and must transfer cases of violations to the labor courts for their review and sanction, as appropriate.(1, 40, 45)

In 2013, the Guatemalan Government and the United States Government signed an Enforcement Plan to resolve a labor law enforcement case brought by the United States under the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR). The Plan specified a set of actions for the Government of Guatemala to undertake in order to improve the enforcement of its labor laws.(1, 46) The Enforcement Plan included passage of legislation that would allow the MTPS to

# Guatemala

## MODERATE ADVANCEMENT

recommend sanctions to the labor courts and for the courts to adopt those sanctions through an expedited process. Enforcement of child labor laws would also be expedited with this legislation.(1, 46) However, Guatemala failed to fully implement the Enforcement Plan within the prescribed timeframes, including enacting the referenced sanction legislation.(1, 47) As a result, in September 2014, the United States announced that it would proceed with the case before a CAFTA-DR arbitral panel and has been in dispute settlement proceedings.(47)

### *Criminal Law Enforcement*

In 2014, the National Civil Police maintained a team of approximately 45 investigators for crimes against children and adolescents, and the Special Investigative Police maintained a team of approximately 50 investigators specializing in human trafficking. The 50 investigators participated in a 1-month course on human trafficking.(1) In addition, the MP increased the size of its Anti-Trafficking Unit to 32 staff members, and the number of prosecutors from three to seven. The MP funded a certification program on gender issues for every member of the Trafficking in Persons (TIP) Prosecutors Office.(1, 25) The Anti-Trafficking Unit Office received additional vehicles in 2014, which assisted in conducting investigations outside of the capital. However, limited resources still present challenges for both inspecting cases and processing violations outside of the capital.(1)

In 2014, there were 402 new human trafficking investigations, which involved 539 suspected or convicted perpetrators. As a result of the investigations, 50 trafficking cases (involving 62 perpetrators) were brought to trial.(25) Two of the cases involved the commercial sexual exploitation of young girls. These cases are currently in the prosecution phase. Eight cases involved trafficking for labor purposes.(25) Seven of these cases are still pending; however, charges have been filed for these cases. Six of the cases involved victims under the age of 18.(10) In one investigation, 44 indigenous children trafficked from rural areas to the city for forced begging were rescued.(1)

There were 20 convictions for trafficking offenses in 2014. This includes the first 6 convictions of individuals for trafficking for labor purposes ever in Guatemala.(25) In the 6 convictions, children were forced to work in a bar serving alcohol to customers and drinking alcohol with them. The average penalty for each conviction was 21 years in prison with a fine of \$90,000.(10, 25) No information is available on the number of complaints received involving child victims of trafficking.

The National Civil Police still needs additional staff and resources to effectively enforce criminal laws related to the worst forms of child labor.(1, 24) Additionally, inadequate training and lack of resources for investigations outside of Guatemala City further negatively impact the Government's response to these crimes. However, there are reports that indicate that the quality of investigations may be improving.(1, 13, 24)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAPETI)	Coordinate government policies and efforts to combat child labor. Led by the Vice President's Office and composed of several government ministries, including the MTPS and the Ministry of Social Development (MIDES), as well as representatives from industry associations and trade unions.(9, 37, 43)
Departmental Commissions for the Eradication of Child Labor (CODIPETIs)	Coordinate government efforts to combat child labor at the departmental or regional level. Composed of department-level representatives of the agencies that form the CONAPETI.(1)
MTPS Executive Secretariats	Operate nine Executive Secretariats throughout the country to coordinate the efforts of NGOs and local government agencies on child labor.(37)
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET)	Coordinate all government efforts against trafficking in persons (TIP), including for commercial sexual exploitation of children and forced child labor. Operate under the auspices of the Vice President's Office.(23, 24) Establish and oversee TIP networks in all departments that respond to trafficking cases and provide support for victims.(25)
Inter-Institutional Commission Against Trafficking (CIT)	Develop and manage initiatives to combat human trafficking. Coordinated by SVET and co-chaired by the Ministry of Foreign Affairs; includes 28 government and civil society institutions.(13, 23, 24)



In 2014, the National Commission for the Eradication of Child Labor (CONAPETI) met twice, and a technical-level secretariat within CONAPETI met every month. During the year, the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) received a budget of approximately \$2 million, an increase from \$1.1 million in 2013, and the Inter-Institutional Commission against Trafficking met on a monthly basis.(1, 25, 48) SVET launched networks in 10 additional departments, and there are now a total of 32 networks, reaching every department in Guatemala. As part of its \$2 million budget, SVET received more than \$700,000 for the operation of three new trafficking shelters.(25) In February 2014, SVET hosted a regional anti-trafficking in persons conference for civil society and other governments in the region.(11) During the reporting period, SVET trained 148,598 government and non-government staff in prevention of trafficking in persons.(25)

Although there have been improvements in interagency coordination, research found that Guatemala continues to lack effective coordination among government institutions and civil society actors who provide services and protection to children whose rights have been violated.(1, 13)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Guatemala has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Roadmap toward the Elimination of Child Labor in Guatemala	Aims to eliminate the worst forms of child labor in Guatemala by 2015 and integrate child labor issues into anti-poverty, education, and health programs. Calls for legal reform to remove exceptions to the minimum age in the Labor Code.(45)
Alliance for Prosperity in the Northern Triangle†	Aims to create economic growth, increase educational and vocational training opportunities for youth, and reduce violence in Honduras, Guatemala, and El Salvador, in part to reduce the number of unaccompanied minors who leave Guatemala and other Central American countries for the United States and who are vulnerable to human trafficking. Signed by the presidents of each country in 2014.(49-51)
Action Plan to Make Guatemala Free From the Worst Forms of Child Labor (2013–2015)	Specifies actions for government agencies to implement the Roadmap toward the Elimination of Child Labor in Guatemala. Includes three advisors in Guatemala City and one in each departmental capital.(1)
Protocol for Providing Comprehensive Health Care to Children and Adolescents in the Worst Forms of Child Labor	Requires public health workers to input information about any child whose injuries may have been labor-related into a database. Implemented by the Ministry of Public Health and Social Assistance.(9, 52)
Intra-Institutional Coordination Protocol to Assist Child Laborers	Sets guidelines for the MTPS inspectors to identify child laborers, remove children from the worst forms of child labor, and coordinate services for such children with other government agencies.(31)
Public Policy on Human Trafficking and the Comprehensive Protection of Victims (2014–2024)†	Includes a National Plan of Strategic Action that directs the Government's actions on preventing and combatting human trafficking.(13) Replaces the Public Policy on Human Trafficking and the Comprehensive Protection of Victims (2007–2017) Plan and includes the creation of SVET-run TIP shelters, and in 2014, 2 new shelters were launched.(1, 25)
Central American Regional Coalition to Combat Human Trafficking	Aims to improve government and civil society efforts to combat human trafficking in Central America. Includes the participation of civil society organizations and the national police and public prosecutor's offices in Central America, including those of the Government of Guatemala.(13, 53) Includes MOU Between El Salvador and Guatemala on Protecting Trafficking Victims and the Illicit Trafficking of Migrants which Establishes actions for the Governments of Guatemala and El Salvador to improve the protection of trafficking victims and reduce the trafficking of migrants along the Guatemala-El Salvador border. Includes a focus on improving services for children.(13, 54)
Urban Social Protection Strategy	Seeks to prevent children from engaging in street work and to increase training and employment opportunities for youth.(9)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013) and signed by Guatemala at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(55-57)

† Policy was approved during the reporting period.

In September 2014, Guatemala participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown,

# Guatemala

## MODERATE ADVANCEMENT

Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(58)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Guatemala funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Conditional Cash Transfer Program ( <i>Mi Bono Seguro</i> )*‡	MIDES program that provides cash assistance to families with school-aged children, conditioned on children's school attendance. Served nearly 772,000 beneficiaries in 2014.(9, 10, 59)
Food Assistance Program ( <i>Mi Bolsa Segura</i> )*‡	MIDES program that provides food assistance to poor families, with the requirement that their children attend school. During 2014, assisted approximately 225,000 families, a moderate increase from 197,000 families in 2013. (10, 60, 61)
Young Protagonists ( <i>Jóvenes Protagonistas</i> )*‡	MIDES program that provides at-risk adolescents with training and formative activities outside of school hours. Regularly attended by 55,000 youth in 2014, a significant increase from 36,000 in 2013.(59, 62, 63)
Over-Age Population Educational Program	Office of Bilingual Education program for child workers ages 12 to 17. Allows children who started school late due to work to finish 6 years of schooling in 2 years.(10)
My First Employment ( <i>Mi Primer Empleo</i> )*‡	MIDES program that places working-age youth in apprenticeship programs and grants them on-the-job training and a monthly stipend. In 2014, served 665 youth.(52, 59, 64)
Zero Hunger Pact ( <i>Pacto Hambre Cero</i> )*‡	Government programs to combat malnutrition, increase access to education, and reduce the economic vulnerability of approximately 701,000 families. In 2014, the Zero Hunger Pact had an annual budget of \$102 million from \$252.7 million in 2013.(9, 10, 65)
TIP Referral and Grant Funding‡	Government program that provides funding to NGOs to provide shelter and services to child victims of trafficking for commercial sexual exploitation. In 2014, the Government provided \$1.1 million to two NGOs.(25)
Education and Monitoring Program for the Eradication of Child Labor (2012–2014)	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in the Americas, including Guatemala. In 2014, carried out several activities to strengthen the work of the CONDEPTIs, which included developing information systems on the worst forms of child labor in Guatemala.(66)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Guatemala.

In 2014, budget shortfalls prevented the Government from providing funding on-time to beneficiaries of the conditional cash transfer program (*Mi Bono Seguro*). As a result, by the end of October 2014, only 43% of *Mi Bono Seguro's* budget had been distributed to beneficiaries.(67) There is some evidence that, due to irregular disbursement of funds, many parts of the country did not receive payments for *Mi Bono Seguro* in the last quarter of 2014.(10) However, a report indicates that despite the delayed funding issue during the last quarter of 2014 with *Mi Bono Seguro*, the Government provided program beneficiaries payments outside of Guatemala City, reaching hundreds of thousands of families in all 22 departments, with the highest participation in Quiché, Alta Verapaz, Huehuetenango, and San Marcos.(10, 68)

In 2014, the Government increased funding for assistance to child victims of trafficking for the purpose of commercial sexual exploitation. However, a source indicates that government-run shelters for vulnerable children, including child trafficking victims, lacked sufficient translators for children who speak roughly two dozen Mayan languages, causing difficulties in service provision.(11)

Additionally, although the Government of Guatemala has implemented programs to assist children and families with conditional cash transfers, food assistance, and education services, research found no evidence that there are Government programs to specifically design to assist children, especially indigenous children, in domestic work, agriculture, and children who perform other types of hazardous work.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guatemala (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Remove exceptions to the minimum age for work within Article 150 of the Labor Code that are inconsistent with international standards.	2010 – 2014
Enforcement	Increase resources for labor inspections, including vehicles and fuel, particularly for inspections outside of Guatemala City and ensure that inspections are conducted across all industries.	2009 – 2014
	Apply penalties to violators of child labor laws.	2014
	Make information publicly available on whether employers have been sanctioned for child labor violations, have paid the fines imposed, and have remedied the underlying violations.	2011 – 2014
	Authorize the MTPS legislatively to issue sanctions for labor law violations, including in cases of child labor or at a minimum, enact legislation to allow the MTPS to recommend sanctions to the labor courts for the courts to review and adopt through an expedited process.	2014
	Eliminate significant delays in the process for penalizing labor law violators, including in cases of child labor, at a minimum, by enacting legislation authorizing the MTPS to make fine recommendations and expediting the process for the judiciary to adopt such recommendations, issue fines, order and enforce remediation of labor law violations.	2012 – 2014
	Make information publicly available on the number of complaints received involving child victims of trafficking.	2014
	Increase resources for the law enforcement agencies responsible for receiving complaints and investigating child commercial sexual exploitation, forced labor, trafficking, and violations of child labor laws.	2013 – 2014
	Dedicate more resources and staff to the PGN to improve service provision for child trafficking victims and also to the National Civil Police to improve enforcement of criminal laws related to the worst forms of child labor.	2013 – 2014
Coordination	Strengthen coordination efforts to institutionalize relationships between civil society representatives and government agencies that provide services to child victims of the worst forms of child labor.	2013 – 2014
Social Programs	Ensure that there is geographical coverage of existing anti-poverty programs to guarantee that the programs reach families living in both urban and rural areas.	2013-2014
	Initiate social programs to address child labor, especially with a focus on indigenous children, in agriculture, domestic work, and for children who perform other types of hazardous work.	2009 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2009 – 2014

## REFERENCES

- U.S. Embassy- Guatemala City. *reporting, January 15, 2015.*
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from ENCOVI Survey, 2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Catholic Relief Services. *Informe: Línea de Base.* Baltimore; 2010.
- UNICEF. *Guatemala: the Perfect Storm: Impact of Climate Change and the Economic Crisis on Children and Adolescents.* Guatemala City; 2010. <http://bit.ly/AjQ1Wy>.
- U.S. Department of State. “Guatemala,” in *Country Reports on Human Rights Practices- 2013.* Washington, DC; 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Verite. *Research on Indicators of Forced Labor in the Supply Chain of Coffee in Guatemala.* Amherst; 2012. <http://bit.ly/1d6gake>.
- Verite. *Labor and Human Rights Risk Analysis of the Guatemalan Palm Oil Sector.* Amherst; March 31, 2014. <http://www.verite.org/sites/default/files/images/RiskAnalysisGuatemalanPalmOilSector.pdf>.
- Government of Guatemala. *Response to USDOL Request for Information.* Guatemala City; February 1, 2013.
- U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. March 12, 2015.
- U.S. Department of State. “Guatemala,” in *Trafficking in Persons Report- 2014.* Washington, DC; June 19, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/>.
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guatemala (ratification: 2001) Published: 2013;* accessed December 3, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
- UN Human Rights Council. *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M’jid: Addendum: Mission to Guatemala.* New York; January 21, 2013. Report No. A/HRC/22/54/Add.1. [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-54-Add1\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-54-Add1_en.pdf).

# Guatemala

## MODERATE ADVANCEMENT

14. “Estructuras difícilmente son identificadas.” La Hora, Guatemala, August 5, 2013. <http://www.lahora.com.gt/index.php/nacional/guatemala/reportajes-y-entrevistas/181798-desde-el-2009-solo-se-han-emitido-dos-sentencias-por-pornografia-infantil>.
15. Castañón, M. “Prolifera pornografía infantil ‘Made in Guatemala.’” La Hora, Guatemala, February 13, 2012. <http://www.lahora.com.gt/index.php/nacional/guatemala/reportajes-y-entrevistas/153040-por-q25-se-consiguen-tres-discos-de-pornografia-infantil-guatemalaca>.
16. Rodríguez, M. “Perciben incremento de pornografía infantil.” La Hora, Guatemala, October 29, 2013. <http://www.lahora.com.gt/index.php/nacional/guatemala/actualidad/186004-perciben-incremento-de-pornografia-infantil>.
17. Asociación para la Eliminación de la Prostitución, P, Turismo, Tráfico Sexual de Niñas, Niños y Adolescentes-ECPAT. *La trata de personas con fines de matrimonios forzados, explotación sexual comercial y explotación laboral en Huehuetenango, Quetzaltenango, Totonicapán y Quiché*; 2013. [source on file].
18. UNICEF. *Guatemala: Country programme document 2015-2019*; 2014. [source on file].
19. Lewis, MP, Gary F. Simons, and Charles D. Fennig (eds.). *Ethnologue: Languages of the World, Seventeenth edition.*, [cited November 21, 2014]; <https://www.ethnologue.com/country/gt>.
20. ILO-IPEC. *Niños, niñas y adolescentes migrantes trabajadores en zonas fronterizas en Centroamérica y Panamá*; 2014. [source on file].
21. Dennis Stinchcomb and Eric Hershberg. *Unaccompanied Migrant Children from Central America: Context, Causes, and Responses*. Center for Latin American & Latino Studies, American University; 2014 November. [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2524001](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2524001).
22. United States Conference of Catholic Bishops. *Mission to Central America: The Flight of Unaccompanied Children to the United States*; November 2013. <http://www.usccb.org/about/migration-policy/upload/Mission-To-Central-America-FINAL-2.pdf>.
23. U.S. Embassy- Guatemala City. *reporting, February 19, 2013*.
24. U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. May 16, 2014.
25. U.S. Embassy- Guatemala City. *reporting, February 17, 2015*.
26. Government of Guatemala. *Sistema Nacional de Indicadores Educativos-Guatemala*, [cited March 21, 2015]; <http://estadistica.mineduc.gob.gt/>.
27. Government of Guatemala. *Código de Trabajo de la República de Guatemala*, enacted 1995. <http://www.lexadin.nl/vlg/legis/nofr/oeur/arch/gua/ct.pdf>.
28. Government of Guatemala. *Constitución de 1985 con las reformas de 1993* enacted May 31, 1985, reformed November 17, 1993. <http://pdba.georgetown.edu/Constitutions/Guate/guate93.html>.
29. Government of Guatemala. *Acuerdo gubernativo 112-2006*, enacted 2006. <http://www.ilo.org/dyn/travail/docs/2098/Protecci%C3%B3n%20laboral%20de%20la%20ni%C3%B1ez%20y%20adolescencia.pdf>.
30. Government of Guatemala. *Acuerdo gubernativo 250-2006*, enacted 2006. [http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/\\$FILE/GuatemalaAcuerdoGubernativo250Convenio182.pdf](http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/$FILE/GuatemalaAcuerdoGubernativo250Convenio182.pdf).
31. Government of Guatemala. *Intrainstitutional Protocol*, No. 154-2008, enacted August 14, 2008. [http://white.oit.org.pe/ipec/documentos/protocolo\\_intrainstitucional\\_atencion\\_guatemala.pdf](http://white.oit.org.pe/ipec/documentos/protocolo_intrainstitucional_atencion_guatemala.pdf).
32. Government of Guatemala. *Código Penal*, enacted 1973. [http://www.oas.org/JURIDICO/MLA/sp/gtm/sp\\_gtm-int-text-cp.pdf](http://www.oas.org/JURIDICO/MLA/sp/gtm/sp_gtm-int-text-cp.pdf).
33. Government of Guatemala. *Ley contra la Violencia Sexual, Explotación y Trata de Personas*, No. 9-2009, enacted March 20, 2009. <http://www.acnur.org/biblioteca/pdf/7047.pdf>.
34. Guatemala *Ley de Protección Integral de la Niñez y Adolescencia*, enacted hardcopy on file.
35. UNESCO. *World Data on Education*. Paris; 2010. [http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Guatemala.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Guatemala.pdf).
36. Government of Guatemala. *Acuerdo gubernativo 226-2008*, enacted 2008. [http://colectivoceptguatemala.org/jla/index.php?option=com\\_content&view=article&id=8&Itemid=109](http://colectivoceptguatemala.org/jla/index.php?option=com_content&view=article&id=8&Itemid=109).
37. U.S. Embassy- Guatemala City. *reporting, February 4, 2010*.
38. Government of Guatemala. *Protocolos de Inspección Guatemala: Buenas Prácticas, Verificación, Investigación*. Guatemala City; 2008.
39. Government of Guatemala. *Acuerdo Ministerial 128-2009*, enacted July 8, 2009. [http://www.ilo.org/dyn/travail/docs/2092/ACUERDO\\_Ministerio\\_128-2009.pdf](http://www.ilo.org/dyn/travail/docs/2092/ACUERDO_Ministerio_128-2009.pdf).
40. Government of Guatemala. *Peores Formas de Trabajo Infantil*. Submitted in response to U.S. Department of Labor Request for Information on Child Labor and Forced Labor. Guatemala City; February 21, 2012.
41. Secretariat of Social Welfare, ILO-IPEC, and ECPAT Guatemala. *Protocolo para la detección y atención integral a niñas, niños, y adolescentes víctimas de explotación sexual comercial*. Guatemala; 2007. <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=6621>.
42. U.S. Embassy- Guatemala City. *reporting, February 2, 2011*.
43. U.S. Embassy- Guatemala City. *reporting, February 15, 2012*.
44. USDOL official. *Observation Report, July 19, 2013*. Washington, DC.
45. ILO-IPEC. *Hoja de Ruta para hacer de Guatemala un país libre de trabajo infantil y sus peores formas*. Geneva; 2009. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=12432>.
46. Office of the United States Trade Representative. *Mutually Agreed Enforcement Action Plan between the Government of the United States and the Government of Guatemala (“Enforcement Plan”)*. Washington, DC; 2013. <http://www.ustr.gov/sites/default/files/04292013%20Guatemala%20Enforcement%20Plan.pdf>.
47. Office of the United States Trade Representative. *In the Matter of Guatemala – Issues Relating to the Obligations Under Article 16.2.1(a) of the CAFTA-DR*, [cited January 26, 2015]; <http://www.ustr.gov/trade-topics/labor/bilateral-and-regional-trade-agreements/guatemala-submission-under-cafta-dr>.
48. U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. May 23, 2012.
49. Governments of El Salvador Guatemala and Honduras. *Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map*; September 2014. <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>.
50. The White House - Office of the Press Secretary. “Fact Sheet: Support for the Alliance for Prosperity in the Northern Triangle.” [online] March 3, 2015 [cited March 24, 2015]; <https://www.whitehouse.gov/the-press-office/2015/03/03/fact-sheet-support-alliance-prosperity-northern-triangle>.
51. Inter-American Development Bank. “Presidentes de El Salvador, Guatemala y Honduras presentan plan de Alianza para Prosperidad en Triángulo Norte.” iadb.org [online ] November 14, 2014 [cited November 17, 2014]; <http://www.iadb.org/es/noticias/comunicados-de-prensa/2014-11-14/presidentes-del-triangulo-norte-presentan-plan.10987.html>.
52. U.S. Embassy- Guatemala City. *reporting, February 22, 2013*.
53. EFE. “Instan a Centroamérica a articular medidas contra la trata de personas.” abc.es [online] September 9, 2013 [cited April 14, 2014]; <http://www.abc.es/agencias/noticia.asp?noticia=1492206>.
54. Government of Guatemala and the Government of El Salvador. *Memorandum de Entendimiento entre la República de El Salvador y la República de Guatemala para la Protección de las Víctimas de la Trata de Personas y del Tráfico Ilícito de Migrantes*. Guatemala City and San Salvador; 2011. [https://www.oas.org/dil/espl/Memorandum\\_de\\_Entendimiento\\_Guatemala\\_El\\_Salvador\\_Trata\\_de\\_Persona.pdf](https://www.oas.org/dil/espl/Memorandum_de_Entendimiento_Guatemala_El_Salvador_Trata_de_Persona.pdf).
55. ILO. “18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour.” October 17, 2014, [cited November 17, 2014] [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
56. UN News Centre. “At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour.” [cited <http://www.un.org/apps/news/printnews.asp?id=49082>].
57. “Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO’s 18th Regional Meeting of the Americas, October 14, 2014.” wordpress.com [online] October 14, 2014 [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
58. OAS. *Agenda, First Meeting of the Working Group of the XVIII IACML*; 2014. [https://www.oas.org/en/sedi/dhdec/labor\\_and\\_employment/pages/cpo\\_trab\\_WG18XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdec/labor_and_employment/pages/cpo_trab_WG18XVIII_IACML.asp).

59. Government of Guatemala. *MINDES Social Program Information*. Guatemala City February 23, 2015. hardcopy on file.
60. Alvarado, C. "Mides dará carné a beneficiarios de Mi Bolsa Segura." *Diario de Centro América*, Guatemala, May 23, 2013; Nacionales. <http://www.dca.gob.gt/index.php/template-features/item/19067-mides-impulsa-crear-carn%C3%A9-para-la-entrega-de-bolsas-seguras.html>.
61. Government of Guatemala. *Gobierno beneficia a 430 mil familias con Mi Bolsa Segura en siete meses del año*; 2014. <http://www.guatemala.gob.gt/index.php/2011-08-04-18-06-26/item/9174-gobierno-beneficia-a-430-mil-familias-con-mi-bolsa-segura-en-siete-meses-del-año>.
62. Morales, M. "Programa Jóvenes Protagonistas disminuye inserción de menores a pandillas." *Agencia Guatemalteca de Noticias*, Guatemala, August 23, 2013; Portada. <http://www.agn.com.gt/index.php/world/item/7726-programa-j%C3%B3venes-protagonistas-disminuye-inserci%C3%B3n-de-menores-a-pandillas>.
63. Government of Guatemala. *Jóvenes Protagonistas llega a 75 mil asistencias* 2014. <http://www.mides.gob.gt/noticias/item/1054-jovenes-protagonistas-llega-a-75-mil-asistencias>.
64. Castillo, D. "Sistema de becas Mi Primer Empleo atenderá a 50 mil jóvenes." *El Periódico*, Guatemala, February 18, 2013; Nación. <http://www.elperiodico.com.gt/es/20130218/pais/224926>.
65. SESAN. "Secretario de SESAN impulsa el compromiso con el país en la reducción de la desnutrición." *sesan.gob.gt* [online ] January 9, 2015 [cited April 13, 2015]; <http://www.sesan.gob.gt/index.php/noticias/region-central/item/1521-secretario-de-sesan-impulsa-el-compromiso-con-el-pais-en-la-reduccion-de-la-desnutricion>.
66. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
67. Prensa Libre. "Disminuye inversión de Mi Bono Seguro." *prensalibre.com* [online ] November 10, 2014 [cited November 14, 2014]; [http://www.prensalibre.com/noticias/politica/Nacionales-disminuye-inversion-de-Mi-Bono-Seguro-programa-de-gobierno\\_0\\_1246075387.html](http://www.prensalibre.com/noticias/politica/Nacionales-disminuye-inversion-de-Mi-Bono-Seguro-programa-de-gobierno_0_1246075387.html).
68. Government of Guatemala. *Reactivan pagos de Mi Bono Seguro en dos departamentos* 2014. <http://www.mides.gob.gt/noticias/item/1055-reactivan-pagos-de-mi-bono-seguro-en-dos-departamentos>.



# Guinea

## MODERATE ADVANCEMENT

In 2014, Guinea made a moderate advancement in efforts to eliminate the worst forms of child labor. The National Transition Council approved a new Labor Code that defines the worst forms of child labor in accordance to international standards and includes prohibitions against minors performing work that is dangerous or harmful to their physical or moral health. The Government also extended the National Plan of Action to Combat Trafficking in Persons for an additional year and funded a center to protect victims of child trafficking. However, children in Guinea are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in mining. The Government lacks a coordinating mechanism and national policy to address all relevant worst forms of child labor. In addition, there are limited resources for the systematic enforcement of child labor laws and social programs to combat child labor are insufficient to adequately address the extent of the problem. During the last half of 2014, the Government had to redirect most of its resources to address an outbreak of Ebola Virus Disease (EVD). Hundreds of children became ill or lost parents during the outbreak and schools were closed from June through December.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guinea are engaged in child labor, including in agriculture.(1-4) Children are also engaged in the worst forms of child labor, including in mining.(3-7) According to the National Survey on Child Labor and Trafficking (2010), more than 40 percent of children ages 5 to 17 were engaged in child labor in Guinea. In addition, more than 76 percent of children ages 5 to 11 and 88 percent of children ages 12 to 15 were performing hazardous work.(3) The survey also revealed that the incidence of child labor was higher in rural areas than in urban areas.(3, 6) Table 1 provides key indicators on children's work and education in Guinea.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	32.3 (1,152,064)
Attending School (%)	5-14 yrs.	49.6
Combining Work and School (%)	7-14 yrs.	19.2
Primary Completion Rate (%)		61.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey (DHS), 2012.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* clearing land,* and carrying heavy loads* in the production of cashews, cocoa, and coffee (1, 3, 10-12)
	Harvesting lumber,* peanuts,* coconuts,* and cotton* (7, 11)
	Herding livestock* (3, 11)
Industry	Capturing and processing fish* (3, 4, 6, 13, 14)
	Quarrying† sand* (11)
	Mining† gold and diamonds (3-5, 11, 14, 15)
	Manufacturing,* activities unknown (1, 3, 6)

**Table 2. Overview of Children's Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Construction,†*including cement making* and carrying materials* (3, 4, 6, 16, 17)
Services	Street work,* including as market vendors,* beggars,* petty traders,* shoe shiners,* and porters* in the transportation sector* (1, 3, 4, 6, 14, 18-21)
	Working in restaurants* and informal cottage industries,* including as waitresses* (1, 3, 22)
	Domestic work (3, 4, 19, 23-25)
Categorical Worst Forms of Child Labor‡	Collecting scrap metal* and waste* (7)
	Forced labor as market vendors* and in domestic work,* mining,* herding,* fishing,* and farming,* each sometimes as a result of human trafficking* (3, 5, 6, 25)
	Commercial sexual exploitation* sometimes as a result of human trafficking* (1, 5)
	Forced begging by Koranic teachers (4, 5, 13, 14, 19, 21)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In Guinea, it is a traditional practice to send children to Koranic teachers to receive an education. However, some Koranic teachers (*marabouts*) force their students (*talibés*) to beg for more than 12 hours a day without adequate food or shelter; the students must then surrender the money they have earned to their teachers.(5, 14, 26, 27) In addition, through the system of *confiage*, parents who are unable to care for their children send them to relatives or strangers who are expected to provide food, shelter, and schooling in exchange for the children performing housework.(4, 19) In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse.(3, 4, 19)

Children are sent to the coastal region of Boke for forced labor on farms, and to Senegal for education in Koranic schools, where some may be forced to beg.(5, 13) Some Guinean boys and girls are subjected to forced labor in gold mining, including in Senegal and Mali. Girls may be trafficked into domestic work and commercial sexual exploitation in Nigeria, Côte d'Ivoire, Benin, Senegal, Greece, France, Belgium, and Spain.(3, 5, 13)



Although the Constitution guarantees free compulsory primary education, in practice, this provision is not enforced effectively, as many children do not attend school. The lack of school infrastructure; cost of school fees, uniforms, and supplies; shortage of teachers; and reported school violence impede access to education, which may increase the vulnerability of children to the worst forms of child labor.(3, 11, 13, 26) In addition, many children in Guinea are not registered at birth. Unable to prove their citizenship, unregistered children may have difficulty accessing services such as education.(1, 13, 22, 25)

In 2014, Guinea suffered from an Ebola Virus Disease (EVD) outbreak that resulted in more than 1,900 deaths.(14, 28) The Government issued policies to reduce person-to-person contact, especially in work spaces, and to increase the number of health screenings, close schools, and impose travel restrictions.(29, 30) The EVD outbreak may have impacted the Government's ability to address the worst forms of child labor.(14)


## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guinea has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓

**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 137.5 of the Labor Code; Article 412 of the Child Code (31, 32)
Minimum Age for Hazardous Work	Yes	18	Articles 2-4 of Order 2791 Working Conditions for Employees Aged Under 18 Years; Article 137.4 of the Labor Code (16, 32)
Prohibition of Hazardous Occupations or Activities for Children	Yes	Yes	Articles 415-418 of the Child Code; Articles 2 and 4 of Order 2791 Working Conditions for Employees Aged Under 18 Years; Article 135 of the Mining Code; Article 137.6 of the Labor Code (16, 31-33)
Prohibition of Forced Labor	Yes	Yes	Article 337 of the Penal Code; Article 4 of the Labor Code; Article 397 of the Child Code (31, 32, 34)
Prohibition of Child Trafficking	Yes	Yes	Article 337 of the Penal Code; Article 137.6 of the Labor Code; Article 385 of the Child Code (31, 32, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes	Yes	Articles 329 and 331 of the Penal Code; Article 137.6 of the Labor Code; Articles 356-360 of the Child Code (31, 32, 34)
Prohibition of Using Children in Illicit Activities	Yes	Yes	Article 137.6 of the Labor Code; Article 383 of the Child Code (31, 32)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 429 of the Child Code (31)
Compulsory Education Age	Yes	13	Legislation Unknown (23)
Free Public Education	Yes		Articles 23 of the Constitution (35)

\* No conscription (36)

In January 2014, the National Transition Council approved a new Labor Code that defines the worst forms of child labor in accordance to international standards.(7, 32) The Labor Code also contains prohibitions against minors performing work that is dangerous or harmful to their physical or moral health.(7, 32) However, the law does not prohibit hazardous occupations and activities in all relevant child labor sectors, including agriculture. A more specific list of hazardous child labor activities in all relevant sectors has been developed but was not approved during the reporting period.(14)

Guinean law is not completely consistent with international standards regarding child labor. The minimum age provisions in the Labor Code do not extend to children under age 18 who engage in unpaid or temporary work, particularly in agriculture or domestic work.(23, 25, 32) In addition, although article 2.6 of Order 2791 prohibits children under 18 to work in mines and quarries, article 135 of the Mining Code allows children between 16 and 18 years of age to work in mines and quarries as assistants, leaving the possibility for children to work in hazardous activities.(33)

In Guinea, children are only required to attend 6 years of primary school, through age 13. Since the minimum age for work is 16, children ages 14 and 15 are particularly vulnerable to the worst forms of child labor as they may have completed primary school but are not yet legally permitted to work.(13, 23)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor's (MOL) Labor Inspection Service	Enforce labor laws and investigates Labor Code infractions, including those regarding child labor, in the formal sector. The Ministry also provides advice to workers and employers, and conducts studies and research on social issues upon the request of MOL.(6, 37) MOL also chairs the Child Labor Monitoring and Surveillance System, which includes the National Coordination Unit in the National Directorate of Employment and various prefectural committees.(6)
Office for the Protection of Gender, Children and Morals (OPROGEM) Special Police Unit	Enforce laws related to the protection of minors, including the worst forms of child labor. Also a member of the National Committee to Fight Against Trafficking in Persons (CNLTP).(1, 5, 7)
Ministry for Social Action, Promotion of Women and Children (MASPFE)	Provide protection and social services for victims of child labor and human trafficking.(13)

Criminal law enforcement agencies in Guinea took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions during the reporting period.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor's (MOL) Labor Inspection Service employed 53 inspectors, with 33 located in regional offices and 20 in Conakry.(7, 14) Given the prevalence of child labor in the country, the number of labor inspectors is inadequate. Research did not reveal information about whether inspectors were trained on child labor issues in 2014 or the notification system for inspections. Information on the number, type, and quality of inspections; and child labor law violations found is also unavailable. Labor inspections typically are limited to large firms in the formal employment sector. The majority of children work outside the formal sector, including in agriculture and street work.(7) The Labor Inspection Service does not have authority to determine or assess penalties.(14) Reports indicate there is a lack of trained staff, equipment, transportation, and funding to conduct effective child labor inspections and legal proceedings.(4, 5, 14)

### *Criminal Law Enforcement*

In 2014, the Office for the Protection of Gender, Children and Morals (OPROGEM) employed a total of 56 agents, 33 located in regional offices and 23 in Conakry.(14) Information about whether agents received training on child labor in 2014 is unavailable. Given the prevalence of child labor in the country, the number of criminal law enforcement agents is inadequate. During the reporting period, OPROGEM handled 400 criminal cases related to child abuse, although it is unclear how many involved child labor.(14) Most of these cases were referred for prosecution; however, the Ministry of Justice has brought very few of these cases to trial. While a referral mechanism exists between criminal law enforcement agencies and social welfare services, the social services available to victims of the worst forms of child are not adequate to meet current needs.(14) OPROGEM remained understaffed, underfunded, and without adequate office supplies, transportation, and fuel to enforce laws related to the worst forms of child labor effectively and provide immediate victim assistance.(4, 5, 14)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee to Fight Against Trafficking in Persons (CNLTP)	Coordinate anti-human trafficking efforts, including for children. Led by the Ministry for Social Action, Promotion of Women and Children (MASPFE) and includes representatives from the Ministry of Justice; the Ministry of Security's OPROGEM; as well as various members of governmental agencies, including the MOL, the police, NGOs, and other stakeholders involved in human trafficking issues.(5, 7, 38)
Committee for Monitoring, Protection, and Defense of the Rights of the Child	Implement, coordinate, and monitor government efforts on child protection.(13, 14, 22)

# Guinea

## MODERATE ADVANCEMENT

Although the National Committee to Fight Against Trafficking in Persons (CNLTP) and the Committee for Monitoring, Protection, and Defense of the Rights of the Child met irregularly throughout the year to implement activities, the effectiveness of such committees were hampered by budget constraints.(5, 14, 26)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Guinea has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action to Fight Against Trafficking in Persons (2009-2014)	Provides the strategy to combat human trafficking in Guinea, including for children. The Government extended the initial National Plan (2009-2011) through 2014.(4, 5, 7)
A World Fit for Children (2002-2015)	Sets mandatory procedures for governmental institutions to assist children by increasing their access to quality education; protecting children against child labor, exploitation, and violence; and combating HIV/AIDS.(39)
Education Sector Program (2015-2017)*†	Addresses the welfare of children, which includes initiatives regarding health, education, legal protection, and access to clean water. Overseen by the Ministry of Education and implemented in partnership with UNICEF and the World Bank.(40, 41)
PRSP (2013-2015)*	Provides a framework for Guinea's growth and poverty reduction agenda. Aims to improve access to and the quality of education and increase food security; employment opportunities for youth; and protection for and programs to assist women, children, and vulnerable groups.(42)
National Policy on Birth Registration*	Aims to register the birth of all children under age 8 by 2015.(43)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Although the Government has a National Plan of Action to Fight Against Trafficking in Persons, research found no evidence of a policy on other worst forms of child labor.(7, 23)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Guinea participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I and II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa subregion by providing policy and capacity-building support to all ECOWAS states.(44, 45)
Plan Guinea-Conakry Program*	Program that changes the attitudes and behaviors that are preventing children from realizing their rights. Strengthens the capacity of key actors to respect children's rights in the areas of education, survival, and protection.(19)
Country Program-Guinea*	WFP-funded, 4-year program to improve elementary school attendance through the provision of 100,000 meals to students and the promotion of girls' education.(46) Provides school meals to 735 government-run, rural schools nationwide—this represents 21 percent of all rural schools in Guinea.(26, 46, 47)
Center in Ratoma, Conakry*‡	Government program that helps vulnerable children reintegrate into society.(7)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Guinea.

Although Guinea has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in agriculture, domestic work, mining, and street work.



## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guinea (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase the minimum age for compulsory education to correspond with the minimum age for work.	2009 – 2014
	Ensure that the law prohibits hazardous occupations and activities in all relevant child labor sectors, including agriculture.	2014
	Ensure that the law's minimum age provisions apply to children who do unpaid or temporary work, particularly in agriculture or domestic work.	2009 – 2014
	Ensure that all children are prohibited from participating in hazardous mining.	2010 – 2014
Enforcement	Increase the resources, training, and number of criminal law agents and labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2009 – 2014
	Collect and make publicly available information on the number, type, and quality of labor inspections; number of labor law violations and convictions related to the worst forms of child labor.	2011 – 2014
	Ensure the labor inspectorate has authority to determine and assess penalties.	2014
	Ensure that labor inspections are conducted in all sectors, including those with a high prevalence of child labor.	2010 – 2014
	Ensure that all cases of child labor are investigated and prosecuted appropriately.	2010 – 2014
Coordination	Establish coordinating mechanisms to address child labor, including in all its worst forms.	2010 – 2014
	Ensure that the CNLTP and the Committee for Monitoring, Protection, and Defense of the Rights of the Child meet regularly and receive adequate funding to fulfill their mission.	2010 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2010 – 2014
	Adopt a policy that addresses all relevant worst forms of child labor.	2014
Social Programs	Institute programs to address the worst forms of child labor in agriculture, domestic work, mining, and street work.	2009 – 2014
	Ensure that social protection systems are properly funded and adequate to meet the needs of victims of the worst forms of child labor.	2010 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2011 – 2014
	Ensure that all children have access to education by registering children at birth, taking measures to guarantee children's safety in schools, and establishing and implementing a program to address barriers to education, such as the lack of teachers, textbooks, instructional materials, and poor school infrastructure.	2010 – 2014
	Conduct research to determine the activities carried out by children in manufacturing to inform policies and programs.	2013 – 2014

## REFERENCES

- U.S. Department of State. "Guinea," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220120>.
- UN Committee on the Rights of the Child. *Concluding observations on the second periodic report of Guinea, adopted by the Committee at its sixty-second session (14 January – 1 February 2013)*. Geneva; June 13, 2013. Report No. CRC/C/GIN/CO/2. [http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=4&ved=0CFAQFjAD&url=http%3A%2Fwww2.ohchr.org%2Fen%2Fbodies%2Fcr%2Fdocs%2Fco%2FCRC\\_C\\_GIN\\_CO\\_2.doc&ei=gOvUvPhC-jlsASmpYICg&usq=AFOjCNGrYid-iz4OEIkTdZHVL2Sn6Miiow&ig2=yO7Tx2x4tPzxpM\\_e9N2Kg](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=4&ved=0CFAQFjAD&url=http%3A%2Fwww2.ohchr.org%2Fen%2Fbodies%2Fcr%2Fdocs%2Fco%2FCRC_C_GIN_CO_2.doc&ei=gOvUvPhC-jlsASmpYICg&usq=AFOjCNGrYid-iz4OEIkTdZHVL2Sn6Miiow&ig2=yO7Tx2x4tPzxpM_e9N2Kg).
- ILO-IPEC. *Rapport de L'Enquete Nationale Sur le Travail et la Traite des Enfants en Guinee de 2010*. Technical Report. Guinea; November 2011. <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=21016>.
- International Confederation of Free Trade Unions. *Internationally Recognized Core Labour Standards in Mauritania and Guinea: Report for the WTO General Council Review of the Trade Policies of Mauritania and Guinea*. Geneva; September 28 and 30, 2011. <http://www.ilo.org/public/libdoc/igo/2011/466485.pdf>.
- U.S. Department of State. "Guinea," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226732.htm>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guinea (ratification: 2003) Published: 2013*; accessed January 26, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO::>.
- U.S. Embassy- Conakry. *reporting, January 17, 2014*.

# Guinea

## MODERATE ADVANCEMENT

8. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
9. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
10. Thorsen, D. *Children Working in Commercial Agriculture: Evidence from West and Central Africa*. Dakar, UNICEF West and Central Africa; April 2012. [http://www.unicef.org/wcaro/english/documents\\_publications\\_6923.html](http://www.unicef.org/wcaro/english/documents_publications_6923.html).
11. Macro International. *Independent Midterm Evaluation of Stop Exploitive Labor and Educate Children for Tomorrow (SELECT)*. Calverton; January 2011. [http://www.dol.gov/ilab/projects/sub-saharan\\_africa/Guinea\\_SELECT\\_meval.pdf](http://www.dol.gov/ilab/projects/sub-saharan_africa/Guinea_SELECT_meval.pdf).
12. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Guinea (ratification: 2003) Submitted: 2011*; accessed July 18, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>
13. UN Committee on the Rights of the Child. *Concluding observations on the second periodic report of Guinea, adopted by the Committee at its sixty-second session (14 January – 1 February 2013)*. Geneva; January 30, 2013. Report No. CRC/C/GIN/CO/2. [http://www.google.com/url?sa=t&trct=j&q=&esrc=s&frm=1&source=web&cd=4&ved=0CFAQFjAD&url=http%3A%2F%2Fwww2.ohchr.org%2Fenglish%2Fbodies%2Fcrce%2Fdocs%2Fco%2FCRC\\_C\\_GIN\\_CO\\_2.doc&ei=gO\\_vUvPhC-jlsASmpYCIc&uscg=AFOjCNGrYid-iz4OElkTdzHVL2Sn6Miiow&sig2=yO7Tx2x4PzxpM\\_e9N2Kg](http://www.google.com/url?sa=t&trct=j&q=&esrc=s&frm=1&source=web&cd=4&ved=0CFAQFjAD&url=http%3A%2F%2Fwww2.ohchr.org%2Fenglish%2Fbodies%2Fcrce%2Fdocs%2Fco%2FCRC_C_GIN_CO_2.doc&ei=gO_vUvPhC-jlsASmpYCIc&uscg=AFOjCNGrYid-iz4OElkTdzHVL2Sn6Miiow&sig2=yO7Tx2x4PzxpM_e9N2Kg)
14. U.S. Embassy- Conakry. *reporting, February 4, 2015*.
15. World Education. *SELECT - Stop Exploitive Labor and Educate Children for Tomorrow*. Boston; January 2012.
16. Government of Guinea. *Conditions de travail des salariés âgés de moins de 18 ans, Arrêté n°2791/MTASE/DNTLS/96*, enacted April 22, 1996. <http://www.droit-afrique.com/images/textes/Guinee/Guinee%20-%20Travail%20des%20mineurs.pdf>
17. U.S. Embassy- Conakry official. E-mail communication to USDOL official. April 15, 2015.
18. Sidy Bah, B. “Objectif : “zéro enfants dans les rues de Conakry.”” *Visionguinee.info* [online] July 1, 2013 [cited March 10, 2014];
19. Plan Guinea Conakry. *See Our World*. Conakry; 2013. <http://www.planusa.org/docs/hearchildren/guinea.pdf>
20. “Guinée: société, des enfants exposés à l’exploitation.” *guineeinfos.org* [online] June 18, 2013 [cited March 10, 2014]; [source on file].
21. Mouvement Africain des Enfants et Jeunes Travailleurs. *Protection des enfants en mobilité par des enfants et jeunes organisés*. Dakar; December 2011.
22. UN Committee on the Rights of the Child. *Summary record of the 1764th meeting: Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, second periodic report of Guinea*. Geneva; May 24, 2013. Report No. CRC/C/SR1764. <http://tb.ohchr.org/default.aspx?country=gn>.
23. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Guinea (ratification: 2003) Published: 2013*; accessed January 26, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>
24. *La travail domestique in Guinee*, *Votre Salaire*, [online] [cited March 17, 2014]; <http://www.votresalaire.org/guinee/home/droit-du-travail/travail-domestique/le-travail-domestique-en-guinee>.
25. Thorsen, D. *Child Domestic Workers: Evidence from West and Central Africa*. Dakar, UNICEF West and Central Africa; April 2012. [http://www.unicef.org/wcaro/english/overview\\_6585.html](http://www.unicef.org/wcaro/english/overview_6585.html).
26. UN Committee on the Rights of the Child. *Summary record of the 1765th meeting: Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, second periodic report of Guinea*. Geneva; January 24, 2013. Report No. CRC/C/GIN/2. <http://tb.ohchr.org/default.aspx?country=gn>.
27. Thorsen, D. *Children Begging for Qur’anic School Masters: Evidence from West and Central Africa*. Dakar, UNICEF West and Central Africa; April 2012. [http://www.unicef.org/wcaro/english/overview\\_6585.html](http://www.unicef.org/wcaro/english/overview_6585.html).
28. Centers for Disease Control and Prevention (CDC). “2014 Ebola Outbreak in West Africa - Case Counts.” [online] February 1, 2015 [cited February 4, 2015]; <http://www.cdc.gov/vhf/ebola/outbreaks/2014-west-africa/case-counts.html>.
29. Caritas Denmark. “A briefing note from Caritas Denmark on Ebola and the Ebola-response.” [online] October 10, 2014 [cited February 04, 2015]; [http://caritas.dk/sites/default/files/attachments/20141015\\_briefing\\_note\\_on\\_ebola\\_and\\_caritas\\_ebola\\_response.pdf](http://caritas.dk/sites/default/files/attachments/20141015_briefing_note_on_ebola_and_caritas_ebola_response.pdf).
30. Hogan, C. “WHO cautions against Ebola-related travel restrictions.” *The Washington Post*, Washington, D.C., August 19, 2014. [http://www.washingtonpost.com/national/health-science/2014/08/19/83da2974-26f2-11e4-8593-da634b334390\\_story.html](http://www.washingtonpost.com/national/health-science/2014/08/19/83da2974-26f2-11e4-8593-da634b334390_story.html).
31. Government of Guinea. *Loi Portant Code de l’Enfant* enacted August 2008.
32. Government of Guinea. *Special Code du Travail, L/2014/072/CNT*, enacted January 10, 2014. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/96583/114158/F200086881/GIN-96583.pdf>.
33. Government of Guinea. *Code Minier*, enacted 1995. <http://www.droit-afrique.com/images/textes/Guinee/Guinee%20-%20Travail%20des%20miniers.pdf>.
34. Government of Guinea. *Penal Code*, 98/036, enacted December 31, 1988. <http://www.protectionproject.org>
35. Government of Guinea. *Constitution* enacted April 19, 2010. <http://ddata.over-blog.com/1/35/48/78/Guinee/constitution-Guinee-2010.pdf>.
36. Child Soldiers International. *Louder than words - An agenda for action to end state use of child soldiers*; 2012. file:///C:/Users/solorio-luis-p/Downloads/louderthanwordseptember20124903558%20(2).pdf.
37. Government of Guinea. *Code du travail de la République de Guinée*, enacted 1988.
38. U.S. Embassy- Conakry. *reporting, February 18, 2011*.
39. *A post-2015 World Fit for Children: UNICEF Key Messages on the Post-2015 Development Agenda*, UNICEF, [online] [cited March 20, 2014]; <http://www.unicef.org/post2015/>.
40. Government of Guinea. *Programme Sectoriel de l’Education (2015-2017)*. Conakry; 2014. <http://www.education-guinee.org/documents/index.htm>.
41. The World Bank. *Education For All-Fast Track Initiative Program* Washington, DC; June 23, 2014. Report No. P111470. <http://documents.worldbank.org/curated/en/2014/06/19718366/guinea-education-all-fast-track-initiative-program-p111470-implementation-status-results-report-sequence-11>.
42. IMF and World Bank. *Guinea: Poverty Reduction Strategy Paper 2011-2015*. Washington, DC; March 2013. [http://planipolis.iiep.unesco.org/upload/Guinea/Guinea\\_PRSP\\_2013.pdf](http://planipolis.iiep.unesco.org/upload/Guinea/Guinea_PRSP_2013.pdf).
43. Child Rights Information Network. *Children’s Rights References in the Universal Periodic Review*. London; May 4, 2010. <http://www.crin.org/resources/infodetail.asp?id=22296>.
44. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS II*. Project Document. Geneva; October 2011.
45. USDOL. *Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS II*. Project Document. Washington, DC; 2010.
46. World Food Programme. *Country Programme - Guinea (2013–2017)*. Washington, DC; 2013. <http://www.wfp.org/content/country-programme-guinea-2013%E2%80%932017>.
47. World Food Programme. *School Feeding Programmes in Guinea*. Washington, DC; January 2014. <https://www.wfp.org/content/school-feeding-programmes-guinea>.

In 2014, Guinea-Bissau made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government ratified the UN CRC Optional Protocol on Armed Conflict and participated in social programs that target child labor. However, children in Guinea-Bissau are engaged in child labor, including in agriculture and in the worst forms of child labor, including in forced begging. The prohibitions on hazardous occupations and activities for children are not comprehensive. The Government has not provided law enforcement officials with appropriate training and resources to monitor, investigate, and prosecute cases of child labor. In addition, programs to combat child labor are insufficient to adequately address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guinea-Bissau are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in forced begging.(1-9) Table 1 provides key indicators on children's work and education in Guinea-Bissau.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	47.3 (219,734)
Attending School (%)	5-14 yrs.	56.9
Combining Work and School (%)	7-14 yrs.	34.6
Primary Completion Rate (%)		64.0

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(11)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cashews*(4, 8)
	Fishing,* activities unknown (5, 6)
Industry	Mining* (5)
Services	Domestic work (4, 6)
	Street work, including car washing and shoe shining (4, 6, 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (1, 4, 7)
	Work in domestic service, street vending, begging, and agriculture,* each as a result of human trafficking (1-4, 6, 7, 9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In Guinea-Bissau, organized networks of former male trafficking victims affiliated with Koranic schools traffic young boys to Senegal or to a lesser extent, Mali and Guinea, where they are forced to beg for money.(6) Young boys are increasingly sent to cities within Guinea-Bissau for the same purpose.(1) It is tradition to send boys, known as *talibés* (in Wolof) and *almudus* (in Fula), away from their families to be educated by Koranic teachers, called *marabouts*. Although many teachers carry out the intended tradition of providing education, some instead force students to beg on the streets for money and food and to then surrender their earnings to their teachers.(3, 6) Teachers who force *talibés/almudus* to beg typically set a daily quota; if the students do not meet the quota,

# Guinea-Bissau

## MINIMAL ADVANCEMENT

they may be beaten.(3, 6) Research found that politicians in Guinea-Bissau do not confront Koranic teachers for trafficking boys because of the teachers' importance in the Muslim electorate.(2)

Boys are subjected to forced labor in street vending in Guinea-Bissau, and to forced labor in agriculture in the southern Senegalese cities of Kolda and Ziguinchor.(1, 2) Girls are subjected to forced labor in street vending and domestic service and subject to sex trafficking, including sex tourism, in Guinea and Senegal. (1)




Access to education is hindered by informal school fees, such as registration and monthly charges, which are common in public schools.(3, 12) Because of such fees, many parents remove their children from public schools and send them to Koranic schools.(3) While primary school children are often allowed to enroll in school without birth registration documents, secondary school children who lack these documents are denied access to school.(4) Additionally, children often leave school for weeks or months to work in the fields during the cashew harvest season.(4, 13)

During the reporting period, Guinea-Bissau underwent free and national elections after two years of transitional rule following the 2012 coup. The newly elected officials assumed power in June, limiting the Government's ability to undertake meaningful and significant action to eliminate the worst forms of child labor during the reporting period.(14)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guinea-Bissau has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2014, Guinea-Bissau ratified the UN CRC Optional Protocol on Armed Conflict.(15)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 146 of the General Labor Law (16)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the General Labor Law (16)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 148 of the General Labor Law (16)
Prohibition of Forced Labor	Yes		Article 106 of the Penal Code (17)
Prohibition of Child Trafficking	Yes		Article 4 of the Law to Prevent and Combat Human Trafficking; 2009 Child Code (1, 18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3-5 of the Law to Prevent and Combat Human Trafficking; articles 134 and 136 of the Penal Code (17, 18)
Prohibition of Using Children in Illicit Activities	Yes		Article 7 of Decree No. 2-B/93 on Narcotic Substances (19)
Minimum Age for Compulsory Military Recruitment	Yes	18	Law No. 3/80 and Decree No. 20/83 (20)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	17	Article 31 of Law No. 4/99 (15)
Compulsory Education Age	Yes	15	Article 6 of the Basic Education Law (21)
Free Public Education	Yes		Article 6 of the Basic Education Law (21)

The General Labor Law prohibits children under age 18 from conducting heavy work, work in unhealthy or dangerous conditions, and underground work; however, this legislation is not specific enough to facilitate enforcement.(16)

The use of children ages 16 to 18 for commercial sexual exploitation is not prohibited.(20) Additionally, although the Law to Prevent and Combat Human Trafficking prohibits the production of and benefit from pornography, it does not prohibit possession and distribution of child pornography.(18)

Research did not uncover a public version of the Child Code, Law No. 3/80, Decree No. 20/83, and Law No. 4/99 for review.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Justice and Ministry of Civil Service and Labor, in collaboration with the National Institute for Women and Children (INMC)	Enforce child labor legislation.(6)
Inspectorate General of Labor and Social Security	Monitor compliance with the provisions of the labor law, including child labor.(20)
Ministry of Interior's Public Order Police	Lead efforts to combat child trafficking.(6, 8)
Police and National Guard	Conduct child labor prevention and enforcement, including preventing traffickers from entering or exiting the country with children. With INMC and UNICEF, maintain data on child trafficking.(8, 22)

Law enforcement agencies in Guinea-Bissau did not take actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

Information is not available on the number of labor inspectors employed in Guinea-Bissau during the reporting period. Moreover, labor inspectors lack appropriate training and resources to carry out child labor inspections.(14) In addition, research found no evidence that labor inspections occurred during the reporting period. According to the Government, there were no child labor violations found and no penalties were issued.(14) Referral mechanisms do not exist between labor enforcement and social welfare services.(8)

#### *Criminal Law Enforcement*

During the reporting period, there was no information available on the number of investigators, investigations, prosecutions, or convictions related to the worst forms of child labor.(14) Although research found that one group of National Guard officers were trained on human trafficking issues during the reporting period, research did not find any evidence of child labor training for other criminal law enforcement officials.(9)

Referral mechanisms do not exist between the police and social welfare services.(8)



# Guinea-Bissau

## MINIMAL ADVANCEMENT

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Institute for Women and Children (INMC)	Coordinate and monitor NGOs and activities of other rehabilitation partners to defend and protect children.(6)
The Inter-Ministerial Steering Committee on Trafficking	Coordinate government efforts to combat human trafficking. Led by the INMC and includes representatives from the Ministries of Interior, Justice, Health, Education, and Transportation, as well as various NGOs.(22) The Inter-Ministerial Steering Committee on Trafficking did not meet during the reporting period.(9)
Ministry of Public Function, Work, and Modernization of the State (MFPTME)	Implement and coordinate actions to combat child labor in Guinea-Bissau. Comprised of the General Inspector of Public Administration; the General Inspector of Social Security; the General Directorate of Public Function; the General Directorate of Work, Employment, and Professional Training; and the National Institute of Social Security.(7)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Guinea-Bissau has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Community of Portuguese-Speaking Countries (CPLP) Action Plan to Combat Child Labor	Establishes four target areas to combat child labor: (1) the exchange of information and experiences; (2) awareness-raising campaigns; (3) use of statistical methodologies to collect child labor data; and (4) technical cooperation and training.(23, 24)
National Action Plan on Trafficking	Aims to guide implementation of the Law to Prevent and Combat Human Trafficking. The Inter-Ministerial Steering Committee on Trafficking did not make any progress on implementation of the action plan during the reporting period.(8)
UNDAF (2013–2017)	Strengthens the Government's capacity to ensure respect, promotion, and protection of social rights. Assists in the effective implementation of a national action plan against child labor within the framework of the Decent Work Country Program.(25)
Education for All Action Plan (2000–2015)*	Guides Guinea-Bissau's efforts to ensure universal access to free and compulsory education, and facilitate interagency coordination.(7, 26)
Political Letter for Educational Sector (2010–2020)*	Outlines actions to be developed for preschool, primary, and secondary school education; additional higher education; technical/professional training; and higher education and science studies.(7)
National Strategy for Social Protection of Children	Provides orientation to the Government and to national and international partners to adequately address social protection for vulnerable children, including orphans, children who are HIV positive, working children, and children who have been exploited or trafficked for financial gain.(7)
National Action Plan for Birth Registration*	Provides free birth registration to children.(12) The Ministry of Justice partners with civil society organizations to implement mobile birth registration units in rural and urban areas.(27)
National Strategy for Poverty Reduction (2011–2015)	Seeks to reduce poverty from 69.3 percent in 2010 to 59 percent by 2015, and extreme poverty from 33 percent in 2010 to 20 percent by 2015, by improving access to basic services and generating income and employment opportunities. Strengthens government coordination and mechanisms to protect at-risk children, including those engaged in child labor.(28)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Guinea-Bissau funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I & II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity building support for all ECOWAS states.(29, 30)
Prevention and Elimination of Child Labor in West Africa	\$5.5 million Government of Spain-funded, 5-year project implemented by ILO-IPEC in collaboration with the Government of Guinea-Bissau.(31) Aimed to strengthen the institutional and legal environment, build local capacity, and improve the knowledge base around child labor through a national child labor survey, conducted with MFPTME.(7, 31)
UNICEF/UN Population Fund Program	Joint UNICEF/UN Population Fund program in collaboration with the Government, to prevent and combat child trafficking in the most disadvantaged communities through social safety nets, education, and other social protection mechanisms. Has rescued 317 <i>talibés</i> and provided them with psychosocial support and community reintegration assistance; has intercepted 139 children at risk of exploitation and human trafficking at border crossings and referred them to social services.(27)
Decent Work Country Program (2012–2015)	Targets the expansion of the social protection system, particularly for women in the informal economy and child victims of the worst forms of child labor. Specific objectives include adopting a national action plan against child labor and publishing results from the national survey on child labor.(13)
School Lunch Program*	Government, WFP, and U.S. Department of Agriculture-funded program implemented by International Partnership for Human Development that provides school lunches to more than 200,000 children.(14)

\*The impact of this program on child labor does not appear to have been studied.

Research did not find whether results of the national child labor survey had been published.

Although Guinea-Bissau has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guinea-Bissau (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits specific hazardous occupations or activities for children in order to facilitate enforcement.	2009 – 2014
	Ensure the legal framework fully prohibits use of all children in commercial sexual exploitation and provides penalties for possessing and distributing child pornography.	2013 – 2014
	Make publicly available the Child Code, Law No. 3/80, Decree No. 20/83, and Law No. 4/99.	2014
Enforcement	Make information regarding the number of labor inspectors, criminal law enforcement investigators, investigations, prosecutions, and convictions publicly available.	2009 – 2014
	Ensure law enforcement officials receive proper training and resources so that they are able to monitor, investigate, and prosecute cases of child labor.	2009 – 2014
	Establish referral mechanisms between labor and criminal law enforcement agencies and social welfare services.	2014
Coordination	Ensure that the Inter-Ministerial Steering Committee on Trafficking meets regularly in order to coordinate efforts to combat human trafficking.	2014
Government Policies	Increase free birth registration for all children to ensure higher primary and secondary school enrollment.	2014
	Allocate appropriate funding to the National Action Plan on Trafficking to ensure its proper implementation.	2014
	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Develop social welfare programs to ensure that informal fees do not hinder access to education.	2011 – 2014
	Assess the impact that the school lunch program may have on child labor.	2013 – 2014
	Publish the results of the national child labor survey.	2013 – 2014
	Expand existing programs to address the scope of the child labor problem.	2009 – 2014

### REFERENCES

- U.S. Department of State. "Guinea-Bissau," in *Trafficking in Persons Report-2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- U.S. Embassy- Dakar. *reporting, March 6, 2014*.
- Human Rights Watch. *Off the Backs of Children: Forced Begging and Other Abuses against Talibés in Senegal*. New York; April 15, 2010. <http://www.hrw.org/node/89483>.
- U.S. Department of State. "Guinea-Bissau," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220123EXECUTIVE>
- Observatório Sócio-Político da África Ocidental. *Guiné-Bissau: Continuam a se difundir as piores formas de trabalho infantil*, [online] October 13, 2011 [cited February 20, 2013]; <http://afriouest.net/spip.php?rubrique39>.
- U.S. Embassy- Dakar. *reporting, February 25, 2014*.
- ILO-IPEC. *Guine-Bissau: Estudo sobre a aplicação das Convenções n.º 138 e n.º 182 da OIT e suas recomendações na legislação nacional dos países da CPLP*. Geneva; 2012. <http://www.ilo.org/ipecinfor/product/download.do?type=document&id=23179>.
- U.S. Embassy- Dakar official. E-mail communication to USDOL official. February 6, 2015.
- U.S. Embassy- Dakar. *reporting, February 20, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Child Rights Connect. *State Party Examination of Guinea-Bissau's third and fourth Periodic Reports*; 2013. <http://www.childrightsconnect.org/wp-content/uploads/2013/10/Guinea-Bissau-CRC-Report-FINAL-63.pdf>.
- ILO. *Programme pays pour un travail décent en Guinée Bissau*. Report Geneva; October 2011. <http://www.ilo.org/public/english/bureau/program/dwcp/countries/index.htm>
- U.S. Embassy- Dakar. *reporting, January 16, 2015*.
- UN Treaty Collection. *Ratification 11 .b Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict* accessed October 29, 2014; [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&tmdsg\\_no=IV-11-b&chapter=4&lang=en#EndDec](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&tmdsg_no=IV-11-b&chapter=4&lang=en#EndDec)
- Government of Guinea-Bissau. *Lei Geral do Trabalho*, enacted April 25, 1986. [http://www.ciaris.org/workspace\\_files/1051/Lei\\_Geral\\_do\\_Trabalho\\_-\\_Guiné\\_Bissau.pdf](http://www.ciaris.org/workspace_files/1051/Lei_Geral_do_Trabalho_-_Guiné_Bissau.pdf).
- Government of Guinea-Bissau. *Decreto Lei no. 4/93: Código Penal*, No. 4/93, enacted October 13, 1993. <http://www.icrc.org/ihl-nat.nsf/162d151af444ded44125673e00508141/8ff8cad34667b579c1257083002a6fa8!OpenDocument>.
- Government of Guinea-Bissau. *Lei da prevenção e combate ao tráfico de pessoas, em particular mulheres e crianças*, No. 12, enacted July 6, 2011. <http://www.ciaris.org/community>.
- Government of Guinea-Bissau. *Legislação relativa a estufefacientes*, Decreto-Lei nº 2-B/93, enacted October 28, 1993.
- ILO Committee of Experts. *Individual Direct Request concerning the Worst Forms of Child Labour Convention, 1999 (No. 182) Guinea-Bissau (ratification: 2008) Published: 2013*; accessed February 7, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3084795:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3084795:NO).
- Government of Guinea-Bissau. *Lei de Bases do Sistema Educativo*, enacted October 14, 1986. [http://mepirgb.gov.org/DOC\\_PLANIFI/LEI\\_BASE\\_SISTEMA\\_EDUCATIVO%20.pdf](http://mepirgb.gov.org/DOC_PLANIFI/LEI_BASE_SISTEMA_EDUCATIVO%20.pdf).
- U.S. Embassy- Dakar. *reporting, February 23, 2012*.
- Community of Portuguese-Speaking Countries. *Declaração de Luanda*. Luanda, Ministras e os Ministros do Trabalho e dos Assuntos Sociais dos Países da Comunidade de Língua Portuguesa; March 29, 2011. <http://www.cplp.org/id-2281.aspx>.
- Community of Portuguese-Speaking Countries. *Resolução sobre a Prevenção e a Eliminação da Exploração do Trabalho Infantil na CPLP*. Luanda; March 29, 2011. <http://www.cplp.org/Default.aspx?ID=2281>.
- United Nations Development Group, République de Guinée Bissau. *Plan cadre des nations unies pour l'aide au développement 2013-2017*; 2012. <http://www.undg.org/index.cfm?P=234&f=G>
- Government of Guinea-Bissau. *Plano Nacional de Acção Educação para Todos*. Dakar; February 2003. <http://bit.ly/x6Nr8f>.
- UNICEF. *Annual Report 2013- Guinea-Bissau*. Report. Geneva; 2013. [http://www.unicef.org/about/annualreport/index\\_73646.html](http://www.unicef.org/about/annualreport/index_73646.html)
- Government of Guinea-Bissau. *Segundo Documento de Estratégia Nacional de Redução da Pobreza da Guiné-Bissau*. Dakar; June 2011. <http://www.imf.org/external/lang/Portuguese/pubs/ft/scr/2011/cr11353p.pdf>.
- ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Project Document. Geneva; December 20, 2010
- ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva September 3, 2009.
- ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.

In 2014, Guyana made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor, Human Services and Social Security held a forum on World Day Against Child Labor to discuss the implementation of systems to combat child labor and raise awareness throughout the country. The Ministerial Task Force on Trafficking in Persons released a 2014–2015 Action Plan and held a series of talks to educate communities on human trafficking. The Government continues to provide free uniforms and school meals to encourage school attendance. However, children in Guyana continue to engage in child labor in agriculture, and in the worst forms of child labor in commercial sexual exploitation. Guyana's legislation does not fully protect children from the worst forms of child labor, and the labor inspectorate lacks sufficient funding and capacity to carry out inspections. The Government does not have a comprehensive policy to combat child labor and existing social programs do not fully address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guyana are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation. (1-8) Table 1 provides key indicators on children's work and education in Guyana.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	23.0 (44,787)
Attending School (%)	5-14 yrs.	94.5
Combining Work and School (%)	7-14 yrs.	23.2
Primary Completion Rate (%)		85.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006-2007.(10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (2-4, 7, 8, 11, 12)
	Forestry,* including logging,*† preservation of lumber,* and work in sawmills*† (2-4, 7, 8, 12)
	Fishing,*† activities unknown (3, 4, 11)
Industry	Construction,*† activities unknown (3, 4)
	Welding*† (4)
	Mining,† including gold mining*† (1-4, 7, 8, 11-15)
Services	Domestic service* (3)
	Work in bars and restaurants* (3)
	Street vending* (3, 16)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (1-8, 12, 17)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Children in Guyana, including girls as young as age 12, are involved in commercial sexual exploitation in Georgetown and in the country’s interior. There are reports of young girls being subjected to commercial sexual exploitation in mining communities as a result of human trafficking.(4-8, 18) In 2011, with assistance from the ILO, the Government conducted a Child Labor Rapid Assessment to better understand the nature of child labor in the country.(19) However, the results of that survey have not yet been released to the public.(4)

Although the Constitution of Guyana guarantees free education, some primary schools continue to charge fees and have even attempted to prevent children from attending school for failure to pay.(20, 21) In attempts to address this problem, the Ministry of Education has publicized guidance advising parents and educators that only the Parent Teacher Association has the authority to approve and collect fees from parents, and that no child may be excluded from school for non-payment.(21)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guyana has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Articles 2–3 of the Employment of Young Persons and Children Act; Article 17 of the Education Act (1, 22, 23)
Minimum Age for Hazardous Work	Yes	18	Part 1, Article 2 and Part 2, Article 3 of the Employment of Young Persons and Children Act; Articles 17 and 41 of the Occupational Safety and Health Act (22, 24)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		List of Hazardous Occupation and Processes in Guyana (11, 25-27)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Article 3 of the Combatting of Trafficking in Persons Act (28, 29)
Prohibition of Child Trafficking	Yes		Article 3 of the Combatting of Trafficking in Persons Act (29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Protection of Children Act (30)
Prohibition of Using Children in Illicit Activities	Yes		Article 50 of the Protection of Children Act (8)



**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 18 of the Defense Act (31)
Compulsory Education Age	Yes	15	Articles 13 and 22 of the Education Act (23)
Free Public Education	Yes		Article 27 of the Constitution (28)

\* No conscription (8, 32)

Although the Employment of Young Persons and Children Act prohibits night work in industrial undertakings, and hazardous work for anyone under age 18, the law does not fully protect adolescents ages 16 and 17 from engaging in hazardous work. Part 1, Article 2 of the Employment of Young Persons and Children Act only prohibits night work for minors employed in industry and provides an exception allowing adolescents over age 16 to perform certain work requiring continuity through day and night, including gold mining reduction work and the production of iron, steel, glass, paper, and raw sugar, without provisions to ensure that their health, safety, and morals are fully protected or that they receive specific instruction or training in these activities.(22) Moreover, the List of Hazardous Occupation and Processes in Guyana only prohibits children under age 16 from engaging in hazardous activities.(11, 25-27)

While Article 351 of the Criminal Law Offences Act prohibits the selling, publishing, and exhibiting of obscene material, Guyanese law does not explicitly outlaw child pornography.(3, 12, 29, 33, 34) In October 2014, a state-owned newspaper published pornographic images of children; the Ministry of Labor, Human Services, and Social Security (MLHSSS) Web site stated that the law should be updated to address cybercrimes.(35)

Article 17 of the Education Act permits children under age 15 to be employed by their parents so long as they do not work on a school day during school hours. The Minister of Labor has indicated that he may propose legislation to further limit the amount of time children can spend working in family-owned businesses. (12)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Human Services, and Social Security (MLHSSS)	Monitor and enforce child labor laws in collaboration with the Ministry of Education; Forestry Commission; Geology and Mines Commission; National Insurance Scheme; and the Guyana Police Force. The chief labor officer handles special investigations stemming from child labor complaints and oversees routine labor inspections.(12)
Guyana Police Force	Enforce criminal laws related to the worst forms of child labor, including human trafficking, commercial sexual exploitation, and the use of children in illicit activities.(12)

Law enforcement agencies in Guyana took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the MLHSSS employed 18 labor inspectors. Inspectors participated in various training programs related to child labor, including a child labor training workshop in Turin, Italy attended by two inspectors.(12) In commemoration of World Day Against Child Labor 2014, the MLHSSS hosted a forum to discuss the implementation of systems to combat child labor and raise awareness throughout the country.(12) 2014 funding levels for child labor prevention activities within the MLHSSS were unavailable. However, the MLHSSS stated that funds allocated were insufficient to carry out inspections and that there are sometimes delays in accessing the resources needed to carry out inspections in remote areas where law enforcement presence is low.(12) MLHSSS labor inspectors conducted 597 on-site labor inspections in 2014, but did not assess any fines or penalties, or charge any employers with violations related to child labor.(12)

### *Criminal Law Enforcement*

The Guyana Police Force works on criminal cases involving victims of the worst forms of child labor in consultation with the Ministry of Home Affairs; MLHSS; Ministry of Education; and the Ministry of Amerindian Affairs, depending on the circumstances of the cases.<sup>(4)</sup> The Child Advocacy Center (CAC), established by a MLHSS and NGO partnership, is working to implement child-sensitive investigation procedures, such as video recording of testimony to avoid multiple testimonies.<sup>(36)</sup> 2014 funding levels for programs to combat child trafficking, commercial sexual exploitation of children, and use of children in illicit activities were unavailable.<sup>(12)</sup>

Between April 2014 and December 31, the Government investigated seven trafficking cases involving an unknown number of suspects and prosecuted four suspected traffickers. The number of cases involving children was unavailable.<sup>(26)</sup> In November 2014, a former police officer was sentenced to 4 years in prison for human trafficking and sexual exploitation of a 14-year-old girl and her sister. In a promising break from past practice in human trafficking related cases, the Chief Magistrate denied the offender's request for bail during the appeal process.<sup>(36, 37)</sup> In general, the Government's capacity to carry out prosecutions is limited. With only 33 justices and magistrates, the courts have a backlog of cases and more than a 2-year waiting period on all matters of law.<sup>(2, 4, 7, 8, 38)</sup> Furthermore, victims of human trafficking who are unidentified as such may be charged for committing crimes as a result of being subjected to human trafficking.<sup>(36)</sup>

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Commission on the Rights of the Child and the Ministerial Task Force on Combatting Trafficking in Persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role and Description
Commission on the Rights of the Child	Protect and promote children's rights in accordance with the UN CRC, which includes addressing the worst forms of child labor. <sup>(4)</sup>
Ministerial Task Force on Combatting Trafficking in Persons	Report on the nature and magnitude of trafficking in persons in Guyana, document the Government's response, and carry out public education and prevention measures. <sup>(39)</sup> Meets regularly; chaired by the Minister of Home Affairs. <sup>(12)</sup>

The National Steering Committee on Child Labor previously recommended policies and programs to eliminate all forms of child labor; however, this coordinating body was dissolved in 2013 at the conclusion of the Tackle Child Labor through Education (TACKLE) project. Although the Government of Guyana re-established the National Tripartite Committee (NTC) to address national labor policies and the Commission on the Rights of the Child exists, research found no evidence that these bodies function as coordinating mechanisms to address child labor, including its worst forms.<sup>(12)</sup>

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Guyana has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Five-year Strategic Plan on the Rights of the Child (2012–2017)*	Protects and promotes children's rights in Guyana and advances the UN CRC. <sup>(4)</sup>
National Education Policy*	Aims to provide equal access to quality education for all children and eliminate barriers to education, especially for the poor. <sup>(41)</sup>
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Guyana at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014). <sup>(42, 43)</sup>

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Ministerial Taskforce on Trafficking in Persons 2014–2015 Action Plan†	Aims to prevent and raise awareness of human trafficking, provide direct assistance to victims, improve law enforcement's capacity to identify and respond to human trafficking, and strengthen interagency coordination and referral mechanisms.(36, 44)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In September 2014, Guyana participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(45, 46) Throughout the reporting period, government officials conducted a series of talks in schools and with community members to raise awareness of the causes and consequences of human trafficking, as well as of common recruitment techniques.(47)

According to the MLHSS, the Government of Guyana does not have a comprehensive written strategy for combating and responding to child labor.(12)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Guyana funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Trafficking Hotline‡	Government-funded hotline to assist trafficking victims, run by trained operators.(7)
Shelter for Domestic Violence Victims*‡	Government funded, NGO-run shelter that houses victims of domestic violence and human trafficking. Provides services, including psychological counseling and practical skills training.(8) Accommodates teenage girls under age 16 who are placed at the shelter at the request of the Government's Childcare and Protection Agency.(12) Receives \$50,000 annually from the Government.(17)
School Meals and Uniforms*‡	Government program to provide hot meals to 16,000 students at schools in the interior, and transportation for students in several remote areas. All students in government-run schools, from nursery to secondary school, receive vouchers to purchase school uniforms, shoes, and backpacks.(2, 4, 41, 48-50)
Child Advocacy Center* (CAC)	MLHSS and NGO partnership, established in 2013, to provide services for abused children. MLHSS' Childcare and Protection Agency oversees and makes referrals to the center; funded by private sector donations.(36, 51)
Board of Industrial Training*	Attempts to deter early school dropouts by providing job skills to at-risk youth between ages 15 and 17 who may not be able to complete their formal education.(12)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Guyana.

In 2014, the Government engaged in efforts to fight trafficking in persons, including in mining areas; the MLHSS developed public awareness ads and posters, trained 100 representatives from civil society organizations, and conducted activities in 30 schools.(17, 52) However, the scope of Government programs to target the worst forms of child labor is insufficient to fully address the extent of the problem.(12) In particular, government resources provided to victims of human trafficking were inadequate in 2014.(17)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guyana (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Extend protections for children working at night beyond those employed in industry.	2010 – 2014
	Ensure that the List of Hazardous Occupation and Processes in Guyana fully protects all children under age 18 from engaging in hazardous work.	2010 – 2014
	Ensure that the law specifically prohibits the production, distribution, and possession of child pornography.	2010 – 2014
Enforcement	Make funding information for the labor inspectorate and criminal law enforcement publicly available and ensure sufficient resources are allocated in a timely manner to facilitate labor inspections, particularly in remote areas.	2011 – 2014
	Dedicate more resources, including judicial personnel, to investigate and prosecute court cases related to the worst forms of child labor.	2010 – 2014
	Ensure that victims of human trafficking are not charged for committing crimes as a result of being subjected to human trafficking.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the Strategic Plan on Children's Rights and the National Education Policy.	2010 – 2014
	Establish a comprehensive strategy for combatting child labor.	2014
Social Programs	Make publicly available the results of the Child Labor Rapid Assessment Survey.	2011 – 2014
	Ensure children are not prevented from attending school because of failure to pay school fees.	2014
	Develop new initiatives and expand existing programs to reach all children involved in the worst forms of child labor; in particular, increase funding to identify and assist victims of human trafficking.	2010 – 2014
	Assess the impact that existing programs such as the School Meals and Uniforms program, Child Advocacy Center, and Board of Industrial Training may have on child labor.	2013 – 2014

### REFERENCES

- U.S. Embassy- Georgetown. *reporting, January 7, 2011.*
- U.S. Embassy- Georgetown. *reporting, February 3, 2012.*
- U.S. Department of State. "Guyana," in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Georgetown. *reporting, February 28, 2013.*
- Ministry of Labour Human Services and Social Security. *Girls' Day Forum Puts Spotlight on Prostitution*, Ministry of Labour Human Services and Social Security, [online] October 24, 2012 [cited October 24, 2012]; [http://www.mlhss.gov.gy/index.php?option=com\\_content&view=article&id=525:girls-day-forum-puts-spotlight-on-prostitution&catid=2:news&Itemid=45](http://www.mlhss.gov.gy/index.php?option=com_content&view=article&id=525:girls-day-forum-puts-spotlight-on-prostitution&catid=2:news&Itemid=45).
- KNews. "Four Minors Rescued from Sexual Slavery." *kaieteurnews.com* [online] April 22, 2012 [cited January 9, 2012]; <http://www.kaieteurnews.com/2012/04/22/four-minors-rescued-from-sexual-slavery/>.
- U.S. Department of State. "Guyana," in *Trafficking in Persons Report- 2013.* Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm>.
- U.S. Embassy- Georgetown. *reporting, January 31, 2014.*
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from Multiple Indicator Cluster Survey 3, 2006-2007. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Guyana (ratification: 1998) Submitted: 2011;* accessed January 25, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::> [source on file].
- U.S. Embassy- Georgetown. *reporting, February 11, 2015.*
- Inter-American Development Bank. *Section 4.2 Socio-Economic Baseline: Amaila Falls Hydroelectric Project.* Washington, DC; January 2011. <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=36216595>.
- Stabroek News. "Teen Miner Murdered at Cuyuni Backdam." *stabroeknews.com* [online] November 13, 2012 [cited January 9, 2012]; <http://www.stabroeknews.com/2012/news/stories/11/13/teen-miner-murdered-at-cuyuni-backdam/>.
- Fox News, Associated Press. "NGO Says it Rescued a Child 'No Older than 8' from Remote Guyana Gold Mining Camp." *foxnews.com* [online] November 5, 2012 [cited December 2, 2013]; <http://www.foxnews.com/world/2012/11/05/ngo-says-it-rescued-child-no-older-than-8-from-remote-guyana-gold-mining-camp/print>.
- Khan, I. "Child Labour and the Development of Women- Guyana." *stabroeknews.com* [online] December 28, 2010 [cited January 9, 2012]; <http://www.stabroeknews.com/2010/features/in-the-diaspora/12/28/child-labour-and-the-development-of-women-%E2%80%93-guyana/>.
- U.S. Embassy- Georgetown. *reporting, February 17, 2015.*
- U.S. Embassy- Georgetown. *reporting, February 10, 2010.*
- Government of Guyana. *Contributions to the OHCHR Study on Children Working and/or Living on the Streets.* Georgetown; October 2, 2011. [www.ohchr.org/Documents/Issues/Children/Study/Guyana.doc](http://www.ohchr.org/Documents/Issues/Children/Study/Guyana.doc).
- UNESCO. *Education for All Global Monitoring Report: Reaching the Marginalized.* Paris; 2010. [www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2010-marginalization/](http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2010-marginalization/).

21. U.S. Embassy- Georgetown official. E-mail communication to USDOL official. June 3, 2013.
22. Government of Guyana. *Employment of Young Persons and Children Act (Chapter 99:01) [consolidated up to 1973]*, No. 14, enacted 1933. [source on file].
23. Government of Guyana. *Education Act*, Chapter 39:01, enacted 1998. [source on file].
24. Government of Guyana. *Occupational Safety and Health Act*, Chapter 99:10, enacted 1997. [source on file].
25. KNews. "ILO Report Finds Prostitution in Local Secondary Schools." *kaieteurnews.com* [online] July 12, 2009 [cited January 9, 2012]; <http://www.kaieteurnews.com/2009/07/12/ilo-report-finds-prostitution-in-local-secondary-schools/>.
26. U.S. Embassy- Georgetown official. E-mail communication to USDOL official. April 17 2015.
27. Government of Guyana. *Labour Laws Primer* Ministry of Labor, Human Services and Social Security; April 21, 2015. <http://www.mlhss.gov.gy/Manual-Version2.pdf> [source on file].
28. Government of Guyana. *The Constitution of Guyana, 1980 with 1996 Reforms*, enacted 1996. <http://pdba.georgetown.edu/Constitutions/Guyana/guyana96.html>.
29. Government of Guyana. *Combating of Trafficking in Persons Act 2005*, enacted 2005. [source on file].
30. Government of Guyana. *Protection of Children Act*, No. 17, enacted 2009. [source on file].
31. Government of Guyana. *Defense Amendment Act*, enacted 2011. [source on file].
32. Child Soldiers International. "Appendix II: Data Summary Table on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global-report\\_reader.php?id=562](http://www.child-soldiers.org/global-report_reader.php?id=562).
33. Government of Guyana. *Criminal Law (Offences) Act*, Chapter 8:01, enacted 1998. [source on file].
34. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guyana (ratification: 2001) Submitted: 2011*; accessed November 9, 2011; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::> [source on file].
35. Government of Guyana. *THE MINISTRY OF LABOUR, HUMAN SERVICES AND SOCIAL SECURITY, AND THE CHILDCARE AND PROTECTION AGENCY CONDEMNS THE FURTHER EXPLOITATION OF CHILDREN TAPED IN SEX ACT*, Ministry of Labor, Human Services and Social Security, [online] [cited February 27 2014]; [http://www.mlhss.gov.gy/index.php?option=com\\_content&view=article&id=685:the-ministry-of-labour-human-services-and-social-security-and-the-childcare-and-protection-agency-condemns-the-further-exploitation-of-children-taped-in-sex-act&catid=3:speeches&Itemid=80](http://www.mlhss.gov.gy/index.php?option=com_content&view=article&id=685:the-ministry-of-labour-human-services-and-social-security-and-the-childcare-and-protection-agency-condemns-the-further-exploitation-of-children-taped-in-sex-act&catid=3:speeches&Itemid=80) [source on file].
36. U.S. Embassy- Georgetown official. E-mail communication to USDOL official. December 4, 2014.
37. Guyana Chronicle. "Former cop jailed for human trafficking." *guyanachronicle.com* [online] November 7, 2014 [cited January 27, 2015]; <http://guyanachronicle.com/former-cop-jailed-for-human-trafficking/>.
38. U.S. Embassy- Georgetown. *reporting, June 27, 2011*.
39. Ministry of Labour Human Services and Social Security. *Inter-Agency Task Force Launches TIP Report*, Government of Guyana, [online] January 9, 2012 [cited January 9, 2012]; [http://www.mlhss.gov.gy/index.php?option=com\\_content&view=article&id=71%3Ainter-agency-task-force-launches-tip-report&catid=11%3Alabour-issues&Itemid=1](http://www.mlhss.gov.gy/index.php?option=com_content&view=article&id=71%3Ainter-agency-task-force-launches-tip-report&catid=11%3Alabour-issues&Itemid=1).
40. ICF Macro. *Independent Final Evaluation of EDUCARE: Combating Exploitive Child Labor through Education in Guyana*. Calverton, MD; 2009. [http://www.dol.gov/ilab/projects/summaries/Guyana\\_CECL\\_feval.pdf](http://www.dol.gov/ilab/projects/summaries/Guyana_CECL_feval.pdf).
41. Childs Rights Information Network. *Guyana: Children's Rights References in the Universal Periodic Review*. London; May 11, 2010. <http://www.crin.org/en/library/publications/guyana-childrens-rights-references-universal-periodic-review>.
42. ILO. *18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour*, ILO, [online] [cited December 1, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm) [source on file].
43. United Nations News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." *un.org* [online] October 15, 2014 [cited 2014]; <http://www.un.org/apps/news/story.asp?NewsID=49082#.VHyeYdLF98E>.
44. Government of Guyana. *National Plan of Action for the Prevention and Response to Trafficking in Persons: 2014-2015* Georgetown. [source on file].
45. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
46. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
47. Guyana Chronicle. "Fight TIP..Ministerial Task Force urges stakeholders to join fight against trafficking in persons." *guyanachronicle.com* [online] October 20, 2014 [cited January 27, 2015]; <http://guyanachronicle.com/fighting-tip/>.
48. "Strides Being Made in Combating TIP " *Guyana Times*, Georgetown, November 26, 2011. [source on file].
49. ILO-IPEC News. "Labour Ministry Launches School Retention and Child Labour Prevention Programme." *ilo.org* [online] November 28, 2011 [cited January 23, 2012]; [http://www.ilo.org/ipec/projects/global/tackle/guyana/WCMS\\_191933/lang-en/index.htm](http://www.ilo.org/ipec/projects/global/tackle/guyana/WCMS_191933/lang-en/index.htm).
50. Government of Guyana. *Highlights of Guyana's Efforts in the Fight against Child Labour during 2013* Georgetown; January 10, 2014. [source on file].
51. "Pact signed for setting up Child Advocacy Centre " *Guyana Times*, Georgetown, September 26, 2013. [source on file].
52. KNews. "16 reported cases of TIP this year, two charges." *kaieteurnews.com* [online] December 19, 2014 [cited March 31, 2015]; <http://www.kaieteurnews.com/2014/12/19/16-reported-cases-of-tip-this-year-two-charges/>.



# Haiti

## MODERATE ADVANCEMENT

*In 2014, Haiti made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Anti-Trafficking in Persons Law, which criminalizes all forms of human trafficking and contains provisions to prevent child trafficking and other worst forms of child labor. The law also creates a National Committee for the Fight Against Trafficking in Persons that provides legal protection and social assistance to victims of human trafficking. The Government also created the Child Protection Working Group to coordinate efforts on child protection, specifically for children in domestic work. Moreover, Haiti ratified UN CRC Optional Protocols on the Sale of Children, Child Prostitution and Child Pornography, and Children in Armed Conflict. However, children in Haiti are engaged in child labor, including in domestic work and agriculture. Haiti lacks a clear, easily applicable minimum age for domestic work. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Haiti are engaged in child labor, including in domestic work and agriculture. (1-5) Child labor in agriculture occurs throughout the country but is most prevalent in the South and Artibonite regions. (3, 4, 6, 7) Table 1 provides key indicators on children's work and education in Haiti. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	34.4 (815,993)
Attending School (%)	5-14 yrs.	92.4
Combining Work and School (%)	7-14 yrs.	34.9
Primary Completion Rate (%)		Unavailable

Primary Completion Rate was unavailable from UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-V), 2012.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Preparing land for planting,* fertilizing fields,* sowing,* pruning,* weeding,* thinning,* and guarding in relation to the production of bananas,* beans,* corn,* peanuts,* peas,* rice,* cassava,* and yams* (3)
	Harvesting sugarcane,* collecting cut cane,* grinding sugarcane,* and clearing land for sugarcane production*(10-12)
	Raising cows,* donkeys,* goats,* pigs,* sheep,* and poultry* (3)
	Capturing and processing fish* (6, 13)
	Processing produce,* including removing shells and husks,* removing stones,* winnowing,* and drying* (3)
Industry	Construction,* activities unknown (4, 6, 14)
	Domestic work (1, 2, 4, 7)
Services	Street work,* including vending,* begging,* shining shoes,* and carrying* goods and luggage in public markets and bus stations (6, 7, 15, 16)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Working in food kiosks* (6)
	Washing and guarding cars* (6, 7, 15)
Categorical Worst Forms of Child Labor†	Forced labor in domestic work,* agriculture,* and as street vendors,* shoe shiners,* window washers,* and beggars,* each sometimes as a result of human trafficking* (2, 4, 6, 7, 14-17)
	Used in illicit activities, including by criminal groups as messengers and to carry weapons* or transport drugs* (7, 17, 18)
	Commercial sexual exploitation,* sometimes as a result of human trafficking* (4, 6, 14, 19)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Some parents unable to care for their children send them to residential care centers (orphanages), or to relatives or strangers expected to provide food, shelter, and schooling to the children in exchange for housework.(1, 2, 4, 7) In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse.(2, 4, 7, 17)







Children are trafficked both internally and to the Dominican Republic.(7, 20) NGOs have reported that children crossing the Haiti-Dominican Republic border illegally are often accompanied by adults who are paid to pretend to be the children’s parents or guardians until they reach the Dominican Republic.(16, 21) Some of these children are reunited with relatives in the Dominican Republic, whereas others are illegally recruited by employers to engage in child labor, including in domestic work, agriculture or to work on the streets shining shoes, washing windows, and begging.(4, 22, 23) Many Haitian children’s births are not registered; the 2010 earthquake and ensuing infrastructure and paperwork destruction further exacerbated the lack of identity documentation.(4, 7, 16, 18) In Haiti, personal identification papers are required to enter into an employment contract, gain access to the justice system, and receive social protection services. The lack of personal identification papers makes it more difficult to protect children against Labor Code or Criminal Code violations, and for children to access social assistance services and educational programs from the Government.(24, 25)

The Constitution guarantees free primary education but, in practice, public schools charge fees for books, uniforms, and enrollment. There are also not enough public schools, and many teachers lack official teaching credentials.(1, 5, 26) As a result, most Haitian children who attend school go to private schools that charge tuition.(1, 18) Many others simply do not attend school, especially in rural areas.(1, 21) Out-of-school children are at increased risk of engaging in child labor or of becoming victims of human trafficking.(1, 4, 7, 18)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Haiti has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

On June 4, 2014, the Government of Haiti ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the UN CRC Optional Protocol on Armed Conflict.(27)

# Haiti

## MODERATE ADVANCEMENT

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 335 of the Labor Code (28)
Minimum Age for Hazardous Work	Yes	18	Article 334 of the Labor Code (28)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 333-336 of the Labor Code (28)
Prohibition of Forced Labor	Yes		Article 2 of the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children of 2003 (Act of 2003) (29)
Prohibition of Child Trafficking	Yes		Article 2 of the Act of 2003; Article 1.1.1 of the Anti-Trafficking in Persons Law of 2014 (29, 30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Act of 2003; Articles 279-280 of the Penal Code (29, 31)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Act of 2003 (29)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	15	Article 23 of the Decree on the Reorganization of the Haitian Education System of 1982 (32, 33)
Free Public Education	Yes		Article 32.1 and 33 of the 1987 Constitution (34)

\* No conscription (35)

† No standing military (35)

Article 335 of the Labor Code sets the minimum age for contractual work at 15 in industrial, agricultural, and commercial establishments. The Labor Code does not apply to workers in non-contractual employment.(28) In addition, as the Labor Code does not include a definition of establishments, it is unclear whether family farms, where child labor is prevalent, are covered. Article 73 allows children age 14 to be contracted apprentices, although children ages 14 to 16 may not work as apprentices more than 25 hours a week.(28, 36) Article 340 provides penalties for employers who do not obtain work permits to employ children ages 15 to 18. However, the limited penalties, usually between \$68 and \$111, are not sufficient deterrents to protect children against labor exploitation.(6, 28, 29). Although there is not a specific penalty for employing underage children, article 513 of the Labor Code notes that a \$105 fine may be applied to any violations without specific fines, which is not adequate to prevent violations.(28)

The Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children of 2003 (Act of 2003) effectively annulled Chapter 9 of the Labor Code that had set a minimum age for domestic work at age 12 and had provided for protections for domestic workers and fines in cases of violations.(28, 29) Although in its ratification of ILO C. 138 Haiti specified the minimum age of work to be 14, the Labor Code sets the minimum age for work at 15. Since the Act of 2003 annulled the minimum age provisions for domestic child workers, it is presently unclear whether the minimum age for domestic work is 14 or 15 years.(29, 36) The Government has drafted legislation that includes a provision that sets the minimum age for domestic work at 15 years, but that legislation has not been enacted.(37-39)

The Labor Code prohibits children ages 15 to 18 from working at night in industrial jobs and in establishments where alcohol is served. The Labor Code also contains prohibitions against minors performing work that is dangerous or harmful to their physical or moral health.(28) However, prohibitions related to hazardous work omit most sectors, including agriculture. A specific list of hazardous child labor activities covering sectors where children work has been developed but was not approved by Parliament during the reporting period.(33, 37) Even though the Act of 2003 also contains a general prohibition against work that harms the health, security, or morality of a child, it establishes no penalties for employing children in these activities.(29)

Articles 278–282 of the Penal Code prohibit prostitution and the corruption of minors. Research was inconclusive about whether this includes the use of children in pornographic performances. Research found no penalties in Haitian law for the use of children in other illicit activities, although such conduct is prohibited by the Act of 2003.(28, 29)

In June 2014, the Government adopted the Anti-Trafficking in Persons Law, which criminalizes all forms of human trafficking, including the trafficking of children.(4, 5, 30, 40) The law prescribes penalties for those convicted of human trafficking of up to 15 years' imprisonment and a fine up to \$33,000, a punishment commensurate with the penalties prescribed for other serious crimes, such as rape.(4, 30, 40)The law also provides for legal protection and social assistance to victims of human trafficking. Under the law, children identified as victims of human trafficking are to receive specialized assistance that addresses the particular needs of minors, including educational support and family reintegration services.(5, 30, 40)

In June 2014, the Government adopted the Responsible Parenthood Act, which establishes equal rights and access to protection services for all children, regardless of their parentage, thereby reducing the vulnerability of children born outside of legally recognized unions to the worst forms of child labor.(41-43)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Social Affairs and Labor (MAST)	Enforce child protection and child labor laws. MAST labor inspectors investigate Labor Code infractions in the formal sector, including those regarding child labor. MAST's Institute of Social Welfare and Research (IBESR) agents perform inspections in compliance with the Child Protection Law of 2012, with a focus on child protection, and help enforce the Act of 2003.(36, 44-46) In cases of potential criminal violations, MAST labor inspectors and IBESR agents refer cases to juvenile courts for prosecution, while children receive services from IBESR.(6, 7, 14) Collaborate with the Brigade for the Protection of Minors (BPM) to investigate cases of crimes against children and apply the Penal Code to punish those responsible.(6, 14, 44)
Haitian National Police's (PNH) BPM	Lead anti-child trafficking efforts and investigate Penal Code infractions against children.(14, 16) Investigate reports of criminal child or forced labor, in conjunction with routine police patrols in public places where children can be in physical or moral danger and become victims of crime.(6, 44) BPM agents gather and submit information to judicial and/or social protection authorities to allow criminal prosecution of crimes against minors or to provide social protection and placement services for victims (as needed).(46)

Law enforcement agencies in Haiti took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, MAST employed a total of 50 labor inspectors, 11 of which specialize in child labor. MAST also employed 100 child labor technicians to conduct child labor inspections. Although the child labor technicians have similar responsibilities as labor inspectors, resource constraints prevent them from being permanent employees.(5) During the reporting period, some labor inspectors received training on the worst forms of child labor.(47) However, MAST inspectors generally lack sufficient resources, such as means of transportation, fuel, and appropriately equipped workplaces, to enforce the law adequately.(5, 6)

All MAST labor inspectors are required to monitor and ensure compliance with all Labor Code provisions during their inspections, including on child labor.(14, 16) Information is unavailable, however, on the number and quality of inspections, and on whether inspections are unannounced or announced. Additionally, when labor inspectors find cases of child labor, there is no formal referral mechanism to refer these children to the appropriate social services.(45) There have also been delays in issuing penalties for Labor Code violations, because labor inspectorates cannot directly fine employers and must transfer cases of violations to labor tribunals for review. The labor courts are often slow to act and delay the imposition and collection of fines.(45)

# Haiti

## MODERATE ADVANCEMENT

In 2014, IBESR had 150 employees working in all of Haiti's geographic departments; they included 48 child protection agents and approximately 20 social workers to handle protection cases, including those involving child labor.(6, 38) Each IBESR regional bureau includes a child protection section that employs five to seven agents.(6) Given the prevalence of child labor in the country, the number of child protection agents is insufficient. The Government budgeted approximately \$1.1 million to IBESR for child protection activities. In 2014, approximately 60 IBESR agents received training on child protection issues, including child labor.(38, 47) The remaining agents were not trained, in large part due to lack of funding.(4-6, 38, 44)

The number of child abuse violations reported in 2014 was 173, but it is unclear how many were child labor violations; information was not available on the number of those cases that were transferred to judicial authorities and ultimately punished with fines.(38) IBESR does not have a system with sufficient reach or standard protocols to conduct targeted inspections based on analysis of compliance data or patterns of complaints.(38, 46) Information is unavailable on the number and frequency of IBESR protection inspections, the number of working children identified as a result of those inspections, the cases transferred to judicial authorities, and the fines ultimately assessed. IBESR also manages the "133" hotline to receive complaints of situations requiring child protection.(4, 14, 16) However, the hotline functions exclusively in Port-au-Prince, which makes reporting cases to IBESR involving child exploitation more difficult in rural areas.(14) In addition, the number of calls related to child labor that were received during 2014 is unknown.

### *Criminal Law Enforcement*

In 2014, the Haitian National Police's Brigade for the Protection of Minors (BPM) maintained a staff of 80 agents in 19 offices around the country, including four offices along the border with the Dominican Republic. Information on the training of BPM agents on child labor during 2014 is unavailable.(5, 48) Given the prevalence of child labor in the country, the number of BPM agents is inadequate. Reports also indicate there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(5)

During 2014, BPM handled 953 criminal cases related to child abuse, although it is unclear how many involved child labor. BPM arrested and transferred a total of 600 suspected offenders to prosecutors.(49) Information about the results of those criminal investigations and about any possible convictions and sentences imposed on the perpetrators of these crimes, which are related to the worst forms of child labor, is unavailable.(49) In addition, BPM assisted a total of 542 children in 2014, of whom 474 were transferred to IBESR and 68 were returned to their parents; although information is not available on the number of those cases involving child labor.(49) BPM manages the "188" hotline to receive complaints of situations requiring child protection.(14) However, like the IBESR hotline, this hotline functions exclusively in Port-au-Prince, which makes reporting cases involving child exploitation more difficult in rural areas.(13, 44) In addition, the number of calls related to child exploitation that were received during 2014 is unknown.

Prosecutions of crimes related the worst forms of child labor are rare.(50) Local judges are not trained on Haitian criminal laws protecting children. Although some efforts were made during the reporting period to train law enforcement and judiciary officials in human trafficking, not all of them were trained.(6, 16, 44)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts to Eliminate Child Labor**

Coordinating Body	Role & Description
National Tripartite Commission for the Elimination of the Worst Forms of Child Labor	Elaborate policies; approve programs; and coordinate, supervise, monitor, and evaluate efforts to combat child labor in Haiti.(17, 51, 52) Chaired by MAST and comprises officials from BPM, Citizen Protection Bureau, and the Ministries of Women's Affairs, Interior, Agriculture, Health, Justice, and Education. Also includes nongovernmental stakeholders such as NGOs, labor unions, international organizations, and social partners. (14, 52)
National Committee for the Fight Against Trafficking in Persons*	Coordinate actions against trafficking in persons and guarantee the protection and rehabilitation of victims at the national level.(4, 30) Committee representatives for member ministries are appointed by presidential order. Chaired by IBESR and includes MAST, BPM, Citizen Protection Bureau, and the Ministries of Women's Affairs, Interior, Health, Foreign Affairs, Justice, and Education.(30, 40)



**Table 6. Mechanisms to Coordinate Government Efforts to Eliminate Child Labor (cont)**

Coordinating Body	Role & Description
Child Protection Working Group*	Implement; coordinate; and monitor government efforts on child protection, including protection of child domestic workers. Chaired by IBESR and comprising officials from the Citizen Protection Bureau; BPM; MAST; and the Ministries of Justice, Women's Affairs, Health, Youth, and Education. (53, 54) Also includes nongovernmental stakeholders such as NGOs, international organizations, and social partners. In 2014, the Working Group conducted a comprehensive study on the prevalence of children in domestic work.(5, 54)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the National Commission for the Elimination of the Worst Forms of Child Labor met regularly to revise the draft List of Hazardous Occupations Prohibited for Children and the draft National Action Plan to Combat Child Labor.(5, 52, 55) The National Committee for the Fight Against Trafficking in Persons was created as a result of the Anti-Trafficking in Persons Law.(30, 40) However, the President did not appoint specific representatives from the various ministries represented in the Committee during the reporting period. Moreover, it is unclear how the Committee will provide rehabilitation services to victims of human trafficking.(40, 54)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Haiti has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategic Development Plan (PSDH)	Articulates four pillars—economic, social, territorial, and institutional—for sustained economic growth in Haiti, which includes the goal to end child labor. Built on the 2010 Action Plan for National Recovery and Development, which outlined key initiatives to address the structural causes of Haiti's underdevelopment in order to make Haiti an "emerging country" by 2030.(56-58) The 2010 Action Plan outlined plans to rebuild the country's infrastructure, economy, and state institutions. The Action Plan also mapped plans to improve the country's living standards by increasing employment; providing housing; addressing food insecurity; and providing access to basic services such as health care, education, water, and sanitation. The PSDH expands and provides further detail on these plans.(56, 58)
National Action Strategy for Education for All*	Aims to enroll 1.5 million students in school by 2016.(59) The Strategy is overseen by the Ministry of Education and supported by international donors. Subsidizes school fees for both public and private schools, provides school feeding programs, and offers teacher training to increase the number of qualified teachers.(59, 60)
ILO's 18th American Regional Meeting in Lima, Peru/Declaration of the Establishment of the Regional Initiative: Latin America and the Caribbean Free of Child Labor†	In October 2014, Haiti participated in the ILO's 18th American Regional Meeting in Lima, Peru, and signed the Declaration of the "Establishment of the Regional Initiative: Latin America and the Caribbean Free of Child Labor." The Regional Initiative was launched in 2013 at the Third Global Conference on Child Labor; the Declaration reemphasizes signatories' commitments to eradicate all child labor by 2020 as well as their recognition that child labor contributes to social and economic inequality.(61, 62)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

During 2014, the Government of Haiti drafted a National Action Plan to Combat Child Labor; however, it is still awaiting promulgation by Presidential Decree.(52, 55)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Haiti funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8). The Government has other programs that may have an impact on child labor, including its worst forms.

**Table 8. Social Programs to Address Child Labor**

Program	Description
Government Child Shelter Census and National Child Protection Database*	Government programs to support child protection. IBESR implements the Government's regulatory framework for residential care centers (orphanages), collects information on vulnerable children, and tracks them through the National Child Protection Database.(6, 44)
Protecting the Rights of Children, Women, and Youth in Haiti (AKSE) (2012-2017)	\$22.5 million USAID-funded, 5-year project that supports a partnership between the Government and the private sector to promote children's rights and child protection services. Supports efforts by governmental organizations; NGOs; and community-based organizations to assist victims of gender-based violence, human trafficking, commercial sexual exploitation, forced domestic work, and recruitment into criminal activity. Strengthens institutional capacity to prevent abuse and address challenges that at-risk children, youth, and women face.(63, 64)
Global Action Program on Child Labor Issues	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. In Haiti, project aims to build the capacity of MAST and works to develop strategic policies to eliminate child labor and forced labor, as well as strengthen legal protections and social service delivery for child domestic workers.(65)
Protecting Children from Child Labor during the Early Recovery Phase (2011-2014)	\$1 million USDOS and Government of Brazil-funded, 4-year project implemented by ILO-IPEC to protect children from child labor during Haiti's earthquake recovery and reconstruction phases.(66) Part of a larger recovery program developed by the Government of Haiti, and supported by the UNDP and other UN and NGO partners to protect children, including by combating the worst forms of child labor and protecting the rights of adolescents to safe and decent work.(39)
Help People (Ede Pèp) Program*‡	Government social program that assists poor families through 16 government- implemented projects, with a focus on improving children's well-being.(44) Projects include the Ti Manman Cheri project, the Kore Etidyan project, and the Aba Grangou project, among others. Ti Manman Cheri project has provided 105,704 low-income mothers with monthly cash transfers for their children's tuition.(6) Kore Etidyan project provided financial assistance to students in 2013–2014.(44) Aba Grangou project, financed with \$30 million from the Government of Venezuela, with additional financial support from the Government of Haiti, aims to cut the number of people suffering from hunger by reaching 2.2 million children through a school food program.(6, 67)
National Free Education Program*‡	Government program that aims to increase poor children's access to education by expanding free public school education. Includes school grants intended to eliminate school fees and accelerated learning programs for students who are behind in school.(64) In the 2013-2014 school year, the Government enrolled more than 1 million school-age children, a significant increase from the 200,000 children enrolled through this program in 2012-2013.(7, 13, 68)
Children's Summer Enrichment Program*	Office of the Citizen Protector program provided training and ran summer programs for children, with the support of the AKSE program. Assists approximately 100 children from Cité Soleil in Port-au-Prince by raising their awareness of Haiti's child protection institutional framework and mechanisms.(6, 13)
IBESR's National Week of the Child*	IBESR awareness-raising campaign funded by international NGOs to increase public understanding of children's rights and the barriers children face to claiming those rights. Engaged local and international NGOs on issues of forced child labor, child trafficking, and commercial sexual exploitation.(44, 69)
Elimination of Child Labor in Latin America (Phase 4) 2011-2015)	\$4.5 million Government of Spain-funded, 3-year project implemented by ILO-IPEC to combat child labor in 19 countries, including Haiti.(39)
Education and Monitoring Program for the Eradication of Child Labor (2012-2014)	\$1.3 million Government of Spain-funded, 3-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including Haiti. Includes the objective of developing information systems on the worst forms of child labor.(39)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Haiti.

Despite IBESR's efforts to collect information in the National Child Protection Database, it does not fully capture relevant information, including on the number of displaced street children and of children in domestic work.(14) Although Haiti has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in domestic work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Haiti (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify the minimum age for domestic work and include meaningful penalties for employing children younger than the minimum age.	2009 – 2014
	Ensure that the Labor Code applies to children working in all sectors and in non-contractual employment. In the interim, include a definition of “commercial establishments” in Labor Code article 335.	2014
	Create meaningful penalties for employing children in contravention of the Labor Code.	2009 – 2014
	Ensure the law prohibits hazardous occupations and activities in all sectors, including agriculture.	2009 - 2014
	Ensure the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment or Inhumane Treatment Against Children of 2003 includes meaningful civil and criminal penalties for all violations of the Act.	2011 – 2014
	Ensure that the Penal Code’s prohibition on corruption of minors includes a prohibition on child pornography.	2009 – 2014
	Create meaningful criminal penalties against the use of children in illicit activities.	2011 – 2014
Enforcement	Collect and make publicly available information on MAST labor inspections, in particular; the number, type, and quality of labor and protection inspections; the number of working children identified as a result of such inspections; the number of child labor law violations identified and citations and penalties assessed during those inspections; the number of cases transferred to judicial authorities related to child labor; and the number of those cases that were ultimately sanctioned.	2013 – 2014
	Expedite review of child labor violations in labor tribunals.	2013 – 2014
	Ensure that children engaged in child labor found during labor inspections receive appropriate social services.	2013 – 2014
	Strengthen IBESR by initiating routine or targeted child protection inspections, rather than performing inspections solely based on complaints received.	2013 – 2014
	Provide sufficient training and resources to increase the capacity of MAST, IBESR, BPM, and judiciary officials to effectively enforce child labor laws.	2013 – 2014
	Collect and make publicly available information on the number of criminal investigations, convictions, and sentences for crimes related to the worst forms of child labor.	2009 – 2014
	Expand hotlines operated by BPM and IBESR to facilitate reporting of child exploitation cases in areas beyond Port-au-Prince, including in rural areas; disaggregate complaints by number of children in child labor.	2013 – 2014
Coordination	Ensure that representatives from the various ministries represented in the National Committee for the Fight Against Trafficking in Persons are appointed by the President, and clarify how the Committee will provide rehabilitation services to victims of human trafficking.	2014
Government Policies	Integrate child labor elimination and prevention strategies into existing education and child protection policies.	2009 – 2014
Social Programs	Ensure that all children have access to free quality education by registering children at birth and allocating additional resources for education, including for building additional schools, subsidizing or defraying the cost of school, and providing teacher training, with a focus on educational opportunities in rural areas, where children are particularly vulnerable to trafficking and domestic work.	2009 – 2014
	Expand the National Child Protection Database, including by identifying displaced street children and children in domestic work.	2010 – 2014
	Assess the potential impact of existing social protection programs on child labor.	2010 – 2014
	Expand existing social programs to address the scope of the child labor problem, particularly in domestic work.	2010 – 2014

## REFERENCES

- Institute for Justice and Democracy in Haiti. *Universal Periodic Review, Republic of Haiti*. Port-au-Prince; 2011. <http://www.ijdh.org/universal-periodic-review-upr/>.
- ICF International. *Child Labor in Domestic Service ("Restaveks") in Port-au-Prince, Haiti: Mixed Methods Research on Child Labor and Forced Child Labor in the Production of Goods*. Calverton; 2012. <http://www.dol.gov/ilab/media/reports/iclp/main.htm>.
- ICF International. *Working Children in Agriculture in Haiti, Sud Department*. Calverton; 2012. <http://www.dol.gov/ilab/media/reports/iclp/main.htm>.
- U.S. Department of State. "Haiti," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226735.htm>.
- U.S. Embassy- Haiti. *reporting, January 23, 2015*.
- U.S. Embassy- Haiti. *reporting, January 27, 2014*.
- U.S. Department of State. "Haiti," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220451>
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Enquête Mortalité Morbidité et Utilisation des Services, 2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of Labor. August 25, 2014.
- Sagayzia. "Sugar cane mill in Haiti." June 15, 2012 [cited February 20, 2015]; <https://www.youtube.com/watch?v=FuZcKflrsdg>
- Catholic Relief Services. "Rapid Child Labor Assessment,," April 2015 [cited April 29, 2015];
- U.S. Embassy- Haiti official. E-mail communication to USDOL official. March 25, 2014.
- U.S. Embassy- Haiti. *reporting, February 8, 2013*.
- ICF International. *Urban Child Labor in Port-Au-Prince, Haiti*. Calverton; 2012. <http://www.dol.gov/ilab/media/reports/iclp/main.htm>.
- U.S. Embassy- Haiti. *reporting, February 26, 2013*.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Haiti (ratification: 2007) Published: 2013*; accessed March 1, 2013; <http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:NO::>
- CRIN. *HAITI: Child Right References in the Universal Periodic Review*. London; 2011. <http://www.crin.org/resources/infoDetail.asp?ID=25843>.
- Torgan, A. "Haitians living in fear 'under the tent.'" *cnn.com* [online] October 18, 2012 [cited November 23, 2012]; <http://www.cnn.com/2012/10/18/world/americas/cnnheroes-haiti-rape>.
- Haitian child victims of trafficking in Dominican Republic receive assistance*, International Organization for Migration, [online] May 21, 2013 [cited November 20, 2014]; <http://www.iom.int/news/haitian-child-victims-trafficking-dominican-republic-receive-assistance>.
- Reyes, G, and, Charles, Jacqueline. "Haiti's desperation gives rise to child exploitation and abuse." *mcclatchydc.com* [online] October 24, 2010 [cited November 12, 2014]; [http://www.mcclatchydc.com/2010/10/24/102503\\_haitis-desperation-gives-rise.html?rh=1](http://www.mcclatchydc.com/2010/10/24/102503_haitis-desperation-gives-rise.html?rh=1).
- Moloney, A. *IOM hopes landmark trial will stem child trafficking from Haiti*, Thomson Reuters Foundation, [online] June 14, 2012 [cited May 15, 2014]; <http://www.trust.org/item/?map=iom-hopes-landmark-trial-will-stem-child-trafficking-from-haiti>.
- Mar Cabra, and Melissa Sanchez. "Trafficking of Haitian Kids: Young, Desperate and Exploited," *Haiti, Dominican Republic: El Nuevo Herald, Miami Herald*; 2010; 6 min., 3 sec., television broadcast; [http://youtube/TDWSJ1\\_dXVg](http://youtube/TDWSJ1_dXVg).
- UNICEF. *A Child-Rights Approach on International Migration and Child Trafficking: A UNICEF Perspective*. New York; July 18, 2014. [http://www.un.org/en/development/desa/population/events/pdf/3/P06\\_UNICEF.pdf](http://www.un.org/en/development/desa/population/events/pdf/3/P06_UNICEF.pdf).
- Arhin, A. "Conceptualizing Child Labour Trafficking and Exploitation: The Case of Roma Children in Montenegro." *Temida: Journal on Victimisation, Human Rights and Gender*, 15(no. 3)(2012); [https://www.academia.edu/3250475/Conceptualizing\\_Child\\_Labour\\_Trafficking\\_and\\_Exploitation\\_The\\_Case\\_of\\_Roma\\_Children\\_in\\_Montenegro](https://www.academia.edu/3250475/Conceptualizing_Child_Labour_Trafficking_and_Exploitation_The_Case_of_Roma_Children_in_Montenegro).
- UN Human Rights Council. *Report of the independent expert on the situation of human rights in Haiti, Gustavo Gallón*. New York; February 07, 2014. Report No. A/HRC/25/71. [http://reliefweb.int/sites/reliefweb.int/files/resources/A-HRC-25-71\\_en.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/A-HRC-25-71_en.pdf).
- Government of Haiti. *Le Moniteur Journal Officiel de la Republique d'Haiti*; June 4, 2014.
- Government of Haiti. *Code du Travail*, enacted 1984. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/135/64790/F61HT101.htm>.
- Government of Haiti. *Loi relative à l'interdiction et à l'élimination de toutes formes d'abus, de violences, de mauvais traitements ou traitements inhumains contre les enfants*, enacted June 5, 2003. <http://www.hsp.h.harvard.edu/population/trafficking/haiti.traf.03.doc>.
- Government of Haiti. *Loi sur la Lutte contre la Traite des Personnes*, Loi No CL/2014-0010, enacted June 02, 2014.
- Government of Haiti. *Haiti Code Pénal*, enacted 1985. [http://www.oas.org/juridico/mla/fr/hti/fr\\_hti\\_penal.pdf](http://www.oas.org/juridico/mla/fr/hti/fr_hti_penal.pdf).
- Government of Haiti. *Decret Organisant le Systeme Educatif Haitien en Vue D'offrir des chances egales a tous et de Refleter la Culture Haitienne*, enacted March 30, 1982. <http://ufdc.ufl.edu/AA00000092/00001/3j>.
- U.S. Embassy- Haiti official. E-mail communication to USDOL official. November 14, 2014,
- Government of Haiti. *Constitution of Haiti*, enacted 1987. <http://pdba.georgetown.edu/constitutions/haiti/haiti1987.html>.
- Child Soldiers International. *Louder than words: An Agenda for Action to End State Use of Child Soldiers*. London; 2013. [http://www.child-soldiers.org/global-report\\_reader.php?id=562](http://www.child-soldiers.org/global-report_reader.php?id=562).
- ILO Committee of Experts. *Direct Request concerning Minimum Age Convention, 1973 (No. 138) Haiti (ratification: 2009) Published: 2013*; accessed November 25, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- Government of Haiti. *DRAFT- Hazardous List of Work for Children*; 2014. [source on file].
- IBESR Haiti official. E-mail communication to USDOL official. February 13, 2015
- ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
- Haiti Enacts World's Newest Anti-Trafficking Law*, Free the Slaves, [online] August 11, 2014 [cited November 10, 2014]; <http://www.freetheslaves.net/haiti-enacts-worlds-newest-anti-trafficking-law/>.
- Health Policy Project. "Haiti: All Eyes on the New Paternity Act." *healthpolicyproject.com* [online] September 16, 2014 [cited December 9, 2014 ] ; <http://www.healthpolicyproject.com/index.cfm?id=HaitiPaternityAct>.
- Government of Haiti. *Loi sur la Paternite, la Maternite, et la Filiation*; August 2014. . [http://www.healthpolicyproject.com/pubs/713\\_BrochurePaternitewithcover.pdf](http://www.healthpolicyproject.com/pubs/713_BrochurePaternitewithcover.pdf).
- AlterPresse. "Haiti-Société : Pour vulgariser la loi sur le droit de filiation." *alterpresse.org* [online] September 10, 2014 [cited December 09, 2014]; [http://www.alterpresse.org/spip.php?article16991#\\_V\]Bz39LF-Sq](http://www.alterpresse.org/spip.php?article16991#_V]Bz39LF-Sq).
- U.S. Embassy- Haiti. *reporting, February 21, 2014*.
- Government of Haiti official. E-mail communication to USDOL official. April 10, 2014.
- IBESR. *La Protection de l'enfant. Législation nationale et internationale*. Pétiön-Ville: Editions Presses Nationales d'Haiti; 2012.

47. ILO Port au Prince official. E-mail communication to USDOL official. March 12, 2015.
48. U.S. Embassy- Haiti. *reporting, February 27, 2015.*
49. BPM Haiti official. E-mail communication to USDOL official. February 18, 2015
50. UN Human Rights Council. *Report of the independent expert on the situation of human rights in Haiti, Michel Frost.* New York; February 07, 2013. Report No. A/HRC/25/71. [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65\\_EN.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65_EN.pdf).
51. U.S. Department of State official. E-mail communication to USDOL official. February 21, 2013.
52. National Commission for the Elimination of the Worst Forms of Child Labor. *DRAFT: National Action Plan to Combat Child Labor*; June 19, 2014.
53. Government of Haiti. *Groupe de Travail Protection de l'Enfance Niveau National- Termes de Reference*; 2014.
54. UNICEF- official. E-mail communication to USDOL official. December 17, 2014
55. National Commission for the Elimination of the Worst Forms of Child Labor. *Meeting Minutes.* Port au Prince; March 26, 2014.
56. Government of Haiti. *Action Plan for the National Recovery and Development of Haiti.* Port-au-Prince; 2010. <http://whc.unesco.org/uploads/events/documents/event-725-2.pdf>.
57. IMF. *Haiti: Poverty Reduction Strategy Paper- Progress Report.* Progress Report. Washington, DC; February 23, 2012. <http://www.imf.org/external/pubs/ft/scr/2012/cr1275.pdf>.
58. Government of Haiti. *Plan Stratégique de Développement d'Haiti (PSDH).* Port-au-Prince; June 2012. [http://www.mpce.gouv.ht/sites/default/files/FichiersPDF/psdh\\_tome\\_1\\_lr.pdf](http://www.mpce.gouv.ht/sites/default/files/FichiersPDF/psdh_tome_1_lr.pdf).
59. U.S. Department of State. *Facts on U.S. Government's Work in Haiti: Education,* U.S. Embassy- Port au Prince, [online] December 28, 2011 [cited May 15, 2014]; <http://iipdigital.usembassy.gov/st/english/texttrans/2011/12/20111228155952su0.5099102.html#axzz1kbqhiQsL>.
60. IDB approves \$50 million grant for Haiti education plan, IDB, [online] November 23, 2010 [cited May 15, 2014]; <http://www.iadb.org/en/news/news-releases/2010-11-23/idb-grant-for-haiti-education-reform-plan.8729.html>.
61. ILO. *Latin America and Caribbean sign a Declaration to free the region from Child Labour,* ILO, [online] October 17, 2014 [cited November 6, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
62. "At UN backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." UN News, October 15, 2014. [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
63. USAID. *Request for Application "Protecting the rights of Children, Women, and Youth"*. Washington, DC; 2011.
64. USAID official. E-mail communication to USDOL official. February 22, 2013.
65. ILO-IPEC. *Global Action Program on Child Labor Issues.* Technical Progress Report. Geneva; April 2014.
66. ILO. "Final Evaluation-Haiti: Protecting children from child labour during the early recovery phase." April, 2014 [cited [http://www.ilo.org/wcmsp5/groups/public/--ed\\_mas/--eval/documents/publication/wcms\\_250022.pdf](http://www.ilo.org/wcmsp5/groups/public/--ed_mas/--eval/documents/publication/wcms_250022.pdf)].
67. *Haiti signaled its commitment to join the SUN Movement on 11 June 2012,* Scaling up Nutrition, [online] [cited May 15, 2014]; <http://scalingupnutrition.org/sun-countries/haiti>.
68. Haiti Libre. "The Primature Strongly Rejected the Conclusions of the Walk-Free Foundation." *haitilibre.com* [online] October 23, 2013 [cited May 15, 2014]; <http://www.haitilibre.com/en/news-9718-haiti-social-the-primature-strongly-rejected-the-conclusions-of-the-walk-free-foundation.html>.
69. IBESR. "Bilan de la semaine de l'enfant, ." *ibeser.com* [online] June 8, 2014 [cited <http://www.ibesr.com/fichier/BILAN%20IBESR%202014.pdf>].



# Honduras

## MODERATE ADVANCEMENT

In 2014, Honduras made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government signed the Alliance for Prosperity in the Northern Triangle, a development initiative that includes among its many goals increasing educational and vocational training opportunities for youth and combating human trafficking. The Government also created a Prosecutorial Task Force to investigate and prosecute human trafficking and the smuggling of unaccompanied migrant youth.

In addition, the Government created the Directorate of Childhood, Adolescence, and Family (DINAF) to better

monitor children's rights and implement national plans concerning children and their families. However, children in Honduras are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation as a result of human trafficking. The Government's procedures for enforcement of child labor laws do not sufficiently deter employers from using child labor, and both labor inspectors and criminal investigators lack the resources they need to effectively carry out their mandates.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Honduras are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation as a result of human trafficking. (1-10) Table 1 provides key indicators on children's work and education in Honduras.

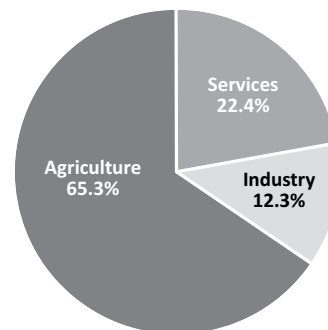
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	7.8 (153,536)
Attending School (%)	5-14 yrs.	84.6
Combining Work and School (%)	7-14 yrs.	4.4
Primary Completion Rate (%)		100.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(11)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM) Survey, 2013.(12)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of melon, coffee, and sugarcane* (1, 13-19)
	Fishing,* including working as divers' assistants† and diving for lobster† (3, 4, 6, 19, 20)
	Quarrying limestone*† and production of lime*† (21)
Industry	Artisanal mining*† (1, 4, 10, 18, 20)
	Sale and production of fireworks*† (4, 22, 23)
	Construction,† activities unknown (4, 24)
Services	Street begging and vending† (1, 20, 21, 25)
	Washing car windows† and performing at traffic lights† (1, 8, 24, 26)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Scavenging in garbage dumps† (1, 4, 18-21, 25)
	Domestic servicet (1, 4, 8, 16, 18, 27)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (8, 9, 28)
	Forced begging (24, 29)
	Used in illicit activities, including by gangs in committing homicides, extortion, and selling and trafficking drugs (1, 24, 26, 28, 30)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In 2014, Honduras, like El Salvador and Guatemala, was a principal source of the high numbers of unaccompanied children from Central America migrating to the United States. Such children often lack economic and educational opportunities, and are vulnerable to the worst forms of child labor, including commercial sexual exploitation and recruitment by gangs into illicit activities such as committing homicides and drug trafficking.(31, 32) Children often emigrate to escape violence and extortion by gangs, in addition to searching for economic opportunities and family reunification. Once en route, they are also vulnerable to human trafficking and commercial sexual exploitation.(31, 32)







In Honduras, children are sometimes trafficked from rural areas into commercial sexual exploitation in urban and tourist destinations, such as the Bay Islands, La Ceiba, San Pedro Sula, and Tegucigalpa. In addition, reports indicate that Honduran children are trafficked to other Central American countries and North America for commercial sexual exploitation.(28, 33)

In Honduras, access to education is often limited. Reports indicate that approximately 220,000 children between the ages of 5 and 17 lack access to the educational system in practice.(17) More than 75 percent of these children live in rural areas, where lack of funding for schools and, in many cases, lack of any secondary schools remain a problem.(17) In urban areas, access to education is often hindered by widespread violence and the recruitment of children into gangs. In addition, school completion rates are low; many children fail to complete primary education and, according to 2011 national data, only 50.5 percent of girls and 37.5 percent of boys completed secondary school.(9, 34)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Honduras has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 120 of the Code on Childhood and Adolescence; Article 15 of the Executive Agreement STSS-211-01; Article 32 of the Labor Code; Article 124 of the Constitution (35-38)

# Honduras

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 122 of the Code on Childhood and Adolescence; Articles 2 and 10 of the Executive Agreement STSS-211-01; Article 1 of the Executive Agreement STSS-097-2008 (36, 37, 39)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 1 of the Executive Agreement STSS-097-2008; Article 8 of the Executive Agreement STSS-211-01 (36, 39)
Prohibition of Forced Labor	Yes		Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS-211-01; Article 192 of the Penal Code; Articles 68 and 127 of the Constitution (35, 36, 40, 41)
Prohibition of Child Trafficking	Yes		Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS-211-01; Article 8 of the Legislative Decree 35-2013 that adds Article 179E to the Penal Code (36, 40, 42)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 134 of the Code on Childhood and Adolescence; Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS-211-01; Articles 148 and 149A-E of the Penal Code (36, 37, 40, 41)
Prohibition of Using Children in Illicit Activities	Yes		Article 134 of the Code on Childhood and Adolescence; Article 10 of the Executive Agreement STSS-211-01; Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Article 8 of the Legislative Decree 35-2013 that adds Article 179F to the Penal Code (36, 37, 40, 42)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Articles 2 and 12 of the Executive Agreement STSS-211-01; Article 276 of the Constitution (35, 36)
Compulsory Education Age	Yes	17	Articles 8, 13, and 21-23 of the Fundamental Law of Education; Articles 36 and 39 of the Code on Childhood and Adolescence (37, 43)
Free Public Education	Yes		Articles 7, 13, and 21-23 of the Fundamental Law of Education; Article 36 of the Code on Childhood and Adolescence; Article 171 of the Constitution (35, 37, 43)

\* No conscription (36, 44)

The Constitution states that children 16 years old or younger may not work unless it is necessary to sustain his or her family and the work does not interfere with schooling. Honduran statutes build upon the protections in the Constitution.(35) The Labor Code and the Code on Childhood and Adolescence allow children ages 14 through 16 to work only with written parental consent and authorization from the Secretariat of Labor and Social Security (STSS).(37, 38) The Code on Childhood and Adolescence states that children ages 14 and 15 may work no more than four hours per day and that children ages 16 and 17 may work no more than 6 hours per day; children ages 16 and 17 can also receive special permission from the STSS to work in the evening if it does not affect their schooling.(7, 37, 38)

Article 120 of the Code on Childhood and Adolescence and Article 15 of the Executive Agreement STSS-211-01 set the minimum age for work at 14 in all undertakings and without exception for their size.(36, 37) Article 32(1) of the Labor Code also prohibits children under the age of 14 from working. However, children working in agricultural and stock-raising undertakings that do not permanently employ more than 10 workers are not covered by the Labor Code's minimum age protections because Article 2 of the Labor Code excludes these undertakings from its scope.(38) The ILO has recommended that the Government harmonize the Labor Code with the Code on Childhood and Adolescence to ensure that no child under age 14 is permitted to work, including in agriculture and stock-raising.(45)

Article 8 of the Executive Agreement STSS-211-01 and Article 122 of the Code on Childhood and Adolescence both prohibit children under age 18 from engaging in dangerous activities. However, Article 22 of the Executive Agreement STSS-211-01 and Article 122(v) of the Code on Childhood and Adolescence both allow the STSS to authorize minors ages 16 and 17 to perform dangerous activities if they have successfully completed relevant technical training at the National Institute of Vocational Training or a similar specialized technical institute and upon STSS verification that such minors are fully protected in these activities.(6, 36, 37)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Secretariat of Labor and Social Security (STSS)	Inspect labor conditions and enforce child labor laws.(9, 24)
Public Ministry's Office of the Special Prosecutor for Children (OSPC)	Prosecute crimes against children, including trafficking in children, hazardous labor, forced labor, and commercial sexual exploitation. Coordinate with Honduran National Police to investigate crimes and protect victims.(9, 24)
Public Ministry's Technical Criminal Investigative Agency (ATIC)*	Investigate and technically support criminal prosecutions conducted by the Public Ministry, including by the OSPC, such as human trafficking, commercial sexual exploitation, and child pornography.(10, 24)
Ministry of Justice and Human Rights	Receive and prosecute cases of child trafficking through its Human Trafficking Unit.(9)
Prosecutorial Task Force to Combat Criminal Smuggling of Unaccompanied Children and Trafficking in Persons*	Investigate and prosecute criminal organizations that engage in the illegal smuggling of unaccompanied children and trafficking in persons. Created in 2014 and overseen by the Special Prosecutor Against Organized Crime and the Special Prosecutor for Children.(29, 46)
Directorate of Childhood, Adolescence, and Family (DINAF)*	Formulate, coordinate, and implement national plans that concern children, adolescents, and their families; monitor children's rights according to national legislation and other statutes; and coordinate state efforts in conjunction with civil society and religious institutions to protect children.(47, 48) Created in 2014 through the Executive Decree PCM-27-2014 to replace the Honduran Institute for Children and the Family (INHFA), and overseen by the Secretariat of Development and Social Inclusion (SEDIS).(47, 48)

\* Agency responsible for child labor enforcement was created during the reporting period.

Law enforcement agencies in Honduras took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the STSS employed 141 inspectors to conduct all labor inspections, including inspections for child labor. This is the same number of inspectors employed in 2013.(10, 24) Reports indicate that this number of inspectors is inadequate to inspect for child labor violations nationwide.(24) The STSS reported that although labor inspectors did not receive training on child labor during the reporting period from either the Government or international organizations, inspectors were nevertheless prepared to conduct inspections for child labor.(10, 24)

In 2014, the STSS dedicated approximately \$1.5 million to salaries of employees in the General Inspection Service.(10, 24) The STSS, labor union confederations, and human rights organizations have indicated that the level of funding and resources for the General Inspection Service, which includes limited office space, telephones, computers, vehicles, and fuel for vehicles, is insufficient for inspectors to adequately perform their responsibilities.(24)

The official process for labor inspections includes a preliminary visit, which may be unannounced, and through which inspectors identify and inform employers of violations but do not issue fines or citations.(7, 24) Employers have three days to remedy the identified violations.(7, 49) Inspectors then conduct a reinspection to determine whether the violations have been remediated. If violations are found during reinspection, inspectors recommend that the Inspector General issue penalties.(49) Reports indicate that if violations involving underage children or children working in hazardous conditions are found during a preliminary inspection, inspectors immediately report them to their supervisors.(50) This two-tiered inspection process puts an additional strain on the limited human and financial resources of the inspectorate and may not sufficiently deter employers from exploiting children in the workplace, particularly in remote, rural areas where conducting reinspections is especially challenging. Furthermore, a lack of publicly available information on the results of preliminary and subsequent inspections, including whether child labor violations are ultimately remedied, prevents a complete understanding of how effective this inspection system is in practice in enforcing child labor laws.(51)

# Honduras

## MODERATE ADVANCEMENT

During the reporting period, the STSS conducted 3,694 comprehensive labor inspections and 7,164 complaint-driven inspections. This is a significant decrease from the 6,037 comprehensive inspections and the 11,506 complaint-driven inspections conducted in 2013.(24) The STSS and civil society partners have reported that the overall number of inspections is insufficient to address the scope of labor violations in the country, including child labor violations.(24) Moreover, most of the inspections take place in the urban areas of Tegucigalpa and San Pedro Sula. Inspections in rural areas and in indigenous communities, where hazardous activities in agriculture and fishing or diving are concentrated, have been insufficient to address the scope of the problem.(7, 8, 52) Complete information on the full range of economic sectors and localities in which inspections were carried out does not appear to be publicly available.

In 2014, the STSS reported that, in addition to the comprehensive labor inspections and complaint-driven inspections mentioned above, it conducted 170 child labor inspections in the commercial, agricultural, and mining sectors of Tegucigalpa, San Pedro Sula, La Ceiba, and Choluteca.(10, 24) Out of those inspections, inspectors found 60 child labor violations. In 59 of those cases, violations were corrected and a total of 58 children were removed from child labor; one case remains under investigation.(10, 24) This is a significant decrease from the 795 children the STSS reported removing from child labor in 2013; research could not determine the cause for this decline.(8) While the newly formed Directorate of Childhood, Adolescence, and Family (DINAF) is responsible for ensuring that victims of child labor receive Government services, there does not appear to be a formal mechanism by which the STSS refers victims to the DINAF. It is also not known how many of the 58 rescued children received comprehensive services beyond medical evaluations provided for some children by the Occupational Health Service.(24) Information on the sanctions or fines imposed for child labor violations does not appear to be publicly available.

Although it is not known whether the number of working minors who are legally eligible to work has decreased, the STSS reported that it authorized 416 minors to work in 2014, compared with the 550 minors it authorized in 2013.(51)

### *Criminal Law Enforcement*

In 2014, the Public Ministry's Office of the Special Prosecutor for Children (OSPC) coordinated investigations of criminal cases involving the worst forms of child labor. The OSPC employed two prosecutors to work with two Public Ministry analysts, three Public Ministry investigators, and six police officers to investigate crimes.(24) The OSPC reported that its operational budget for 2014 was approximately \$173,000.(10) Both Government representatives and NGOs have stated that this budget is insufficient to fulfill OSPC's mandate. The OSPC reported that in 2014 more than 920 justice officials, including Public Ministry officials, youth, and civil society representatives, received training on the Law Against Trafficking in Persons and on procedures to prevent the re-victimization of trafficking survivors.(24)

In 2014, the OSPC reported that there were 18 trafficking in persons (TIP) cases under investigation, 9 TIP cases in the judicial process, and 1 TIP sentence issued. It also reported that there were 18 cases of commercial sexual exploitation under investigation, 3 cases of commercial sexual exploitation in the judicial process, and 5 sentences issued for crimes of commercial sexual exploitation.(24) Sentences ranged from 5 to 22 years in prison. However, the number of investigations, prosecutions, and convictions is not considered sufficient.(24) Victims of the worst forms of child labor, including child trafficking, are now referred to the DINAF for services.(24) Information on how many children were rescued from the worst forms of child labor and how many children received services in 2014 was not publicly available.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Commission for the Gradual and Progressive Eradication of Child Labor	Coordinate all matters related to child labor. Members include the STSS, the Supreme Court, the Social Security Administration, the Public Ministry, DINAF, and other Government entities.(51, 53, 54) Operates through a Technical Committee for the prevention and eradication of child labor and through an Executive Unit for Public Policy.(10, 24)



**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Inter-Institutional Commission Against Exploitation and Commercial Sex Trafficking (CICESCT)	Coordinate the efforts of Government institutions and civil society groups to combat commercial sexual exploitation and trafficking, including of children.(26, 53) Consists of representatives from 52 organizations, including several Government ministries and various NGOs.(26, 40, 53)
Unaccompanied Children Task Force (UAC Task Force)*	Provide for the safe repatriation of unaccompanied migrant children and coordinate their reintegration into their communities of origin. Led by the First Lady and comprised of officials from the Ministry of Foreign Affairs; DINAF; the Ministry of Human Rights, Justice, Governance, and Decentralization; the Migration Institute; and the Public Ministry, with specialized services for returnees provided by the Ministries of Labor, Education, Health, and Development and Social Inclusion.(29, 51)
Ministry of Social Development	Coordinate social protection policies and the provision of services to vulnerable populations, including child and adolescent victims of violence, trafficking, and sexual and economic exploitation.(9)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the Inter-Institutional Commission Against Exploitation and Commercial Sex Trafficking (CICESCT) was granted its first official budget and convened state authorities and civil society organizations to inaugurate a public awareness campaign to combat human trafficking.(24, 55-57)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Honduras has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Second National Plan of Action to Prevent and Eradicate Child Labor (NPAPECL II) (2008 – 2015)	Aims to prevent children from dropping out of school before they can legally work, to withdraw children who are currently engaged in the worst forms of child labor, and to ensure that the laws that protect children are enforced.(9, 53, 54) Establishes regional subcommittees in Choluteca, Comayagua, Danlí, El Progreso, Juticalpa, La Ceiba, and San Pedro Sula to oversee local implementation of NPAPECL II.(25) Specific components for 2012-2014 include working with the Municipal Association of Honduras (AMHON) to develop a checklist of indicators for certifying a municipality as free from child labor; working through the regional subcommittees to arrange for surprise, nighttime inspections in locations known for child labor; and building new educational centers in Santa Barbara, Ocotepeque, Copan, Lempira, Intibuca, and La Paz to provide more educational opportunities for at-risk children.(10, 24)
Roadmap for the Eradication of Child Labor in Honduras	Aims to improve coordination of the Government's responses to child labor issues. Works at the national, regional, and sub-regional levels and incorporates issues related to poverty, education, health, and social mobilization.(9, 53, 58) Implemented by the STSS.(9)
First Public Policy and National Action Plan on Human Rights	Aims to implement the Government's national and international human rights commitments, including those addressing child and forced labor. Approved by the President's Council of Ministers in January 2013.(24) In 2014, representatives from various ministries signed an Inter-Institutional Agreement of Cooperation regarding the implementation of this policy.(24)
National Strategy to Reduce Poverty (ERP) (2001 – 2015)	Seeks to reduce poverty nationwide by fostering economic development and assisting vulnerable populations. Prioritizes the elimination of child labor and increased school attendance, recognizing that both are necessary to national development.(59)
Alliance for Prosperity in the Northern Triangle†	Aims to create economic growth, increase educational and vocational training opportunities for youth, and reduce violence in Honduras, Guatemala, and El Salvador, in part to reduce the number of unaccompanied minors who leave Honduras and other Central American countries for the United States and who are vulnerable to human trafficking. Signed by the presidents of each country in 2014.(60-62)
Education for All Plan (2002 – 2015)	Seeks to increase school attendance to ensure that all Honduran children complete primary schooling, recognizing that a lack of schooling both contributes to and is a consequence of child labor.(59)
Executive Decrees PCM-011-2011; PCM 056-2011	Mandates that all Secretariats and their dependencies incorporate the issue of child labor elimination and prevention into their institutional strategic planning in accordance with the framework of the National Plan.(3, 4, 63-65)
Country Vision (2010 – 2038) and National Plan (2010 – 2022)	Guides national policy to reduce extreme poverty. Both Plans address education, the creation of social protection systems, and child labor.(7, 58, 66)

# Honduras

## MODERATE ADVANCEMENT

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014 – 2020)†	Aims to increase regional cooperation on the eradication of child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, Government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Honduras at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(67-69)

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Honduras funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Voucher 10,000‡	Government conditional cash transfer program that aims to reduce poverty by providing financial assistance to the head of household when children meet educational and health requirements.(53, 70) Objectives include the elimination of child labor.(8) In 2014, the number of beneficiaries served was 270,000.(24)
School Meal Program*	Ministry of Education program, implemented with support from the WFP and in conjunction with the Office of the First Lady, that provides school lunches to students to improve nutrition and bolster attendance. In 2014, the program reached 1,220,000 students.(24, 51)
My First Job Program*‡	STSS program that connects disadvantaged youth with vocational opportunities.(26, 53, 71) Includes job skills and vocational training, internships, job placement, and public-private partnerships to support on-the-job training.(7, 24, 26)
Program to Combat Child Forced Begging†‡	DINAF program to identify and rescue children who are subjected to forced begging. Includes a media campaign to raise awareness of child forced begging.(24)
Better Life Program‡	Secretariat of Development and Social Inclusion (SEDIS) program that seeks to assist 800,000 of the poorest families by improving their housing conditions with cement flooring, water filters, and private bathrooms. Targets many of the families whose children are engaged in begging on the streets.(24, 51)
Program to Prevent Sex Tourism Involving Children and Adolescents‡	Government program that aims to raise awareness and provide information, training, and a code of conduct for the tourism industry. Implemented by the Honduran Tourist Board, the Ministry of Tourism, and the Tourism Institute.(9, 72)
Promoting Respect for the Rights and Social Integration of Children Working in Refuse and Street Work‡	Government program implemented by local organizations that targets children working in garbage dumps and on the streets in San Pedro Sula and Tegucigalpa. Targets approximately 600 children and provides them with educational services.(73, 74)
The Friendly Hand Program‡	SEDIS program that targets young people working in garbage dumps in San Pedro Sula and Tegucigalpa. Offers a holistic approach to removing these young people from the worst forms of child labor and offers training for children's family members.(27, 75-77)
Program for Working Children	Network of Institutions for Children's Rights program that targets 2,500 children working in the streets. Provides rehabilitation programs for child workers and to child victims of commercial sexual exploitation.(73, 78)
Civic Saturdays‡	Ministry of Education program that reintroduced a Saturday school day in 2013, in part to help reduce child labor. Topics covered during classes are Honduran culture, laws pertaining to children, and recreational activities.(8, 24, 79) In 2014, components also included tutoring in math and reading.(24)
Decent Work Country Program for Honduras (2012 – 2015)	Works to ensure that workers' rights and Honduran labor laws are upheld. For the period 2013 – 2015, seeks to implement measures from the Roadmap to help Honduras become child labor-free.(59)
Bright Futures (2014 – 2018)†	\$7 million, USDOL-funded, 4-year project implemented by World Vision to address child labor and improve labor rights and working conditions in Honduras, particularly in Valle, Choluteca, and the San Pedro Sula area.(80) Works with the Honduran Government, industry, civil society organizations, and other stakeholders to build the Ministry of Labor's capacity to ensure remediation of labor law violations related to child labor, freedom of association, acceptable work conditions, and the right to organize and bargain collectively. Targets 5,150 children and youth for improved educational and livelihood opportunities.(80)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor and forced labor through data collection and research in Honduras.(81, 82)
Honduran Youth Alliance	USAID-funded project that focuses on long-term gang prevention, including social reintegration of former gang members. Works at the national and local levels with civil society and the private sector to advocate for policy reform, run public awareness campaigns, and provide support for outreach centers for vulnerable youth in high-risk communities, including through recreational, educational, and vocational opportunities.(83)
Strengthening Local Capacity to Build a Culture of Peace (FORPAZ)	USAID-funded project that aims to improve citizen security by turning schools into community centers that provide extracurricular activities for at-risk youth, as well as develop a media campaign that promotes a culture of peace.(83)
Improving Education for Work, Learning, and Success (METAS)	USAID-funded project that aims to increase educational opportunities for at-risk youth through alternative education programs that provide basic education skills and workforce development training. Promotes increased access to educational opportunities for youth residing in areas known for drug trafficking and gang activity.(83)
Education and Monitoring Program for the Eradication of Child Labor (2012 – 2014)	\$1.3 million, Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in the Americas, including Honduras. Includes the objective of developing information systems on the worst forms of child labor.(84)
Elimination of Child Labor in Latin America (Phase 4) (2011 – 2015)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC to combat child labor in 19 countries, including Honduras.(84)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Honduras.

Although the Government of Honduras funds or participates in social programs that aim to eliminate child labor in street work, garbage dumps, commercial sexual exploitation, and the illegal recruitment of children into gang-related activities, research did not identify programs that specifically target children working in other dangerous activities, such as agriculture, fishing, mining, and domestic service.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Honduras (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections in the Labor Code extend to agricultural and stock-raising undertakings that do not permanently employ more than 10 workers to ensure consistency with the protections provided in the Code on Childhood and Adolescence.	2013 – 2014
Enforcement	Ensure adequate funding for the STSS, including resources for sufficient numbers of labor inspectors and inspections in areas where child labor is prevalent, such as rural areas and indigenous communities where children engage in hazardous activities in agriculture and fishing or diving.	2010 – 2014
	Ensure all labor inspectors receive training in child labor law enforcement issues.	2014
	Ensure that the two-tiered inspection system does not undermine effective child labor law enforcement and consider how the system may strain the limited resources of the inspectorate.	2011 – 2014
	Make information publicly available on all the sectors and localities in which inspections were carried out, as well as on the sanctions imposed for child labor violations.	2012 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that there is a formal referral mechanism through which the DINAF receives child labor victims, designates a service provider, and monitors comprehensive services to victims of child labor, including its worst forms, and publicly report on the number of children rescued and the number of children who receive services.	2014
	Ensure that minors who work have authorization from the STSS.	2011 – 2014
	Ensure adequate funding is provided to the OSPC to effectively investigate and prosecute all crimes concerning the worst forms of child labor.	2014
Social Programs	Increase access to education by increasing funding to schools and building more schools, in particular in rural areas.	2014
	Assess the impact of social programs, such as My First Job and the School Meal Program, on reducing child labor.	2010 – 2014
	Create Government programs that aim to eliminate child labor in dangerous activities, such as agriculture, fishing, mining, and domestic service.	2009 – 2014

### REFERENCES

- Casa Alianza. *El trabajo infantil en Honduras: Diagnostico situacional de algunas de las peores formas de trabajo infantil en Honduras*. online. Tegucigalpa, Casa Alianza; October 2011. <http://www.casa-alianza.org/hn/images/documentos/Observatorio/trabajoinfantil-honduras.pdf>.
- El Heraldo. "Más de 400,000 niños laboran en Honduras." El Heraldo, Tegucigalpa, Dec. 6, 2011; País. <http://archivo.elheraldo.hn/Pa%C3%ADs/Ediciones/2011/06/13/Noticias/Mas-de-400-000-ninos-laboran-en-Honduras>.
- Secretaría de Estado en los Despachos de Justicia y Derechos Humanos. *Trabajo Infantil en Honduras*. Tegucigalpa; February 14, 2012. <http://www.sjdh.gob.hn/sites/default/files/20120920%20-%20Informe%20Trabajo%20Infantil%20en%20Honduras.pdf>.
- Gobierno de la República de Honduras, Secretaría de Trabajo y Seguridad Social. *Día Mundial Contra el Trabajo Infantil 2011* Secretaría de Trabajo y Seguridad Social, [online] June 8, 2011 [cited March 25, 2013]; <http://www.trabajo.gob.hn/prensa-y-difusion/dia-mundial-contra-el-trabajo-infantil-2011-1>.
- Centinela Economico. "Unos 500.000 niños son víctimas de explotación laboral en Honduras." centinelaeconomico.com [online] October 7, 2011 [cited March 27, 2013]; <http://www.centinelaeconomico.com/2011/10/07/unos-500-000-ninos-son-victimas-de-exploracion-laboral-en-honduras/>.
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Honduras (ratification: 1980) Published: 2012*; accessed March 27, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
- U.S. Embassy- Tegucigalpa. *reporting, January 31, 2013*.
- U.S. Embassy- Tegucigalpa. *reporting, January 18, 2014*.
- United Nations. *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid*. Geneva; January 21, 2013. Report No. A/HRC/22/54/Add.2. <http://www.ohchr.org/EN/Issues/Children/Pages/CountryVisits.aspx>.
- Government of Honduras. *Respuesta a Solicitud de Información Sobre Trabajo Infantil y sus Peores Formas en Honduras*. source on file January 15, 2015.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM), 2013. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Agence France-Presse. "Honduran Coffee Harvest relies on Child Workers." rawstory.com [online] December 24, 2010 [cited February 15, 2013]; <http://www.rawstory.com/rs/2010/12/24/honduran-coffee-child-workers/>.
- International Labor Rights Forum and COSIBAH. *Women in the Honduran Melon Industry*. Washington, DC; 2012. <http://laborrights.org/creating-a-sweatfree-world/sweatshops-in-the-fields/melon-production-in-honduras/resources/women-in->
- Sandoval, E. "ONGs denuncian explotación infantil en la cosecha del café en Honduras." cnn.com [online] October 7, 2011 [cited March 27, 2013]; <http://cnnespanol.cnn.com/2011/10/07/organizaciones-no-gubernamentales-denuncian-explotacion-infantil-en-honduras/>.
- UNICEF. *Explotación laboral infantil* [youtube video]. Honduras: UNICEF Honduras; May 12, 2012, 1 min. 36 sec., July 31, 2014; <http://www.youtube.com/watch?v=eeCwFNCKT7A>.
- Cotza, L. "Improving education standards in Honduras: A long road ahead." The Guardian, London, June 6, 2013. <http://www.theguardian.com/global-development-professionals-network/2013/jun/06/education-standards-honduras>.
- Casa Alianza. *Jornada de capacitación sobre la situación de "Violencia contra la niñez y la adolescencia en Honduras"*, Casa Alianza, [online] [cited March 21, 2014]; [http://www.casa-alianza.org/hn/index.php?option=com\\_content&view=article&id=127:taller-sjdh&catid=35:casa-alianza](http://www.casa-alianza.org/hn/index.php?option=com_content&view=article&id=127:taller-sjdh&catid=35:casa-alianza).
- Proceso Digital. "Conadeh denuncia que unos 220,500 niños están excluidos del sistema educativo." proceso.hn [online] June 11, 2012 [cited March 27, 2013]; <http://proceso.hn/2012/06/11/Salud+y+Sociedad/Conadeh.denuncia.que%53107.html>.
- Proceso Digital. "Denuncian que unos 500.000 niños son víctimas explotación laboral en Honduras." proceso.hn [online] October 7, 2011 [cited March 27, 2013]; <http://proceso.hn/2011/10/07/Nacionales/Denuncian.que.unos/43174.html>.
- U.S. Department of State. "Honduras," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- El Heraldo. "Niños comercializan cohetes en zonas prohibidas de Choluteca." El Heraldo, Tegucigalpa, December 22, 2011; Regionales. <http://www.elheraldo.hn/Secciones-Principales/Regionales/Ninos-comercializan-cohetes-en-zonas-prohibidas-de-Choluteca>.
- La Prensa. "Se queman dos niñas tras explosión en fábrica de cohetes." La Prensa, Santa Rosa de Copán, September 24, 2013. <http://www.laprensa.hn/sucesos/policiales/389667-96/se-queman-dos-ni%C3%B1as-tras-explorsi%C3%B3n-en-%C3%A1brica-de-cohetes>.
- U.S. Embassy- Tegucigalpa. *reporting, January 15, 2015*.
- U.S. Embassy- Tegucigalpa. E-mail communication to USDOL official. July 20, 2011.



26. U.S. Embassy- Tegucigalpa. *reporting, January 20, 2012.*
27. ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Honduras (ratification: 2001) Published: 2013*; accessed March 20, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
28. U.S. Department of State. "Honduras," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226846.pdf>.
29. U.S. Embassy- Tegucigalpa. *reporting, February 17, 2015.*
30. U.S. Embassy- Tegucigalpa. *reporting, February 14, 2014.*
31. United States Conference of Catholic Bishops. *Mission to Central America: The Flight of Unaccompanied Children to the United States*; November 2013. <http://www.usccb.org/about/migration-policy/upload/Mission-To-Central-America-FINAL-2.pdf>.
32. Dennis Stinchcomb and Eric Hershberg. *Unaccompanied Migrant Children from Central America: Context, Causes, and Responses*. Center for Latin American & Latino Studies, American University; 2014 November. [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2524001](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2524001).
33. U.S. Department of State. "Honduras," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm>.
34. FHI 360. "Education Policy and Data Center (EPDC) Spotlight on Honduras." [epdc.org](http://www.epdc.org/epdc-data-points/epdc-spotlight-honduras) [online] 2014 [cited February 17, 2015]; <http://www.epdc.org/epdc-data-points/epdc-spotlight-honduras>.
35. Government of Honduras. *Constitución*, enacted January 11, 1982. <http://pdba.georgetown.edu/Constitutions/Honduras/hond82.html>.
36. Government of Honduras. *Acuerdo Ejecutivo No. STSS-211-01, Reglamento sobre Trabajo Infantil en Honduras*, enacted October 10, 2001. [source on file].
37. Government of Honduras. *Código de la Niñez y de la Adolescencia*, 73-96, enacted September 5, 1996. <http://www.paho.org/spanish/ad/fch/ca/derecho27.pdf>.
38. Government of Honduras. *Código del Trabajo y sus Reformas*, No. 189, enacted July 15, 1959. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/29076/64849/S59HND01.htm#t4>.
39. Government of Honduras. *Acuerdo No. STSS-097-2008, Reforma por adición artículo 8 del Reglamento sobre Trabajo Infantil en Honduras*, enacted May 12, 2008. [http://white.oit.org.pe/ipecc/documentos/listados\\_tip\\_honduras.pdf](http://white.oit.org.pe/ipecc/documentos/listados_tip_honduras.pdf).
40. Government of Honduras. *Ley Contra la Trata de Personas (Decreto 59-2012)*, enacted July 6, 2012. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90974/105243/F327431691/HND90974.pdf>.
41. Government of Honduras. *Código Penal*, Decreto 144-83, enacted August 23, 1983 (includes updates from Decreto 234-2005). [http://www.poderjudicial.gob.hn/juris/Codigos/C%C3%B3digo%20Penal%20\(09\).pdf](http://www.poderjudicial.gob.hn/juris/Codigos/C%C3%B3digo%20Penal%20(09).pdf).
42. Government of Honduras. *Decreto Legislativo No. 35-2013*, enacted September 5, 2013. <http://www.lagaceta.hn/>.
43. Government of Honduras. *Ley Fundamental de Educación*, No. 262-2011, enacted February 22, 2012. <http://www.tsc.gob.hn/leyes/Ley%20Fundamental%20de%20Educaci%C3%B3n.pdf>.
44. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to end State Use of Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
45. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Honduras (ratification: 1980) Published: 2013*; accessed November 14, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
46. U.S. Embassy- Tegucigalpa. *reporting, October 15, 2014.*
47. Government of Honduras. *Decreto Ejecutivo PCM-27-2014*, enacted June 6, 2014. <http://melarayasociados.com/dmsdocument/508>.
48. Government of Honduras. "Gobierno liquida el IHNFA y crea la DINAF para atender a la niñez y adolescencia." [juanorlando.com](http://juanorlando.com/) [online] June 4, 2014 [cited November 14, 2014]; <http://juanorlando.com/?p=720>.
49. Inspección General del Trabajo- STSS. *Colección Protocolos de Inspección-Honduras: Buena Prácticas, Verificación, Investigación*; October 1, 2008. [source on file].
50. U.S. Embassy- Tegucigalpa. E-mail communication to USDOL official. May 22, 2014.
51. U.S. Embassy- Tegucigalpa official. E-mail communication to USDOL official. May 14, 2015.
52. ILO Committee of Experts. *Individual Direct Request concerning Indigenous and Tribal Peoples Convention, 1989 (No. 169) Honduras (ratification: 1995) Published: 2014*; accessed November 19, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
53. U.S. Embassy- Tegucigalpa. *reporting, February 8, 2011.*
54. National Commission to Eradicate Child Labor. *II Plan de Acción Nacional para la Prevención y Erradicación del Trabajo Infantil en Honduras 2008-2015*. Tegucigalpa; 2009. <http://white.oit.org.pe/ipecc/pagina.php?pagina=102>.
55. La Tribuna. "Honduras a combatir trata de personas." [latribuna.hn](http://www.latribuna.hn/) [online] June 11, 2014 [cited November 17, 2014]; <http://www.latribuna.hn/2014/06/11/honduras-a-combatir-trata-de-personas/>.
56. Honduprensa. "Entradas etiquetadas como Comisión Interinstitucional Contra la Explotación Sexual Comercial y la Trata de Personas (CICESCT)." [wordpress.com](http://www.wordpress.com/) [online] September 24, 2014 [cited November 17, 2014]; <https://honduprensa.wordpress.com/tag/comision-interinstitucional-contra-la-explotacion-sexual-comercial-y-la-trata-de-personas-cicesct/>.
57. Government of Honduras. "JOH: 'Honduras será declarada territorio hostil para la trata de personas.'" [juanorlando.com](http://www.juanorlando.com/) [online] June 10, 2014 [cited November 17, 2014]; <http://juanorlando.com/?p=752>.
58. ILO-IPEC. *Hoja de Ruta para hacer de Honduras un país libre de trabajo infantil y sus peores formas - Informe*. Research and Policy Papers; June 2011. Report No. ATN/SF-10219-RG. <http://www.ilo.org/ipeccinfo/product/viewProduct.do?productId=17457>.
59. UCW. *Entendiendo los resultados del trabajo infantil y el empleo juvenil en Honduras: Revisión de políticas y marcos legislativos*; 2014. [source on file].
60. Governments of El Salvador Guatemala and Honduras. *Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map*; September 2014. <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>.
61. Inter-American Development Bank. "Presidentes de El Salvador, Guatemala y Honduras presentan plan de Alianza para Prosperidad en Triángulo Norte." [iadb.org](http://www.iadb.org/) [online] November 14, 2014 [cited November 17, 2014]; <http://www.iadb.org/es/noticias/comunicados-de-prensa/2014-11-14/presidentes-del-triangulo-norte-presentan-plan.10987.html>.
62. The White House - Office of the Press Secretary. "Fact Sheet: Support for the Alliance for Prosperity in the Northern Triangle." [whitehouse.gov](http://www.whitehouse.gov/) [online] March 3, 2015 [cited March 24, 2015]; <https://www.whitehouse.gov/the-press-office/2015/03/03/fact-sheet-support-alliance-prosperity-northern-triangle>.
63. Secretaría de Trabajo y Seguridad Social. *Ratifican lucha regional para erradicar el Trabajo Infantil*, [[previously online]] [cited March 21, 2014]; [http://www.trabajo.gob.hn/prensa-y-difusion/ratifican-lucha-regional-para-erradicar-el-trabajo-infantil/image/image\\_view\\_fullscreen](http://www.trabajo.gob.hn/prensa-y-difusion/ratifican-lucha-regional-para-erradicar-el-trabajo-infantil/image/image_view_fullscreen) [source on file].
64. Government of Honduras. *Decreto Ejecutivo PCM-011-2011*, enacted February 15, 2011. <http://www.sdp.gob.hn/sitio/transparencia/images/stories/documentos/DECRETO%20EJECUTIVO%20No.%20PCM-011-2011.pdf>.
65. Government of Honduras. *Decreto Ejecutivo PCM-056-2011*, enacted August 23, 2011. <http://www.sdp.gob.hn/sitio/transparencia/images/stories/documentos/DECRETO%20EJECUTIVO%20No.%20PCM-011-2011.pdf>.



# Honduras

## MODERATE ADVANCEMENT

66. República de Honduras. *Vision de País 2010-2038 y Plan de Nación 2010-2022*. Tegucigalpa; 2010. <http://www.plandenacion.hn/>.
67. ILO. "18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour." ilo.org [online] October 17, 2014 [cited 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
68. UN News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." un.org [online] October 15, 2014 [cited October 28, 2014]; <http://www.un.org/apps/news/printnews.asp?id=49082>.
69. *Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas, October 14, 2014*. Lima, Peru. [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
70. Banco Interamericano de Desarrollo. "Honduras fortalecerá eficiencia y cobertura del programa Bono 10,000." iadb.org [online] May 30, 2013 [cited May 19, 2015]; <http://www.iadb.org/es/noticias/comunicados-de-prensa/2013-05-30/proteccion-social-bono-10000-en-honduras.10462.html>.
71. Secretaría de Trabajo y Seguridad Social. *Proyecto Mi Primer Empleo*, Secretaría de Trabajo y Seguridad Social, [online] [cited February 7, 2013]; [http://www.trabajo.gob.hn/miprimer\\_empleo/index.html](http://www.trabajo.gob.hn/miprimer_empleo/index.html).
72. UNICEF. *Código de Conducta para la Protección de Niños, Niñas, y Adolescentes Contra la Explotación Sexual Comercial en el Sector de Viajes y Turismo-Honduras*. [previously online]. Tegucigalpa. <http://www.unicef.org/honduras/14350.htm> [source on file].
73. Government of Honduras. *Información sobre el trabajo infantil y el trabajo forzoso procurada por el Departamento de Trabajo de Estados Unidos*. Washington, DC; January 15, 2014.
74. Boletín Informativo Proyecto Promoción de los Derechos de Niñas Niños y Adolescentes Trabajadores. *Educación, recreación y salud: derechos de niñas y niños trabajadores*, Boletínproyectonnat, [blog] October 17, 2013 [cited February 12, 2015]; <http://boletinproyectonnat.blogspot.com/2013/10/educacion-recreacion-y-salud-derechos.html>.
75. Programa de Asignación Familiar. *Programa Mano Amiga*, Programa de Asignación Familiar, [online] [cited February 19, 2013]; <http://www.praf.hn/manoamiga.html>.
76. Organización de los Estados Iberoamericanos. *Honduras: Bajo el proyecto "Mano Amiga" centenares de compatriotas se capacitaron en diferentes áreas técnicas*, Organización de los Estados Iberoamericanos, [online] February 27, 2012 [cited February 19, 2013]; <http://www.oei.es/noticias/spip.php?article10213>.
77. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Honduras (ratification: 2001) Published: 2012*; accessed March 27, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
78. La Red de Instituciones por los Derechos de la Niñez (COIPRODEN). *Actividades*, COIPRODEN, [online] [cited March 21, 2014]; [http://coiprodnet.net/1\\_2\\_Actividades.html](http://coiprodnet.net/1_2_Actividades.html).
79. El Heraldo. "Honduras: Inician sábados cívicos en escuelas." El Heraldo, Tegucigalpa, 2013. <http://www.elheraldo.hn/Secciones-Principales/Pais/Honduras-Inician-sabados-civicos-en-escuelas>.
80. USDOL. *Futuros Brillantes: Project to Reduce Child Labor and Improve Labor Rights and Working Conditions in Honduras - Technical Cooperation Project Summary*. Washington, DC; 2014. [source on file].
81. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2013.
82. ILO-IPEC. *Technical Progress Report - Global Action Program on Child Labour Issues (GAP 11)*. source on file; October 2014.
83. USAID official. E-mail communication to USDOL official. January 14, 2015.
84. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.

In 2014, India made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government implemented its National Child Labor Project to assist child laborers through the provision of loans and alternative livelihoods, and several social protection programs to address the root causes of child labor. The Ministry of Home Affairs also launched an online human trafficking portal to coordinate efforts of state and national government agencies. However, children in India are engaged in child labor, including in agriculture and manufacturing. Basic legal protections for children remain weak. Legislation to prohibit work by all children under the age of 14 and to proscribe hazardous work for children under age 18 was approved by the Prime Minister's Cabinet in 2012, but it has yet to be passed by Parliament.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in India are engaged in child labor, including in agriculture and manufacturing. (1-6) The 2011 National Census data was released during the reporting period, and it shows that 4,353,247 children ages 5 to 14 work for 6 or more months during the year. (7, 8) The Census data also show that 3,875,234 children ages 5 to 14 work for 3 to 6 months during the year, while 1,900,182 children ages 5 to 14 work for less than 3 months during the year. (8) Table 1 provides key indicators on children's work and education in India.

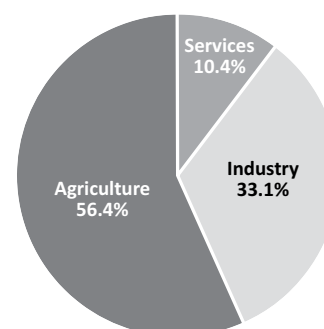
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	1.4 (3,253,202)
Attending School (%)	5-14 yrs.	90.7
Combining Work and School (%)	7-14 yrs.	0.3
Primary Completion Rate (%)		96.5

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015. (9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from NSS Survey, 2011 – 2012. (10)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including producing rice and hybrid cottonseed, picking cotton, ginning cotton,† and harvesting sugarcane† (3, 11-18)
Industry	Manufacturing garments,† weaving silk fabric with a handloom,† production of raw silk thread (sericulture),† spinning cotton thread and yarn, embellishing textiles with silver and gold (zari),† embroidering textiles, and sewing beads and buttons to fabric (1, 6, 19-24)
	Manufacturing glass bangles,† locks† and brassware,† and polishing gemst (13, 25-29)
	Weaving carpets† (19, 30, 31)
	Rolling cigarettes (bidis),† and manufacturing incense sticks (agarbatti),† fireworks,† and matches† (32-36)
	Manufacturing footwear, producing leather goods/accessories,† and stitching soccer ballst (15, 20, 37-40)
	Producing bricks,† quarrying† and breaking stones,† and mining mica*† and coal*† (41-49)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Working in hotels,* food service,* and certain tourism-related occupations* (50, 51)
	Working on the street selling food*† and other goods,* repairing vehicles* and tires,*† and scavenging and sorting garbage*† (12, 15, 52)
	Construction,*† activities unknown (53, 54)
	Domestic work† (15, 55, 56)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, including working in rice mills and producing cottonseed (hybrid) (3, 11, 19, 57)
	Forced labor in quarrying stones, producing bricks, and mining coal* (19, 46, 49, 56, 57)
	Forced labor in producing garments, embroidering silver and gold into textiles ( <i>zari</i> ), and spinning cotton thread and yarn* (6, 21, 22, 57)
	Forced labor in domestic work,* begging,* and weaving carpets* sometimes as a result of human trafficking* (5, 55, 56, 58)
	Commercial sexual exploitation sometimes as a result of human trafficking (15, 56, 59, 60)
	Used in armed conflict as a result of forced recruitment* (56, 61)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children are forced to work as bonded laborers in brick kilns to pay off family debts owed to moneylenders and employers.(62) Children from India’s rural areas migrate for employment in industries, such as carpet making, spinning mills, and cottonseed production, where they are forced to work in hazardous environments for little or no pay.(3, 5, 6) Children are trafficked within India for commercial sexual exploitation and forced labor in domestic service.(19, 55, 63) Children from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities, are more likely to be victims of forced labor, human trafficking, and commercial sexual exploitation.(56)




Children are reportedly recruited to serve as soldiers in Maoist armed groups in the states of Bihar, Chhattisgarh, Jharkhand, and Odisha.(46, 64) Children are reportedly recruited, and in some cases kidnapped, to fight in armed liberation groups in the northeastern states of Assam and Manipur.(64) There are also reports that children from Jammu and Kashmir are forcibly recruited by insurgent separatists and terrorist groups to launch attacks against the Indian Government.(56, 64)

Although the primary education completion rate is high in India, many children in India still face barriers to accessing education, particularly due to high rates of teacher absenteeism, lack of schools in remote and rural locations, and lack of drinking water and functioning toilets.(46, 65) Children from marginalized groups are sometimes subject to discrimination and harassment by their teachers.(66) Some schools reportedly refuse admission to such children.(46)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

India has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	Yes	14	Section 3 of the Child Labor Prohibition and Regulation Act (67)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Parts A and B of the Schedule in the Child Labor Prohibition and Regulation Act; Section 67 of the Factories Act (67, 68)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labor System (Abolition) Act; Section 26 of the Juvenile Justice (Care and Protection of Children) Act (69, 70)
Prohibition of Child Trafficking	Yes		Sections 366A, 372, 370 and 373 of the Indian Penal Code; Section 5 of the Immoral Traffic (Prevention) Act; Section 7 of Criminal Law (Amendment) Act (71-73)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 366A, 366B, 370A, 372 and 373 of the Indian Penal Code; Sections 5 and 6 of the Immoral Traffic (Prevention) Act; Section 14 of the Protection of Children from Sexual Offense Act; Section 67B of the Information Technology (Amendment) Act of 2008 (72-75)
Prohibition of Using Children in Illicit Activities	Yes		Section 32B(c) of the Narcotic Drugs and Psychotropic Substance Act; Section 24 of the Juvenile Justice (Care and Protection of Children) Act (69, 76)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Combat: Yes	18	Military Regulations (61, 77, 78)
	Non-Combat: Yes	17	
Compulsory Education Age	Yes	14	Section 3 of the Right of Children to Free and Compulsory Education Act (79)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (79)

\* No conscription (80)

In addition to national legislation, state governments also have the authority to pass legislation on child labor, including establishing a minimum age for work. The Delhi and Rajasthan State governments have passed legislation that makes 18 the minimum age for child labor.(13) However, the lack of a national minimum age for employment may increase the likelihood that young children may engage in child labor. The minimum age for hazardous work is also not consistent with international standards and may jeopardize the health and safety of young people ages 14 through 17. Additionally, children working for household-based enterprises do not have the same legal protections as those working in the formal sector.(67)

In 2012, legislation was proposed to prohibit work for children under the age of 14, proscribe hazardous work for children under age 18, and increase penalties for violations of the law related to child labor.(15, 81) The proposed legislation is pending approval by the Parliament.

There is no compulsory military service in India. The voluntary military age is set by military regulations and varies depending on the branch of the military, starting at 17 years.(78) However, the Government states that the minimum age to serve in combat is 18 years.(61, 82, 83)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Government Labor Inspectorates	Enforce state and national labor laws. Refer cases in violation of the law to state police.(15) Refer children to Child Welfare Committees for protection and rehabilitation services.(69)
State and Local Police	Enforce laws pertaining to child labor and human trafficking.(84) Submit information to District Magistrates to determine if a case should be prosecuted in District Court.(85) Refer children to Child Welfare Committees for protection and rehabilitation services.(69)
Anti-Human Trafficking Units (AHTUs)	Investigate cases of human trafficking. AHTUs have been established in 300 local police jurisdictions throughout India.(19) In 2014, the Karnataka State Police and International Justice Mission jointly published an AHTU training manual for law enforcement against bonded labor and human trafficking.
Vigilance Committees	Rescue, release, and rehabilitate bonded laborers and family members. Assembled at the district and sub-division levels by the District Magistrate.(70)
State Revenue Department	Issue release certificates to free bonded laborers and family members from debt.(86)
District Court Magistrates	Prosecute cases involving violations of child labor, forced labor, and human trafficking laws in District Courts.(85)
Child Welfare Committees (CWCs)	Refer children in need of care and protection to welfare service providers under the Integrated Child Protection Scheme, including children involved in hazardous work, begging, and human trafficking, as well as those living on the streets.(87) CWCs have been established in 619 of India's 660 districts.(88)
Ministry of Home Affairs (MHA)	Provide guidance and training to all state governments on how to handle cases of child trafficking by outlining the specific steps that state police and officials must take when handling cases of child trafficking and forced child labor.(89)
Central Bureau of Investigation's Anti-Human Trafficking Unit	Investigate and prosecute cases involving the kidnapping and trafficking of women and children by professional gangs operating across multiple states. Take on cases by request or concurrence of state governments.(90, 91)

Law enforcement agencies in India took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

The Indian Constitution gives state governments primary responsibility for the enforcement of labor laws.(92, 93) While some state governments do report labor law enforcement data to the national Government, data on the number of labor inspectors and labor inspections conducted and the number of child labor law violations and penalties issued were not available for the reporting period.(94) Between April 1, 2013, and March 31, 2014, 64,050 child workers were rescued from hazardous work conditions and rehabilitated by the National Child Labor Program.(94)

### ***Criminal Law Enforcement***

In 2014, the state governments of Tamil Nadu, Karnataka, and Maharashtra provided human trafficking and bonded labor training to law enforcement officials.(60) Research did not find information on the number of investigators responsible for enforcing the laws on the worst forms of child labor. The Indian Constitution gives state governments primary responsibility for the enforcement of criminal law, and the national Government does not systematically collect and make public data on investigators, trainings, and referrals across India's state and union territories.(93)

In 2013, the latest date for which data are available, the National Crime Records Bureau (NCRB) reported that there were 1,330 crimes reported, 805 charges filed, and 24 convictions involving the commercial sexual exploitation of minor girls that violated the Indian Penal Code. However, the NCRB did not provide disaggregated data for crimes reported, charges filed, and convictions for violations involving the Immoral Traffic Prevention Act, the Protection of Children from Sexual Offenses Act, and the Bonded Labor System (Abolition) Act.(95)

Despite the rescue and rehabilitation of child laborers, prosecutions have not always taken place. In cases for which child labor prosecutions were launched, resolution has been unduly delayed because the judicial system is backlogged and overburdened.(19) The penalties for employing children in violation of the Child Labor (Prohibition and Regulation) Act are imprisonment for 3 months to 1 year and/or fines ranging from \$160 to \$320. These penalties are insufficient to deter employers from employing children in the worst forms of child labor.(15)



#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Central Monitoring Committee	Supervise, monitor, and evaluate actions of the National Child Labor Projects (NCLPs) across India. Some state governments maintain State-Level Monitoring Committees to monitor the NCLPs in their states.(96, 97)
Core Group on Child Labor	Coordinate the integration of social protection programs to reduce child labor. Composed of members from the Ministries of Human Resource Development, Women and Child Development, Housing and Urban Poverty Alleviation, Rural Development, Social Justice and Empowerment, <i>Panchayati Raj</i> (community government), and Home Affairs and chaired by the Ministry of Labor and Employment (MOLE).(98)
MHA Anti-Human Trafficking Cell	Implement the Government's nationwide plan to combat human trafficking by coordinating with states to establish Anti-Human Trafficking Units and train thousands of officials to combat human trafficking.(15, 84) In 2014, MHA launched an online human trafficking portal to coordinate efforts of state and national government agencies. Stakeholders can access anti-human trafficking trainings, meetings, statistics, laws, and shelter information on the portal.(60)
National Human Rights Commission (NHRC)	Monitor implementation of the Bonded Labor System (Abolition) Act. Monitor state government actions to identify, release, and rehabilitate bonded laborers through quarterly submissions and through exploratory and investigative missions.(92, 99)
National Commission for the Protection of Child Rights (NCPCR)	Ensure that all laws, policies, programs, and administrative mechanisms are in accordance with the Constitutional protections for children and the UN Convention on the Rights of the Child. Make inquiries into child rights violations and failure to properly implement laws relating to child protection.(15, 100) Commissions have been established in all 29 states and in 3 union territories, including Delhi.(100)

In 2014, the National Human Rights Commission issued notices to several state labor departments and District Magistrates to provide information on the status of rehabilitating rescued bonded laborers and their families in Telangana, Andhra Pradesh, Karnataka, Tamil Nadu, Uttar Pradesh, and Bihar.(101, 102)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of India has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Policy on Child Labor	Describes actions for combating hazardous child labor for children under age 14, including implementing legislation and providing direct assistance to children.(103)
State Action Plans on Child Labor	Details state governments' activities and programs to eliminate child labor from hazardous industries. Only 9 of 29 state governments have child labor action plans, including Andhra Pradesh, Bihar, Gujarat, Jharkhand, Karnataka, Maharashtra, Orissa, Tamil Nadu, and Telangana.(104-108)
National Policy for Children	Seeks to guide laws, policies, plans, and programs affecting children. Sets out the policy that state governments should take all necessary measures to track, rescue, and rehabilitate child laborers, trafficked children, and other vulnerable children, as well as ensure that out-of-school children can access education.(109)
National Skills Development Policy	Includes provisions for alternative education and skill development for child laborers and children removed from the worst forms of child labor.(110)
Twelfth 5-Year Plan (2012 – 2017)	Details how the Government should implement its social protection schemes, including provisions for education, health, and increased livelihood support.(111)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of India funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description and Objectives
National Child Labor Project (NCLP) Scheme‡	MOLE scheme that operates at the district level to identify working children under age 14, withdraw them from hazardous work, and provide them with education and vocational training. Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups.(92)
Rehabilitation of Bonded Labor Scheme‡	MOLE program that rescues and rehabilitates child and adult bonded laborers. Provides rescued bonded laborer with approximately \$312 and offers assistance through additional social protection schemes.(92) Supports the funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys.(112)
Grants-in-Aid Scheme‡	MOLE scheme that funds NGOs to provide rehabilitation services to working children.(92)
Skill Development Initiative Scheme‡	MOLE scheme that provides vocational training programs and gives priority to children withdrawn from child labor.(113)
<i>Rashtriya Swasthya Bima Yojna</i> (RSBY) Health Insurance Scheme*‡	Government of India health insurance scheme for families below the poverty line. RSBY beneficiaries receive up to approximately \$470 to cover the cost of hospitalization.(15, 114)
Integrated Child Protection Scheme (ICPS)‡	Ministry of Women and Child Development (MWCD) scheme that provides children who have been withdrawn from hazardous work, forced labor, and human trafficking with food and shelter in children's homes, shelter homes, and open shelters, as well as non-institutional care in foster homes and adoptive families. Provides rehabilitation and reintegration services to rescued children.(87)
Welfare of Working Children in Need of Care and Protection‡	MWCD scheme that provides non-formal education and vocational training to street children and working children living in urban areas not covered by MOLE schemes.(115) The number of projects funded by this scheme was reduced from 105 to 89, as this scheme is being phased out because ICPS provides similar services under its open shelter component.(87)
Anti-Trafficking Activities‡	Anti-trafficking activities operated by MWCD in collaboration with NGOs and state governments.(87) The <i>Ujjawala</i> scheme supports projects to help reintegrate, rehabilitate, and repatriate trafficking victims, including children. The <i>Swadhar Greh</i> scheme provides short-term housing and rehabilitation services, including vocational training for women and adolescent girls.(87)
Childline	MWCD-funded 24-hour toll-free emergency telephone service for children in distress. Childline India Foundation operates the telephone service in 278 cities across India and connects children in need of assistance with hospitals, child welfare committees, shelter homes, and police.(87)
Education for All Scheme ( <i>Sarva Shiksha Abhiyan</i> )‡	Ministry of Human Resource Development (MHRD) scheme that ensures the achievement of universal elementary education and addresses the education needs of 192 million children, including the provision of appropriate schooling facilities and qualified teachers.(116) Linked to NCLP scheme to ensure children's smooth transition from NCLP schools into the formal education system.(92)
Midday Meal Program‡	MHRD scheme that provides free lunch to more than 100 million children in more than 1 million government-run primary and upper primary schools, and provides lunch to NCLP students.(117)
National Rural Employment Guarantee Scheme‡	Ministry of Rural Development (MRD) scheme that provides 100 days of employment to every rural adult living under the poverty line. Research has shown that this program can lead to a reduction in child labor and increased household expenditures on children's education.(118, 119)
National Rural Livelihoods Mission (NRLM)*‡	MRD scheme that enables poor households to access gainful self-employment and skilled wage employment opportunities through social mobilization, institutional building, financial inclusion, and livelihood promotion.(120) Under the NRLM, projects in 10 districts in 5 states identify and rehabilitate bonded laborers through the provision of loans and the promotion of alternative livelihoods.(121)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of India.

While state governments continued to conduct district-level surveys on bonded labor under the Bonded Labor Scheme, data were not received on the number of victims of bonded labor, including children, in surveyed districts.(92)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in India (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO C. 182.	2014
	Establish a minimum age for employment at both national and state levels, consistent with international standards.	2009 – 2014
	Increase the minimum age for employment in hazardous occupations at both Federal and state levels, to meet international standards.	2009 – 2014
	Ensure that relevant child labor laws and regulations apply equally to children working in formal businesses as well as family-owned and household-based enterprises.	2009 – 2014
Enforcement	Collect and publish national-level data on the number of labor inspectors and the number of penalties issued for child labor law violations. Collect and publish national-level data on the number and training of investigators responsible for enforcing the worst forms of child labor.	2014
	Publish disaggregated data on the investigations and prosecutions involving violations for all the laws dealing with the worst forms of child labor.	2009 – 2014
	Prosecute cases involving the worst forms of child labor in a shorter time frame.	2012 – 2014
	Increase the penalties for employing children in the worst forms of child labor.	2014
Government Policies	Work with state governments to develop State Action Plans for the elimination of child labor where they do not currently exist.	2011 – 2014
Social Programs	Reduce barriers to education access through programs to address teacher absenteeism, improve school facilities and sanitation, and promote equal access to education for children from marginalized communities.	2014
	Assess the impact that existing programs may have on child labor.	2010 – 2014
	Make data and findings from district-level bonded labor surveys publicly available.	2009 – 2014

## REFERENCES

- Nicola Phillips, Resmi Bhaskaran, Dev Nathan, and C. Upendranadh. *Child Labour in Global Production Networks: Poverty, Vulnerability and 'Adverse Incorporation' in the Delhi Garments Sector*. Delhi; June 2011. <https://www.escholar.manchester.ac.uk/api/datastream?publicationPid=uk-ac-man-scw:103085&datastreamId=FULL-TEXT.PDF>
- Dhanya, MB. *Fundamental Principles and Rights at Work and Informal Economy in India: Trends, Initiatives and Challenges*. Noida, V.V. Giri National Labour Institute; 2013. [http://www.vvgnli.org/sites/default/files/publication\\_files/NLI-SERIES-105-F.pdf](http://www.vvgnli.org/sites/default/files/publication_files/NLI-SERIES-105-F.pdf)
- Global March Against Child Labour. *Dirty Cotton: A Research on Child Labour, Slavery, Trafficking and Exploitation in Cotton and Cotton Seed Farming in India*. New Delhi; 2012. <http://www.globalmarch.org/sites/default/files/Dirty-Cotton-Report.pdf>
- Debashish Nandy. *Child Rights Situational Analysis of Families Engaged in Sugarcane Farming in Maharashtra* Pune, Save the Children and Gokhale Institute of Politics and Economics; 2012. <http://www.savethechildren.in/images/childrights.pdf>
- Kara, S. *Tainted Carpets: Slavery and Child Labor in India's Hand-Made Carpet Sector*. Cambridge; 2014. <http://fxb.harvard.edu/wp-content/uploads/sites/5/2014/01/Tainted-Carpets-Released-01-28-14.pdf>
- Martje Theuvs, and Pauline Overeen. *Flawed Fabrics: The abuse of girls and women workers in the South Indian textile industry*. The Netherlands; 2014. [http://www.somo.nl/publications-en/Publication\\_4110/at\\_download/fullfile](http://www.somo.nl/publications-en/Publication_4110/at_download/fullfile)
- Ministry of Labor and Employment. *State-wise Distribution of Working Children Census 2001 and 2011*, Government of India, [cited December 3 2014]; <http://labour.gov.in/upload/uploadfiles/files/Divisions/childlabour/Census-2001%262011.pdf>
- Commissioner, OotRGC. *B-1 Main Workers, Marginal Workers, Non-Workers and those marginal workers, non-workers seeking available for work classified by age and sex (Total, SC/ST)*; accessed <http://www.censusindia.gov.in/2011census/B-series/B-Series-01.html>
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from NSS Survey, 2011-2012 Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- National Human Rights Commission. *Review of measures taken by Government of Gujarat for elimination of bonded and child labour by Dr. Lakshmidhar Mishra, IAS (Retd.), Special Rapporteur, National Human Rights Commission from 18.8.2010 to 19.8.2010 at Ahmedabad, Gandhinagar and Mehsana districts*. New Delhi; August 2010. [http://www.nhrc.nic.in/Reports/BLCLvisit/10lmishra\\_ahmedbad\\_gandhinagar\\_mehsana\\_gujrat.pdf](http://www.nhrc.nic.in/Reports/BLCLvisit/10lmishra_ahmedbad_gandhinagar_mehsana_gujrat.pdf)
- Faleiro, S. “Children Who Sell Themselves.” *New York Times*, New York, September 6, 2011; Opinion. [http://www.nytimes.com/2011/09/07/opinion/07iht-edfaleiro07.html?\\_r=1&pagewanted=print](http://www.nytimes.com/2011/09/07/opinion/07iht-edfaleiro07.html?_r=1&pagewanted=print)
- Times of India. “Child labour age limit raised to 18 years.” *Times of India*, Mumbai, August 26, 2012. [http://articles.timesofindia.indiatimes.com/2012-08-26/india/33401779\\_1\\_child-labour-labour-department-aditi-mehta](http://articles.timesofindia.indiatimes.com/2012-08-26/india/33401779_1_child-labour-labour-department-aditi-mehta)
- Telhelka. *Where do the missing children of Delhi go?*, Telhelka, [online] April 25, 2012 [cited January 16, 2014]; <http://www.telhelka.com/where-do-the-missing-children-of-delhi-go/>
- U.S. Embassy- New Delhi. *reporting, January 17, 2014*.
- Nandy, D. *Child Rights Situation Analysis: Children of Families Engaged in Sugarcane Farming in Maharashtra*; 2012. <http://www.savethechildren.in/images/childrights.pdf>
- Institute for Human Development. *Base Line Survey Report of Haryana*; 2012.
- Institute for Human Development. *Base Line Survey Report of Punjab: Child Labour in Cotton Growing Fields*; 2012.

19. U.S. Department of State. "India," in *Trafficking in Persons Report- 2012*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210739.pdf>.
20. Basu, I. "Child labourers hidden from prying eyes." The Times of India, New Delhi, April 19, 2011; Delhi. [http://articles.timesofindia.indiatimes.com/2011-04-19/delhi/29446736\\_1\\_child-labourers-bachpan-bachao-andolan-zari-work](http://articles.timesofindia.indiatimes.com/2011-04-19/delhi/29446736_1_child-labourers-bachpan-bachao-andolan-zari-work).
21. Center for Research on Multinational Corporations. *Bonded (child) labour in the South Indian Garment Industry: An Update of Debate and Action on the 'Sumangali Scheme'*. Amsterdam; July 12, 2012. [http://somo.nl/publications-en/Publication\\_3818/at\\_download/fullfile](http://somo.nl/publications-en/Publication_3818/at_download/fullfile).
22. Bachpan Bachao Andolan. *Zari (Embroidery) Campaign*, bba.org.in, [online] [cited December 5, 2014]; <http://bba.org.in/?q=content/zari-embroidery-campaign>.
23. Save the Children. *Protecting Rights of Children Employed in Garment Industry Save the Children*, [online] 2011 [cited January 23, 2014]; <http://www.savethechildren.in/85-latest-news/189-protecting-rights-of-children-employed-in-garment-industry.html>.
24. Human Rights Watch. *Small Change: Bonded Child Labor in India's Silk Industry*; 2003. <http://www.hrw.org/sites/default/files/reports/india0103.pdf>.
25. Times of India. "Agate workers paid less than minimum wages, says survey." Times of India, Mumbai, January 11, 2012. <http://timesofindia.indiatimes.com/city/vadodara/Agate-workers-paid-less-than-minimum-wages-says-survey/articleshow/11452524.cms>.
26. Prestamo, L. "Child Workers of the Glass Bangle Industry." open.salon.com [online] July 16, 2010 [cited January 23, 2014]; <http://open.salon.com/blog/becomingradha/2010/07/16/child-workers-of-the-glass-bangle-industry>.
27. Pattnaik, SA, Sagita. *Child Labor Still Accepted in India's Firozabad*, Child Fund International, [cited December 8 2014]; <http://blog.childfund.org/2013/06/child-labor-still-an-accepted-norm-in-indias-firozabad/>.
28. Timothy, C. *Locked Dreams - children working in the lock industry in Aligarh*, World Vision India, [cited <http://wvindia.blogspot.com/2011/06/locked-dreams-children-working-in-lock.html>].
29. INDUS Project. *Profile of Child Labor: A Survey Report*; 2008. <http://www.dkagencies.com/doc/from/1063/to/1123/bkId/DK46452337704478272832731371/details.html>.
30. ICF International. *Children Working in the Carpet Industry in India, Nepal and Pakistan: Summary Report of the Carpet Research Project*. Calverton, MD; May 2012. <http://www.dol.gov/ilab/programs/ocft/pdf/SummaryReportCarpetResearchProject.pdf>.
31. Siddharth, K. *Tainted Carpets: Slavery and Child Labor in India's Hand-Made Carpet Sector*. Cambridge; January 28, 2014. <http://fb.harvard.edu/wp-content/uploads/sites/5/2014/01/Tainted-Carpets-Released-01-28-14.pdf>.
32. NDTV. "One fourth of bidi workers in Madhya Pradesh are kids." ndtv.com [online] September 3, 2011 [cited January 17, 2011]; <http://www.ndtv.com/article/india/one-fourth-of-bidi-workers-in-madhya-pradesh-are-kids-131011>.
33. Plan UK. *Child Labour in India*, Plan UK, [online] June 7, 2013 [cited January 17, 2014]; <http://www.plan-uk.org/news/news-and-features/child-labour-in-india/>.
34. Kumar, A. *Condition of Agarbatti Workers in Bangalore*, Indian Section of the Committee for a Workers' International, [online] November 1, 2010 [cited January 23, 2014]; <http://socialism.in/?p=121&print=1>.
35. Amitha Venketakrishnan, and Vidya Padmanabhan. "Lives in Sivakasi at Stake as Families Make Fireworks at Home." livemint.com [online] October 25, 2011 [cited January 23, 2014]; <http://www.livemint.com/2011/10/25011802/Lives-in-Sivakasi-at-stake-as.html>.
36. Madhukalya, A. "Andhra Pradesh cracker unit deaths bring back focus on child labor." DNA, New Delhi, 2014. <http://www.dnaindia.com/india/report-andhra-pradesh-cracker-unit-deaths-bring-back-focus-on-child-labour-2027987>.
37. International Labor Rights Forum. *Missed the Goal for Workers: The Reality of Soccer Ball Stitchers in Pakistan, India, China and Thailand*; June 7, 2010. <http://www.laborrights.org/sites/default/files/publications-and-resources/Soccer-Report2010.pdf>.
38. Doherty, B. "Poor children made to stitch sports balls in sweatshops." Sydney Morning Herald, Sydney, September 22, 2012; National. <http://www.smh.com.au/national/poor-children-made-to-stitch-sports-balls-in-sweatshops-20120921-26c0z.html>.
39. SOMO. *Where the shoe pinches*. Amsterdam; August 2012. <http://www.indianet.nl/pdf/WhereTheShoePinches.pdf>.
40. Ghosh, D. "44 child labourers rescued from leather units." The Times of India, New Delhi, May 20, 2011; Delhi. [http://articles.timesofindia.indiatimes.com/2011-05-20/delhi/29564086\\_1\\_child-labourers-chicken-pox-rescue-operation](http://articles.timesofindia.indiatimes.com/2011-05-20/delhi/29564086_1_child-labourers-chicken-pox-rescue-operation).
41. National Commission for Protection of Child Rights. *Child Labour and Child Rights in the State of Jharkhand. An Appraisal by Dr. Yogesh Dube*. New Delhi; 2013. <http://www.ncpcr.gov.in/Reports/CHILDREN%20SLUG%20IT%20OUT%20IN.pdf>.
42. The Age. *India's mica mines: The shameful truth behind mineral make-ups shimmer*, The Age, [online] January 19, 2014 [cited January 20, 2014]; <http://www.theage.com.au/national/indias-mica-mines-the-shameful-truth-behind-mineral-makeups-shimmer-20140118-311wk.html>.
43. Gardiner Harris. "Children Toil in India's Mines, Despite Legal Ban." New York Times, New York, February 15, 2013. [http://www.nytimes.com/2013/02/26/world/asia/in-india-missing-school-to-work-in-the-mine.html?\\_r=0](http://www.nytimes.com/2013/02/26/world/asia/in-india-missing-school-to-work-in-the-mine.html?_r=0).
44. Arti S. Sahuliyar. "No more mining please, we are only children." The Telegraph, Calcutta, September 19, 2011. [http://www.telegraphindia.com/1110919/jsp/jharkhand/story\\_14524303.jsp#](http://www.telegraphindia.com/1110919/jsp/jharkhand/story_14524303.jsp#).
45. Pati, I. "Child miners: India's crying shame." Al Jazeera, 2013. <http://www.aljazeera.com/indepth/features/2013/05/20135582251240200.html>.
46. U.S. Department of State. "India," in *Country Reports on Human Rights Practices - 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220604.pdf>.
47. National Commission for Protection of Child Rights. *Child Labour in Brick Kilns, Mines, Stone Quarries and Status of Children Homes in Rajasthan: Visit Report of Dr. Yogesh Dube*. New Delhi; 2012. <http://www.ncpcr.gov.in/Reports/Udaipur%20and%20Jaipur%20Visit%20Report.pdf>.
48. Rick Westhead. "Modernizing India on the Backs of Children." The Toronto Star, Toronto, March 6, 2010. [www.thestar.com/print/article/775934](http://www.thestar.com/print/article/775934).
49. Hawksley, H. "Why India's brick kiln workers 'live like slaves'." bbc.co.uk [online] January 1, 2014 [cited <http://www.bbc.com/news/world-asia-india-25556965>].
50. Anupama Sharma, Sumital Kukreja, and Anjana Sharma. "Child labour – An Ugly Face of Travel and Hospitality Industry." *IOSR Journal of Business and Management*, 4(no. 1):8-17 (2012); <http://www.iosrjournals.org/iosr-jbm/papers/vol4-issue1/B0410817.pdf>.
51. Times of India. "Child labour rampant in hotels and dhabas around Pune." Times of India, Mumbai, May 14, 2010. <http://timesofindia.indiatimes.com/city/pune/Child-labour-rampant-in-hotels-and-dhabas-around-Pune/articleshow/5928779.cms>.
52. Bhosale Savita G. and Korishetti Vijaya B. "Problems of Child Ragpickers." *International Research Journal of Social Sciences*, 2(2):6-11 (2013); <http://www.isca.in/IJSS/Archive/v2i2/2.ISCA-IRJSS-2012-03.pdf>.
53. Han, P. "Hard Evidence of Child Labor at 2010 Commonwealth Games." CNN, September 24 2010. <http://www.cnn.com/2010/WORLD/asiapcf/09/23/commonwealth.games.child.labor/index.html>.
54. Times of India. "Hyderabad turns into child labour capital." Times of India, Mumbai, November 11, 2013. [http://articles.timesofindia.indiatimes.com/2013-11-11/hyderabad/43929125\\_1\\_labour-underaged-children-such-children](http://articles.timesofindia.indiatimes.com/2013-11-11/hyderabad/43929125_1_labour-underaged-children-such-children).
55. Dehejia, RS. "The Cost of Child Domestic Helpers." Wall Street Journal, New York, August 1, 2011. <http://blogs.wsj.com/indiarealtime/2011/08/01/economics-journal-the-cost-of-child-domestic-helpers/>.
56. U.S. Department of State. "India," in *Trafficking in Persons Report- 2013*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226846.pdf>.
57. Srivastava, RS. *Bonded Labour in India: Its Incidence and Pattern*. Geneva; 2005. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_081967.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081967.pdf).



58. Kalkod, R. "Traffickers set a daily target for child beggars." Times of India, December 16 2011. <http://timesofindia.indiatimes.com/city/bengaluru/Traffickers-set-a-daily-target-for-child-beggars/articleshow/11127508.cms>.
59. Backhaus, A. "Daughters for Sale: India's Child Slavery Scourge." *spiegel.de* [online] September 20, 2013 [cited <http://www.spiegel.de/international/world/aid-organizations-confront-child-slavery-in-india-a-923003-druck.html>].
60. U.S. Embassy- New Delhi. *reporting*, February 26, 2015.
61. Asian Centre for Human Rights. *India's Child Soldiers*; March 2013. <http://achrweb.org/reports/india/JJ-IndiasChildSoldiers2013.pdf>.
62. Oliver Wainwright. "Bloodbricks: How India's urban boom is build on slave labour." The Guardian, January 8, 2014. <http://www.theguardian.com/artanddesign/architecture-design-blog/2014/jan/08/blood-bricks-india-urbanisation-human-rights-slave-labour>.
63. Chubayanger, T. *Migrant and Trafficked Children in Hazardous Employment: The Case of Nagaland*. Noida, V.V. Giri National Labour Institute; 2013. [http://www.vvgnli.org/sites/default/files/publication\\_files/Migrant%20T%20C%20H%20E%20Case%20of%20Nagaland.%2009-04-2013.pdf](http://www.vvgnli.org/sites/default/files/publication_files/Migrant%20T%20C%20H%20E%20Case%20of%20Nagaland.%2009-04-2013.pdf).
64. United National General Assembly Security Council. *Report of the Secretary-General on Children and Armed Conflict (S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/AC.51/2014/3&referer=english&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=S/AC.51/2014/3&referer=english&Lang=E).
65. Karthik Muralidharan, Jishnu Das, Alaka Holla, and Aakash Mohpal. *The Fiscal Cost of Weak Governance: Evidence from Teacher Absence in India*. Cambridge, MA, National Bureau of Economic Research; 2014. Report No. NBER Working Paper Series 20299. [https://www.google.com/url?sa=t&rcrt=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CCAFjAA&url=http%3A%2F%2Fwww.nber.org%2Fpapers%2Fw20299&ei=NSOPVPK0OYr9gwTg3LgAQ&usq=AFOjCNHjwGCBiWr\\_rPA8bB1q-QkyVx-A&sig2=Tdg9jiOv2MSY8mnsweOeZA&bv=bv.81828268.d.eXY](https://www.google.com/url?sa=t&rcrt=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CCAFjAA&url=http%3A%2F%2Fwww.nber.org%2Fpapers%2Fw20299&ei=NSOPVPK0OYr9gwTg3LgAQ&usq=AFOjCNHjwGCBiWr_rPA8bB1q-QkyVx-A&sig2=Tdg9jiOv2MSY8mnsweOeZA&bv=bv.81828268.d.eXY).
66. Human Rights Watch. "They Say We're Dirty": Denying an Education to India's Marginalized; April 2014. [http://www.hrw.org/sites/default/files/reports/india0414\\_ForUpload\\_1.pdf](http://www.hrw.org/sites/default/files/reports/india0414_ForUpload_1.pdf).
67. Government of India. *Child Labor- Prohibition and Regulation Act (as amended)*, Act 61, enacted 1986 and July 10, 2006. <http://labour.nic.in/cwl/ChildLabourAct.doc>.
68. Government of India. *The Factories Act, 1948 (as amended)*, Act 63, enacted April 1, 1949. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/32063/64873/E87IND01.htm>.
69. Government of India. *Juvenile Justice (Care And Protection Of Children) Act*, enacted 2000. [http://www.law.yale.edu/rcw/rcw/jurisdictions/assc/india/india\\_juv\\_just.pdf](http://www.law.yale.edu/rcw/rcw/jurisdictions/assc/india/india_juv_just.pdf).
70. Government of India- Department of Social Welfare., *Bonded Labour System (Abolition) Act*, Act No. 19, enacted February 9, 1976. [http://pblabour.gov.in/pdf/acts\\_rules/bonded\\_labour\\_system\\_abolition\\_act\\_1976.pdf](http://pblabour.gov.in/pdf/acts_rules/bonded_labour_system_abolition_act_1976.pdf).
71. Government of India. *The Criminal Law (Amendment) Ordinance*, No. 3 of 2013, enacted February 3, 2013. <http://www.scribd.com/doc/123706222/Criminal-Law-Amendment-Ordinance-2013>.
72. Government of India. *The Indian Penal Code, 1860 (as amended)*, enacted October 6, 1860. [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=201592](http://www.wipo.int/wipolex/en/text.jsp?file_id=201592).
73. Government of India. *The Immoral Traffic (Prevention) Act, 1956 (as amended)*, enacted 1956. <http://www.childlineindia.org.in/CP-CR-Downloads/Immoral%20Traffic%20Prevention%20act%201956.pdf>.
74. Government of India. *The Protection of Children from Sexual Offence Act*, enacted 2012. [http://childlabourjarkhand.nic.in/pdf/notifications/protection\\_of\\_children\\_from\\_sexual\\_offences\\_act.pdf](http://childlabourjarkhand.nic.in/pdf/notifications/protection_of_children_from_sexual_offences_act.pdf).
75. Government of India. *The Information Technology (Amendment) Act*, No. 10 of 2009, enacted February 5, 2009. [http://www.mit.gov.in/sites/upload\\_files/dit/files/downloads/itact2009/it\\_amendment\\_act2008.pdf](http://www.mit.gov.in/sites/upload_files/dit/files/downloads/itact2009/it_amendment_act2008.pdf).
76. Government of India. *The Narcotic Drugs and Psychotropic Substances Act*, No. 61, enacted 1985. [www.india.gov.in/allimpfrms/allacts/2482.pdf](http://www.india.gov.in/allimpfrms/allacts/2482.pdf).
77. Indian Army. *Eligibility Criteria For Recruitment of JCOs and Other Ranks*, Indian Army, [online] May 14, 2014 [cited May 14, 2014]; [http://www.joinindianarmy.nic.in/inner.aspx?status=1&menu\\_id=299&id=2](http://www.joinindianarmy.nic.in/inner.aspx?status=1&menu_id=299&id=2).
78. U.S. Embassy- New Delhi official. E-mail communication to USDOL official. May 21, 2014.
79. Government of India. *The Right of Children to Free and Compulsory Education Act*, No. 35, enacted August 26, 2009. <http://www.education.nic.in/Elementary/free%20and%20compulsory.pdf>.
80. Ministry of Defense, Government of India. *Annual Report 2012-13*. New Delhi; 2013. <http://mod.nic.in/writereaddata/AR-eng-2013.pdf>.
81. The Times of India. "Cabinet Okays Total Ban on Employing Children Below 14." The Times of India, New Delhi, August 29, 2012. [http://articles.timesofindia.indiatimes.com/2012-08-29/india/33475438\\_1\\_child-labour-national-sample-survey-organization-hazardous-work](http://articles.timesofindia.indiatimes.com/2012-08-29/india/33475438_1_child-labour-national-sample-survey-organization-hazardous-work).
82. Child Soldiers International. *India: Shadow Report to the Committee on the Rights of the Child August 2013* July 2013. [http://www.child-soldiers.org/user\\_uploads/pdf/indiaopacreportjuly20135183846.pdf](http://www.child-soldiers.org/user_uploads/pdf/indiaopacreportjuly20135183846.pdf).
83. U.S. Embassy- New Delhi. *reporting*, February 21, 2014.
84. Ministry of Home Affairs. *Ministry of Home Affairs Annual Report 2012-2013*. New Delhi; 2013. [http://mha.nic.in/sites/upload\\_files/mha/files/AR\(E\)1213.pdf](http://mha.nic.in/sites/upload_files/mha/files/AR(E)1213.pdf).
85. Indian Courts. *District Courts*, National Informatics Centre, [cited 2015 January 5]; <http://indiancourts.nic.in/districtcourt.html>.
86. Sathish G.T. "Abolished 39 years ago, bonded labour still exists in State." The Hindu, October 24, 2014. <http://www.thehindu.com/news/national/karnataka/abolished-39-years-ago-bonded-labour-still-exists-in-state/article6530866.ece>.
87. Ministry of Women and Child Development. *Ministry of Women and Child Development Annual Report 2013-2014*. New Delhi; 2014. <http://wcd.nic.in/publication/English%20AR%202013-14.pdf>.
88. UN Committee on the Rights of the Child. *Consideration of Reports of States Parties* Prepared by the Government of India, List of Issues in Relation to the Combined Third and Fourth Periodic Reports of India. Geneva: May 1, 2014. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FIND%2FQ%2F3-4%2FAdd.1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FIND%2FQ%2F3-4%2FAdd.1&Lang=en).
89. Ministry of Home Affairs. *Standard operating procedure to handle trafficking of children for child labor*. New Delhi; August 12, 2013. [http://bba.org.in/sites/default/files/CS\\_TraffickingOfChild\\_14%20Aug%202013.pdf](http://bba.org.in/sites/default/files/CS_TraffickingOfChild_14%20Aug%202013.pdf).
90. Times of India. "CBI sets up centralized anti-human trafficking unit." Times of India, Mumbai, January 5, 2012. [http://articles.timesofindia.indiatimes.com/2012-01-05/india/30592804\\_1\\_cbi-sets-special-crime-unit-sexual-exploitation](http://articles.timesofindia.indiatimes.com/2012-01-05/india/30592804_1_cbi-sets-special-crime-unit-sexual-exploitation).
91. Central Bureau of Investigation. *About US*, Government of India, [online] [cited December 3, 2014]; <http://cbi.nic.in/aboutus/aboutus.php>.
92. Ministry of Labour and Employment. *Annual Report of the Ministry of Labour and Employment 2012-2013*. New Delhi; 2013. <http://labour.nic.in/upload/uploadfiles/files/Reports/ANUAL%20REPORTS%202012-2013.pdf>.
93. *Seventh Schedule*, enacted [http://lawmin.nic.in/olwing/coi/coi-english/Const.Pock%202Pg.Rom8Fsss\(35\).pdf](http://lawmin.nic.in/olwing/coi/coi-english/Const.Pock%202Pg.Rom8Fsss(35).pdf).
94. U.S. Embassy- New Delhi. *reporting*, January 15, 2015.
95. National Crime Records Bureau, Ministry of Home Affairs, Government of India. *Crime in India*. New Delhi; 2013. <http://ncrb.gov.in/>.
96. Ministry of Labor and Employment. *Committees and Advisory Board on Child Labour*, Ministry of Labor and Employment, [online] July 8, 2014 [cited 2014]; <http://labour.gov.in/content/division/committeesboards.php>.
97. Government of India. *Written Communication*. Submitted in response to U.S. Department of Labor Federal Register Notice (April 25, 2011) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; May 20, 2011.
98. Press Information Bureau. "Core Group on Child Labour." [pib.nic.in](http://pib.nic.in) [online] August 9, 2010 [cited January 20, 2014]; <http://pib.nic.in/newsite/erelease.aspx?relid=64427>.
99. National Human Rights Commission. *Human Rights Issues*, NHRC, [online] [cited January 17, 2014]; <http://nhrc.nic.in/hrissues.htm>.
100. National Commission for Protection of Child Rights. *Homepage*, Government of India, [online] [cited December 3, 2014]; <http://ncpcr.gov.in/index.php?lang=1>.



101. Ch Sushil Rao. "NHRC issues notices on bonded labour." Times of India, Hyderabad, July 26, 2014. <http://timesofindia.indiatimes.com/india/NHRC-issues-notices-on-bonded-labour/articleshow/39059354.cms>.
102. PTI. "NHRC notice to UP, Bihar governments over bonded labour." Times of India, Lucknow, December 5, 2014. <http://timesofindia.indiatimes.com/india/NHRC-notice-to-UP-Bihar-governments-over-bonded-labour/articleshow/45386260.cms>.
103. Ministry of Labour and Employment. *National Policy on Child Labour*. [source on file]. New Delhi; 1987.
104. Government of Andhra Pradesh. *State Action Plan for the Elimination of Child Labour*. Hyderabad; 2008. [labour.ap.gov.in/pdfs/StateActionPlan.pdf](http://labour.ap.gov.in/pdfs/StateActionPlan.pdf).
105. Government of Gujarat. *State Action Plan for the Elimination of Child Labour*. Gandhinagar, Gujarat; 2008. <http://www.labourandemployment.gov.in/labcom/schemes/state-action-plan/chapter-5.htm>.
106. Government of Jharkhand. *State Action Plan for the Elimination of Child Labour*. Ranchi; 2012. [http://childlabourjharkhand.nic.in/pdf/state\\_action\\_plan.pdf](http://childlabourjharkhand.nic.in/pdf/state_action_plan.pdf).
107. Government of Karnataka. *State Resource Center on Child Labour*, Government of Karnataka, [online] [cited March 7, 2014]; <http://www.karunadu.gov.in/karnatakachildlabour/Aboutus.aspx>.
108. U.S. Embassy- New Delhi. *reporting, January 23, 2012*.
109. Ministry of Women and Child Development. *The National Policy for Children*; 2013. <http://wcd.nic.in/childwelfare/npc2013dtd29042013.pdf>.
110. Ministry of Labor and Employment. *National Skills Development Policy*. New Delhi; 2009. <http://labour.nic.in/upload/uploadfiles/files/Policies/NationalSkillDevelopmentPolicyMar09.pdf>.
111. Government of India. *12th Five Year Plan (2012-2017)*. New Delhi; 2012. [http://planningcommission.gov.in/plans/planrel/12thplan/pdf/12fyp\\_vol3.pdf](http://planningcommission.gov.in/plans/planrel/12thplan/pdf/12fyp_vol3.pdf).
112. Press Information Bureau. "Mapping Areas for Data on Bonded Labour System." pib.nic.in [online] December 7, 2011 [cited <http://www.pib.nic.in/newsite/erelease.aspx?relid=78246>].
113. Ministry of Labour and Employment. *Skill Development Initiative Scheme Implementation Manual*. New Delhi; January 2010. <http://dget.gov.in/mes/Downloads/SDIManual1Oct.pdf>.
114. Ministry of Labour and Employment. *RSBY About Us*, Ministry of Labour and Employment, [online] January 20, 2014 [cited January 20, 2014]; [http://www.rsb.gov.in/about\\_rsb.aspx](http://www.rsb.gov.in/about_rsb.aspx).
115. Ministry of Women and Child Development. *Ministry of Women and Child Development Annual Report 2012-2013*. New Delhi; 2013. [http://wcd.nic.in/publication/AR201213\\_english.pdf](http://wcd.nic.in/publication/AR201213_english.pdf).
116. Ministry of Human Resource Development. *Sarva Shiksha Abhiyan*, Ministry of Human Resource Development, [online] January 20, 2014 [cited January 20, 2014]; <http://ssa.nic.in/>.
117. Ministry of Human Resource Development. *Meal Provision*, MDM, [online] 2013 [cited January 20, 2014]; <http://mdm.nic.in/>.
118. Dev, SM. *NREGS and Child Well Being*. Mumbai; 2011. <http://www.igidr.ac.in/pdf/publication/WP-2011-004>.
119. ILO-IPEC. *Impact of Mahatma Gandhi National Rural Employment Guarantee Scheme on Child Labour*. Geneva; December, 2013. file:///C:/Users/Shannon/Downloads/Doc\_02\_India\_Convergence\_MGNREGS\_Report\_Web.pdf.
120. Ministry of Rural Development. *About Aajeevika*, Ministry of Rural Development, [online] 2013 [cited February 28, 2014]; <http://aajeevika.gov.in/aboutAajeevika.html>.
121. The New Indian Express. "Centre Extends Help to End Bonded Labour." The New Indian Express, Chennai, December 31, 2013. <http://www.newindianexpress.com/states/odisha/Centre-Extends-Help-to-End-Bonded-Labour/2013/12/31/article1974895.ece#UxEIhM4SCb5>.

In 2014, Indonesia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor completed the third and final phase of the National Action Plan (NAP) for the Elimination of the Worst Forms of Child Labor (2002–2022) by adopting the Roadmap for the Acceleration of Making Indonesia Free of Child Labor by 2022. Local governments issued regulations to harmonize local legislation with national legislation to reinforce the legal and regulatory framework regarding the worst forms of child labor. In addition, the Government allocated significant increases in funding to the Unconditional Cash Transfer program, which works to increase livelihoods of the poorest families, and the Block Grants for Schools program, which compensates schools for the loss of income incurred when waiving fees, thereby ensuring free education for poor and vulnerable children. However, children in Indonesia continue to engage in child labor, including in agriculture, and in the worst forms of child labor, including in domestic service. The Government has yet to adopt the Domestic Worker's Protection Bill which would be a stronger source of protections for child domestic workers. In addition, enforcement of child labor laws remains a challenge due to a lack of labor inspectors and sufficient resources to carry out effective inspections, and the Government lacks comprehensive, publicly available data on child labor and trafficking investigations, violations, and convictions.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Indonesia are involved in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in domestic service.(1-3) Data from the 2013 Indonesian Child Profile, published by the Ministry of Women's Empowerment and Child Protection, indicate that there are 3.6 million working children between ages 10 to 17.(3) The report indicates that child labor is predominantly found in rural areas with 12.5 percent of children ages 10 to 17 working, in comparison to 5.9 percent in urban areas.(3) Table 1 provides key indicators on children's work and education in Indonesia.

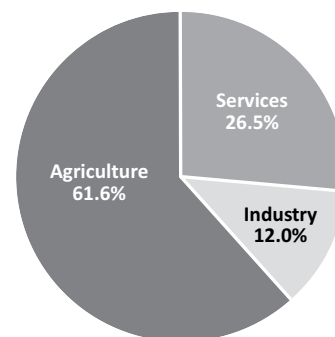
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	3.7 (816,363)
Attending School (%)	10-14 yrs.	92.4
Combining Work and School (%)	10-14 yrs.	2.1
Primary Completion Rate (%)		104.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Labor Force Survey (Sakernas), 2010.(5)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of rubber, palm oil, and tobacco (3, 6-11)
	Production of <i>melinjo</i> fruit* and tea* (12, 13)
	Fishing, including fish processing (3, 7, 14-19)
Industry	Small-scale mining,† including gold and tin (3, 7, 11, 20-23)
	Construction,*† activities unknown (24)
	Production of bricks,* cigarettes,* footwear (including sandals), floor coverings,* marble,* stone,* textiles,* and tin* (3, 7, 12, 13, 16, 20)

# Indonesia

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Street work,*† activities unknown (10, 13)
	Driving buses* (16)
	Garbage scavenging*† (16)
	Horse jockeying (25-28)
	Domestic service† (3, 10, 16, 19, 29)
Categorical Worst Forms of Child Labor†	Used in sale, production, and trafficking of drugs,* sometimes as a result of human trafficking* (15, 30)
	Domestic service sometimes as a result of human trafficking (31, 32)
	Commercial sexual exploitation sometimes as a result of human trafficking (10, 15, 19, 31-37)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Indonesia is primarily a source country for child trafficking. Children, mostly girls, are trafficked internally and abroad, where they are subject to commercial sexual exploitation and domestic servitude.(3, 31, 32, 35, 38). Girls are also trafficked internally for the purpose of commercial sexual exploitation at mining operations in Jambi, Maluku, and Papua provinces, the Batam District, North Sulawesi, Riau Island, and West Papua provinces. In addition, children are trafficked for sex tourism in Bali and Riau Island.(36)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Indonesia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 69 of Law No. 13/2003, Manpower Act; Law No. 20/1999 on the Ratification of ILO C. 138 (39, 40)
Minimum Age for Hazardous Work	Yes	18	Article 71 of Law No. 13/2003, Manpower Act (40)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Annex F of the Ministry of Manpower and Transmigration Decree No. 235; Chapter 1 of the Appendix to Presidential Decree No. 59/2002 (41, 42)
Prohibition of Forced Labor	Yes		Article 32 of Law No. 13/2003, Manpower Act; Articles 1–2 of Law No. 21/2007 on the Eradication of the Criminal Act of Trafficking in Persons (40, 43)
Prohibition of Child Trafficking	Yes		Article 83 of Law No. 23/2002, Child Protection Act; Article 6 of Law No. 21/2007 on the Eradication of the Criminal Act of Trafficking in Persons (40, 43)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 74 of Law No. 13/2003, Manpower Act; Articles 81 and 82 of Law No. 23/2002, Child Protection Act; Law No. 23/2002; Article 297 of the Penal Code; Law No. 10/2012 on the Ratification of the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (7, 40, 44)
Prohibition of Using Children in Illicit Activities	Yes		Article 74 of the Manpower Act, Law No. 13/2003; Articles 67, 78 and 89 of Law No. 23/2002, Child Protection Act (40, 45)
Minimum Age for Compulsory Military Recruitment	Yes	18	Law No. 34/2004 on the Indonesian National Armed Forces (46, 47)
Minimum Age for Voluntary Military Service	Yes	18	Law No. 34/2004 on the Indonesian National Armed Forces (46, 47)
Compulsory Education Age	Yes	15	Article 48 of Law No. 23/2002, Child Protection Act; Articles 6 and 34 of Law No. 20/2003, National Education Law, (45, 48)
Free Public Education	Yes		Article 34 of Law No. 20/2003, National Education Law (48)

Indonesia has ratified ILO Convention 138 and established the minimum age for employment at 15 years old.(39) The Government has since enacted Law No. 13/2003, Manpower Act, which permits children ages 13-15 to engage in light work and prohibits entrepreneurs from employing children under 18.(40)

In 2014, the Government enacted the Law on Regional Government No. 23/2014 which shifts the authority for labor inspections from local governments to the Ministry of Labor (MoL).(3) Local governments often lack funding and capacity to carry out effective inspections. The Government passed Law No. 35/2014, which amended Law No. 23/2002, the Child Protection Act, to impose stronger penalties for perpetrators of narcotics crimes involving children.(3, 49) The amendment also includes special provisions for restitution to children who are victims of trafficking crimes.(50)

During the reporting period, the former President of Indonesia issued Presidential Instruction No. 5/2014 on a National Movement Against Sexual Crimes Against Children.(50) This Instruction directs all stakeholders, government, society, and business sectors to coordinate their efforts to prevent sexual exploitation of children. It also mandates that all relevant ministries prioritize child protection in policy development and implementation.(50)

Local governments also issued several provincial-, district-, and municipal-level regulations related to child protection. The East Java provincial government issued Provincial Regulation No. 2/2014 on the Implementation of Child Protections, which strengthens existing provisions to combat child exploitation.(3) The Bali provincial government issued Provincial Regulation No. 6/2014 on Child Protection. At the local level, the District of Demak, Central Java, issued District Regulation No. 3/2014 on the Implementation of Child Protection Measures. These regulations harmonize local legislation with national legislation to reinforce the legal and regulatory framework on the worst forms of child labor.(3)

A draft of the Domestic Workers Protection Bill continued to be deliberated upon by the legislature in 2014.(51, 52) The adoption of the Domestic Workers Protection Bill would include enforceable penalties for violations, thus ensuring stronger protections for child domestic workers than under the Ministry of Women's Empowerment and Child Protection's current guidelines on child domestic workers. The current guidelines do not include penalties enforceable by law, and are intended for implementation by all stakeholders of child domestic worker issues with enforcement by local governments which often lack the necessary resources.(53-55)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MoL) Directorate General of Labor Development and Supervision	Monitor and enforce child labor laws.(3) Provide information to employers on child labor laws and regulations, report child labor violations, and work with law enforcement officials to prosecute any child labor violations.(7) Refer children found during inspections to the local Women’s Empowerment and Family Planning Body and/or Integrated Service Center for Empowering Women and Children to access appropriate social services.(3)
MoL Directorate of Norms Supervision of Women and Child Workers	Receive child labor complaints via telephone, fax, or e-mail.(3)
Ministry of Women’s Empowerment and Child Protection (MOWECP)	Operate a children’s helpline to receive complaints of children in need of protection, including child workers. Created in 2006, 17 regions have established the service in their areas.(3)
National Police, including Women and Children’s Service Unit	Conduct inspections and raids as well as make arrests in response to all crimes, including those related to forced child labor and trafficking, commercial sexual exploitation, and children participating in illicit activities.(11, 15)

Law enforcement agencies in Indonesia took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor (MoL) employed 2,400 labor inspectors to oversee an estimated 225,000 businesses and workplaces.(3) Of those amounts, 1,460 are general labor inspectors, 593 are civil servant investigators, and 363 are specialized inspectors tasked with enforcing the labor laws, including laws related to child labor, in specific industries such as medicine or engineering.(55) Government, ILO, and NGO officials have stated that there are not enough labor inspectors to address the child labor problem in Indonesia adequately, and that labor inspectors are not provided with sufficient resources to carry out labor inspections effectively.(3, 11, 56)

Due to insufficient personnel and resources, the MoL often encourages NGOs to take action directly with families and employers, as well as perform spot inspections on homes and workplaces to determine whether school-aged children are at school. In 2014, the MoL reached out to 1,500 NGOs from across Indonesia to partner with local MoL offices in more than 100 districts and municipalities.(3) From this program, the MoL reports that 15,000 children were removed from workplaces and were either returned to their homes, or, in cases in which families were unable or unwilling to support the child in transitioning back to school, placed in shelters run by the Ministry of Social Affairs for up to 3 months to prepare them for reintegration into schools.(3, 57)

The MoL reports that it provides 4 months of training— including instruction on issues related to the worst forms of child labor—to labor inspectors, and 2 months of training to civil servant investigators. The ILO also provides labor inspectors with a guidebook that addresses the worst forms of child labor.(3, 11) In 2014, the MoL allocated \$29.9 million to the Directorate General of Labor Development and Supervision for enforcement of labor laws, including child labor, at the federal level. In addition, each province and district head allocates a portion of funds for labor inspections and investigations.(3, 55) With the recentralization of the labor inspection function, it is unclear whether local governments will continue to allocate budgetary resources for labor inspection.(3)

MoL inspectors have the authority to conduct unannounced inspections in all sectors; however, NGOs report that inspectors sometimes inform companies in advance of their inspection, either out of deference to powerful local economic interests or because of corruption.(57) In addition, although inspectors have inspection authority in the informal sector, in practice, fewer inspections are conducted, particularly in the area of domestic work. Inspectors often rely on NGOs and social workers to inform them of child labor violations in private homes or farms.(3)

Research did not find the number of child labor inspections conducted, the number of violations identified, or the number of children assisted as a result of inspections because the Government does not have a system in place to disaggregate data.(3, 11)

### ***Criminal Law Enforcement***

During the reporting period, 1,093 police investigators and 593 MoL civilian investigators were deployed nationwide to focus on criminal investigations pertaining to crimes against children and women.(3) Child labor cases are handled by members of special



police units who focus exclusively on crimes against women and children. The Indonesian National Police provides training to members of these special units on the prevention and investigation of cases involving the worst forms of child labor.(3)

Despite the Government's attention to anti-trafficking, the National Task Force to Combat Trafficking in Persons reports indicate that the police and prosecutors are often unfamiliar with anti-trafficking legislation and are unclear about their role, especially in remote regions.(57, 58)

No data are available regarding the complete number of investigations or prosecutions, violations, or convictions involving the worst forms of child labor because the Government does not have a system in place to disaggregate data.(3, 57)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Action Committee for the Elimination of the Worst Forms of Child Labor	Coordinate and monitor policy and program efforts to eliminate the worst forms of child labor at the national level. Worked to promote children's rights, supervised the recruitment of workers, and assisted regional governments to budget for regional action committees.(7, 11) Chaired by the MoL, with members from 13 ministries, law enforcement institutions, trade unions, NGOs, and employers' associations.(7, 11, 59) Dissolved in 2014 pursuant to the adoption of the Roadmap for the Acceleration of Making Indonesia Free of Child Labor by 2022, with functions reverted to the MoL as the authoritative body to enforce laws regarding child labor.(3, 57)
Provincial-level and District-level Child Labor Committees	Coordinate and monitor policy and program efforts, and develop action plans to eliminate the worst forms of child labor at the local level.(60)
Ministry of Women's Empowerment and Child Protection (MOWECP)	Coordinate the development and implementation of policies related to child protection.(61)
National Commission on Child Protection	Disseminate information related to child protection, including child labor legislation; receive complaints, including those that pertain to child labor; monitor and evaluate the implementation of child protection efforts; and provide feedback on child protection to the President of Indonesia.(61)
National Task Force to Combat Trafficking in Persons	Coordinate the country's anti-trafficking efforts, including child trafficking.(3) Chaired by the Ministry for People's Welfare with direction from the MOWECP. Coordinates the Task Force across 19 ministries and 5 state agencies.(50) Includes six working groups that develop action plans and budgets for programs to address trafficking in persons.(62)
Subtask Force on the Prevention of Child Participation in Trafficking in Persons	Organize regular coordination meetings, provide technical training, and produce publications on the prevention of trafficking in persons. Chaired by the Ministry of National Education and Culture's Director for Early Childhood, Nonformal, and Informal Education with members from six ministries, the police, JARAK (network of NGOs working for the elimination of child labor), the Indonesian Journalists Alliance, and the National Commission on Child Protection.(3)
Provincial and District Task Forces for the Prevention and Handling of Human Trafficking	Coordinate prevention and anti-trafficking efforts at the local level.(36) In 2014, increased to 31 of 34 provinces and 166 of 497 districts/towns.(50)

In December 2014, the Government dissolved the National Action Committee (NAC) for the Elimination of the Worst forms of Child Labor pursuant to the adoption of the Roadmap for the Acceleration of Making Indonesia Free of Child Labor by 2022, and reverted the functions of the NAC to the MoL.(57) The responsibilities of the NAC were established under the Manpower Act, Law No. 13/2003, so the legal mandate remains in place and must be assumed by the MoL.(3) At the time of this report, it is unclear whether the Minister's authority to coordinate former members of the NAC will continue as before. To date, the National Action Committee had established 33 provincial action committees and 162 district and city-level action committees, and it is not yet clear what impact the national-level changes will have on these local committees.(3)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Indonesia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan (NAP) for the Elimination of the Worst Forms of Child Labor (2002–2022)	Provides the Government’s policy framework for the elimination of child labor in three operational phases.(11, 51, 63, 64) In 2014, adopted the Roadmap for the Acceleration of Making Indonesia Free of Child Labor by 2022, the third and final phase of the action plan.(3) Includes the December 2014 inauguration of a child labor-free industrial zone in Makassar, Sulawesi, as the first step in implementing the Roadmap.(3)
National Plan of Action on the Eradication of the Criminal Act of Trafficking in Persons and Sexual Exploitation of Children (2009–2014)	Provides coordination of policies and promotes the prevention of trafficking in persons, including the commercial sexual exploitation of children. Developed by the Ministry of Women’s Empowerment and Child Protection.(51, 65)
National Midterm Development Plan (2010–2014)	Incorporates various child labor prevention and reduction strategies into these development agendas.(66)
UN Partnership for Development Framework (2011–2015)	Tracks the Government’s ability to implement the NAP effectively by measuring the number of district action committees and action plans formed, of provincial child labor monitoring systems developed, and of district child labor committees with representation from youth and/or women.(67)

Prior to the decision to dissolve the NAC, the NAC adopted the Roadmap for the Acceleration of Making Indonesia Free of Child Labor by 2022.(3) The Roadmap is the third phase of the Government’s National Plan of Action for the Elimination of the Worst Forms of Child Labor (2002–2022) and focuses on mainstreaming the elimination of child labor into broader national policies. The immediate impact of the dissolution of the NAC has yet to be determined; however the new Minister of Labor has made a public commitment to fulfill the Roadmap.(3)

In 2014, the Government included the Roadmap in its 2014–2016 midterm development plan as part of a comprehensive policy to address child labor. The plan commits to reviewing regulations on child workers, expediting the elimination and prevention of the worst forms of child labor, and mainstreaming child labor issues into all relevant sectors of the Government.(3) While a division of labor has not yet been established, the midterm development plan includes a concrete timeline (2014–2016), and the Roadmap’s target for completion is 2022.(3)

The National Task Force to Combat Trafficking in Persons notes that some Provincial and District Task Forces to Combat Trafficking in Persons lack plans of action on the elimination of trafficking of women and children.(58)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Indonesia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Reducing Child Labor to Support the Family Hope Program ( <i>Pengurangan Pekerja Anak- Program Keluarga Harapan</i> )‡	MoL program that removes child laborers ages 7 to 15 from their workplaces and temporarily places them for 4 months in shelters where they receive counseling, remedial education for reentry into school, and financial assistance of \$21 each month.(3, 11, 68) In 2014, the program worked across all provinces and almost 400 districts. The program reached its target of 15,000 child laborers removed from work during the year, and the MoL reports that 90 percent of those children returned to school.(3, 51) Funding for the program rose from \$5 million to \$8.3 million during the reporting period.(3)
Family Hope Program ( <i>Program Keluarga Harapan</i> )‡	Ministry of Social Affairs (MOSA)-managed conditional cash transfer program, which provides services for child laborers who have dropped out of school. Targets the poorest 5 percent of the population and provides cash assistance to families that meet the education criteria, including school enrollment and attendance.(11, 69-71) In 2014, assisted 3,000,000 households.(55) Research shows that conditional cash transfer programs have slightly reduced child labor in Indonesia.(72)
Child Social Welfare Program ( <i>Program Kesejahteraan Sosial Anak</i> )‡	MOSA-administered conditional cash transfer program, which provides conditional cash transfers to street children, abandoned children and infants, children facing criminal charges, and children with disabilities Also provides grants to implementing partners for the reintegration of trafficked children.(3, 11, 15)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Family Welfare Card ( <i>Kartu Keluarga Sejahtera</i> )*‡	Ministry of People's Welfare initiative to integrate all cash-transfer assistance programs under one government program. Provides a bank account to each household in the assistance programs, including the fund for children's education and health.(3)
West Java Street Children Program‡	West Java provincial government program to assist street children.(63)
Bandung Municipality Street Children Program‡	Municipality of Bandung program to assist street children.(63)
Promote: Decent Work for Domestic Workers to End Child Domestic Labor	USDOL-funded 4-year, \$5 million program implemented by ILO-IPEC. Expands legal protections for child domestic workers; builds capacity of domestic worker organizations to address child domestic work; and promotes national and regional knowledge, awareness, and research of domestic service.(29)
Eliminate Exploitive Child Labor Through Education and Economic Development (EXCEED)	USDOL-funded 4 year, \$5.5 million program implemented by Save the Children that provided educational services to children at risk of, or engaging in, exploitative labor in domestic service, commercial agriculture, street work, and commercial sexual exploitation by providing educational services.(10) Withdrew 6,130 children and prevented 5,293 children from exploitative labor and supported one city to develop a district action plan to become a 'child friendly' city.(10)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor, improve the evidence base on child labor and forced labor through data collection and research, and strengthen legal protections and social service delivery for child domestic workers in Indonesia. In 2014, completed a sectoral survey on child labor in tin mining.(73)
Social Protection Cards ( <i>Kartu Perlindungan Sosial</i> )*‡	Government program that provides a social protection card in order for beneficiaries to access social protection programs, such as the unconditional cash transfer program, rice for the poor program, and education scholarships program.(69) For the 2013 – 2014 program, 15.5 million households received social protection cards.(55)
Unconditional Cash Transfer Program ( <i>Bantuan Langsung Semetara Masyarakat</i> )*‡	Government unconditional cash transfer program to increase livelihoods of the poorest families.(69) In 2014, received an approved budget of \$744 million up from \$96 million the previous year.(55)
Rice for the Poor ( <i>Raskin</i> )*‡	Government subsidized food program that provides rice for the poorest 25 percent of households.(69)
Social Security Organizing Body for Health ( <i>BPJS Kesehatan</i> ), plus Regional Health Security ( <i>Jamkesda</i> )*	Government national health program that incorporates several existing health programs and provides health services to more than 100 million Indonesians. Incorporates an existing health program which pays the health fees of 86 million poor Indonesians. Additionally, assists millions more poor Indonesians through their local governments.(54, 69, 74, 75)
Education Scholarship ( <i>Bantuan Siswa Miskin</i> )*‡	Government primary, junior secondary, and senior secondary scholarship program that targets the poorest 25 percent of the population.(59, 66, 69, 70) Research has shown that educational cash transfers and related assistance programs significantly decrease the time children spend on income-generating activities in Indonesia. Households receiving educational transfers, scholarships, and assistance were also found to spend more on educational goods.(76)
Block Grants for Schools ( <i>Bantuan Operasional Sekolah</i> )*‡	Government block grant program that compensates schools for the loss of income incurred when waiving fees, thereby ensuring free education for poor and vulnerable children in primary, junior secondary, and senior secondary schools. (11, 77) Began implementation of grants to senior secondary and senior vocation schools during the reporting period in order to accelerate progress towards the government's goal of a 97% high school attendance rate in 2020.(3) In 2014, assistance provided to senior high schools increased from \$83.3 million to \$803 million.(3)
Minimum Service Standards of Basic Education Program (2011–2014)*	Aims to improve access to and quality of public education by limiting the distance that elementary and junior secondary schools can be located from children's households, specifying minimum allowable teacher-student ratios, and identifying minimum teacher education qualifications.(55)
UNICEF Country Program (2011–2015)*	Program that supports the Government of Indonesia in realizing the rights of children, paying particular attention to vulnerable children. Contributes to priorities identified in the National Plan of Action for Children and Women and the Government's National Midterm Development Plan (2010–2014). (78)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Combating Child Labor through Skills Training for Older Children (2014–2015)	Government of the Netherlands-funded, 1-year, \$ 2.6 million global project to combat child labor by enhancing access to decent work for children who have reached the minimum age of employment.(79)
Child Trafficking Services	MOSA and other government program that provides services for child victims of trafficking.(58)

\* The impact of these programs on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Indonesia.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Indonesia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure a stronger source of protections, including penalties enforceable by law, for child domestic workers by adopting the Domestic Workers Protection Bill.	2009 – 2011, 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor to provide adequate coverage of the workforce and provide sufficient funds for labor inspections.	2010 – 2014
	Strengthen enforcement capacity to conduct unannounced inspections and to address children’s work in the informal sector, particularly in relation to child domestic work.	2014
	Train police officers and prosecutors to be familiar with anti-trafficking legislation and clarify their role in combating human trafficking.	2013 – 2014
	Track and report the number of child labor and trafficking inspections, violations, penalties, and convictions, as well as the number of children removed and assisted, and analyze the effectiveness of enforcement.	2009 – 2014
Government Policies	Create provincial and district plans of action on the elimination of trafficking of women and children.	2013 – 2014
Social Programs	Conduct research to determine the types of activities carried out by children working in construction and street work to inform policies and programs.	2014
	Assess the impact that existing social protection and education programs may have on reducing child labor.	2013 – 2014

## REFERENCES

- Understanding Children’s Work. *Understanding Children’s Work and Youth Employment Outcomes in Indonesia*. Summary Report Rome; June 2012. [http://www.ucw-project.org/attachment/ChildLabour\\_YouthEmployment\\_indonesia\\_ex\\_sum20120625\\_163116.pdf](http://www.ucw-project.org/attachment/ChildLabour_YouthEmployment_indonesia_ex_sum20120625_163116.pdf).
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Indonesia (ratification: 1999)* Published: 2013; accessed June 2, 2015; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
- U.S. Embassy- Jakarta. *reporting, January 16, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from National Labor Force Survey (Sakernas), 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Odi Shalahudin and Fatah Muria Fathudin. *Children in Palm Oil Plantation: Executive Summary*. London, Save the Children; October 1 - November 30, 2010. [source on file].
- U.S. Embassy- Jakarta. *reporting, February 1, 2013*.
- “Tobacco Farmers Exploiting Child Labor.” The Jakarta Post., Jakarta, June 15, 2013; National. <http://www.thejakartapost.com/news/2013/06/15/tobacco-farmers-exploiting-child-labor.html>.
- Southeast Asia Tobacco Control Alliance. *Child Labour in Tobacco Cultivation in the ASEAN Region*; June 2013. <http://www.saveourfarmer.org/site/media/pdf/ChildLaborFinal2013.pdf>.
- Save the Children. *Eliminate Exploitative Child Labor Through Education and Economic Development (EXCEED)*. Technical Progress Report. Jakarta; March 2014. [source on file].
- U.S. Embassy- Jakarta. *reporting, January 16, 2014*.
- U.S. Department of State. “Indonesia” in *Country Reports on Human Rights Practices- 2010*. Washington, DC; April 8, 2011; <http://www.state.gov/documents/organization/160460.pdf>.
- U.S. Embassy- Jakarta. *reporting, February 2, 2011*.
- Tempo.co. *Child Labor, Cops Raid Factory*, [online] July 8, [cited <http://en.tempo.co/read/news/2013/07/08/057494293/Child-Labor-Cops-Raid-Factory>].

15. ILO Committee of Experts. *Individual Observation Concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Indonesia (ratification: 2000)* Published: 2013; accessed June 2, 2015; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO::>
16. International Labour Organization. *Reportage Journal Investigative Report: Child Labour Around Us*. Jakarta; December 1, 2012. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=25220>.
17. Food and Agriculture Organization and International Labor Organization. *Guidance on addressing child labour in fisheries and aquaculture*, 2013. <http://www.fao.org/docrep/018/i3318e/i3318e.pdf>.
18. PKPA NIAS. *Child labor in jermals*, [online] February 9, 2012 [cited <http://pkpanias.blogspot.com/2012/02/child-labor-in-jermals.html>].
19. UCW. *The Twin Challenges of Child Labour and Educational Marginalisation in the South-East and East Asia Region: An Overview*. Rome; May 1, 2014. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=25520>.
20. U.S. Embassy- Jakarta. *reporting, January 31, 2012*.
21. Cochrane, J. "Small Scale Gold Mining Pollutes Indonesian Lands." *The New York Times*, New York, January 2, 2014; [http://www.nytimes.com/2014/01/03/business/international/small-scale-gold-mining-pollutes-indonesian-lands.html?pagewanted=all&\\_r=0](http://www.nytimes.com/2014/01/03/business/international/small-scale-gold-mining-pollutes-indonesian-lands.html?pagewanted=all&_r=0).
22. Richard Paddock and Larry Price. *Philippines and Indonesia: Children Mine for Gold at Great Risk to Their Health*. Santa Barbara, Philippines; 2013. <http://pulitzercenter.org/reporting/philippines-child-labor-gold-mines-indonesia>.
23. International Labour Organization. *DRAFT Sectoral Survey of Child Labour in Informal Tin Mining in Indonesia 2014*; 2015. [source on file].
24. ACTED News. *Indonesia: Partnerships in combating child labor*, [online] June 6, [cited <http://www.acted.org/en/indonesia-partnerships-combating-child-labor>].
25. Deutsche Welle. *Indonesia's Child Jockeys Labor Away*, [online] September 23, [cited <http://www.dw.de/indonesias-child-jockeys-labor-away/a-17056618>].
26. Agence France-Presse. *Child jockeys, big stakes on Indonesia's horse-racing island*, [online] November 1, [cited <http://sports.yahoo.com/news/child-jockeys-big-stakes-indonesias-horse-racing-island-045723853--rah.html>].
27. Reuters. *Indonesia's child jockeys brave danger for cash and glory*, [online] November 24, [cited <http://www.reuters.com/article/2012/11/24/us-indonesia-child-jockeys-idUSBRE8AN03A20121124>].
28. The Independent. *Indonesia's five-year-old child jockeys stare down death to stave off poverty*, [online] August 10, [cited <http://www.independent.co.uk/news/world/asia/indonesias-five-year-old-child-jockeys-stare-down-death-to-stave-off-poverty-9652560.html>].
29. ILO-IPEC. *PROMOTE: Decent Work for Domestic Worker to End Child Domestic Work*. Project Proposal Jakarta; 2013. [source on file].
30. Integrated Regional Information Networks. *Indonesia: Missing Children Raise Trafficking Concerns*, [online] April 9, [cited <http://www.irinnews.org/Report/95250/INDONESIA-Missing-children-raise-trafficking-concerns>].
31. U.S. Department of State. "Indonesia," in *Trafficking in Person's Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226741.htm>.
32. UNICEF. *Children in Indonesia: Child Trafficking*. Jakarta; July 2010. [http://www.unicef.org/indonesia/UNICEF\\_Indonesia\\_Child\\_Trafficking\\_Fact\\_Sheet\\_-\\_July\\_2010.pdf](http://www.unicef.org/indonesia/UNICEF_Indonesia_Child_Trafficking_Fact_Sheet_-_July_2010.pdf).
33. ILO. *Rapid Assessment on the Incident of Boys' Prostitution in Indonesia: Executive Summary*. Geneva; 2011. [source on file].
34. Odi Shalahudin and Hening Budiayati. *In-Depth Study on CSEC: Executive Summary*. Bandung, Surabaya, Lampung, and Pontianak, Save the Children; 2010. [source on file].
35. UNICEF. *Children in Indonesia: Sexual Exploitation*. Jakarta; July 2010. [http://www.unicef.org/indonesia/UNICEF\\_Indonesia\\_Sexual\\_Exploitation\\_Fact\\_Sheet\\_-\\_July\\_2010.pdf](http://www.unicef.org/indonesia/UNICEF_Indonesia_Sexual_Exploitation_Fact_Sheet_-_July_2010.pdf).
36. U.S. Department of State. "Indonesia," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215482.htm>.
37. ECPAT International. *Global monitoring status of action against commercial sexual exploitation of children: Indonesia*; 2011. [http://www.ecpat.net/sites/default/files/a4a\\_v2\\_eap\\_indonesia.pdf](http://www.ecpat.net/sites/default/files/a4a_v2_eap_indonesia.pdf).
38. U.S. Embassy official. E-mail communication to USDOL official. May 11, 2012.
39. Government of Indonesia. *Act of Republic of Indonesia No. 20 of 1999 on Ratification of ILO Convention 138*, enacted 1999. <http://fisipku.tripod.com/ipec/uno20.htm>.
40. Government of Indonesia. *Manpower Act, 13*, enacted 2003. <http://www.ilo.org/dyn/travail/docs/760/Indonesian%20Labour%20Law%20-%20Act%2013%20of%202003.pdf>.
41. Government of Indonesia. *The Decision of the President of The Republic of Indonesia Number 59 of the Year 2002 on The National Plan of Action for the Elimination of the Worst Forms of Child Labor*, 59, enacted 2002. [source on file].
42. Government of Indonesia. *Concerning Jobs that Jeopardize the Health, Safety or Morals of Children*, Ministerial Decree 235, enacted 2003. [source on file].
43. Government of Indonesia. *The Eradication of the Criminal Act of Trafficking in Persons*, Law 21, enacted 2007. [source on file].
44. Government of Indonesia. *Penal Code*, enacted 1999. [source on file].
45. Government of Indonesia. *Child Protection Act*, Law 23, enacted 2002. [source on file].
46. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder Than Words, An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/user\\_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf](http://www.child-soldiers.org/user_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf).
47. United Nations Treaty Collection. *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Indonesia*; accessed June 2, 2015; [https://treaties.un.org/Pages/ViewDetails.aspx?mtsdg\\_no=IV-11-b&chapter=4&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?mtsdg_no=IV-11-b&chapter=4&lang=en).
48. Government of Indonesia. *National Education Law*, 20, enacted 2003. [source on file].
49. Government of Indonesia. *Amending Law on Child Protection*, Law 25, enacted 2014. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98588/117398/F1211362854/IDN98588%201dn.pdf>.
50. U.S. Embassy- Jakarta. *reporting, February 17, 2015*.
51. UN Committee on the Rights of the Child. *Periodic Reports of States Issues: Indonesia*. Prepared by the Government of Indonesia, Replies to List of Issues in Relation to the Combined Third and Fourth Periodic Reports of Indonesia. May 6, 2014. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIDN%2fQ%2f3-4%2fAdd.1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIDN%2fQ%2f3-4%2fAdd.1&Lang=en).
52. ILO-IPEC. *PROMOTE: Decent Work for Domestic Workers to End Child Domestic Work*. Technical Progress Report Geneva; October 2014. [source on file].
53. ILO-IPEC official. E-mail communication to USDOL official. March 14, 2014.
54. U.S. Embassy official. E-mail communication to USDOL official. March 11, 2014.
55. U.S. Embassy official. E-mail communication to USDOL official. February 17, 2015.
56. ILO Committee of Experts. *Individual Direct Request Concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Indonesia (ratification: 2000)* Published: 2013; accessed June 2, 2015; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO::>
57. U.S. Embassy official. E-mail communication to USDOL official. April 28, 2015.
58. U.S. Embassy- Jakarta. *reporting, February 14, 2014*.
59. U.S. Embassy official. E-mail communication to USDOL official. March 1, 2013.
60. Government of Indonesia. *Concerning Guidelines for the Formation of Regional Action Committees, the Establishment of Regional Action Plans, and the Empowerment of Communities in the Elimination of the Worst Forms of Child Labor*, Article 6, enacted 2009. [source on file].
61. ILO- Indonesia official. E-mail communication to USDOL official. April 11, 2011.
62. U.S. Embassy- Jakarta. *reporting, February 24, 2011*.
63. Save the Children. *Eliminate Exploitative Child Labor Through Education and Economic Development (EXCEED)*. Technical Progress Report Jakarta; April 2013. [source on file].
64. U.S. Embassy official. E-mail communication to USDOL official. January 23, 2014.



# Indonesia

## MODERATE ADVANCEMENT

65. ECPAT International. *Executive Summary: Indonesia*; 2011. [http://resources.ecpat.net/Eii/pdf/A4A\\_II/EXSUM\\_A4A\\_EAP\\_INDONESIA.pdf](http://resources.ecpat.net/Eii/pdf/A4A_II/EXSUM_A4A_EAP_INDONESIA.pdf).
66. ILO-IPEC. *Project of Support to the Indonesian Time-Bound Program on the Elimination of the Worst Forms of Child Labor (WFCL)*. Final Technical Progress Report. Geneva; October 2011. [source on file].
67. Government of Indonesia and United Nations Partnership for Development Framework. *United Nations Partnership for Development Framework 2011-2015*. Jakarta; 2010. <http://unesdoc.unesco.org/images/0018/001888/188895e.pdf>.
68. Agustiyanti. *Indonesia Sets 2020 Goal of Eradicating Child Labor*, [online] [cited June 2, 2015] <http://www.globalmarch.org/content/indonesia-sets-2020-goal-eradicating-child-labor>.
69. Integrated Regional Information Networks. *Analysis: Indonesia's Social Targeting Challenge*, [online] November 7, [cited <http://www.irinnews.org/report/99074/analysis-indonesia-s-social-targeting-challenge>].
70. ILO-IPEC. *PROMOTE: Decent Work for Domestic Workers to End Child Domestic Work*. Technical Progress Report. Jakarta; October 2013. [source on file].
71. Perdana, A. *Protection and Livelihood Program: The Indonesia's Experience on PKH* University of Indonesia; 2011. [source on file].
72. Jacobus de Hoop, and Furio C. Rosati. *Cash Transfers and Child Labor*. Rome, Understanding Children's Work (UCW) Programme; January 2013. [http://www.ucw-project.org/attachment/Cash Transfers and Child Labour20130506\\_165200.pdf](http://www.ucw-project.org/attachment/Cash%20Transfers%20and%20Child%20Labour20130506_165200.pdf).
73. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014. [source on file].
74. IRIN Asia. *Indonesia aims for universal health care by 2019*, [online] March 15, [cited <http://www.irinnews.org/report/97658/indonesia-aims-for-universal-health-care-by-2019>].
75. U.S. Embassy- Jakarta. *reporting, December 31, 2013*.
76. Sudarno Sumarto and Indunil DeSilva. *Education Transfers, Expenditures and Child Labour Supply in Indonesia: An Evaluation of Impacts and Flypaper Effects*. TNP2K Working Paper 03-2013. Jakarta; December 2013. <http://mpr.ub.uni-muenchen.de/57132/>.
77. World Bank Projects Database. *Indonesia- BOS Knowledge Improvement for Transparency and Accountability*; accessed June 2, 2015; <http://www.worldbank.org/projects/P107661/indonesia-bos-knowledge-improvement-transparency-accountability?lang=en>.
78. UNICEF. *Indonesia: Country programme document 2011-2015*; 2011 February 11, [http://origin-www.unicef.org/about/execboard/files/Indonesia\\_final\\_approved\\_CPD\\_11\\_Feb2011.pdf](http://origin-www.unicef.org/about/execboard/files/Indonesia_final_approved_CPD_11_Feb2011.pdf).
79. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.

In 2014, Iraq made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor and Social Affairs and UNICEF conducted a study on child labor. The Council of Representatives drafted a revised labor law and a child protection law. However, children are engaged in the worst forms of child labor, including in armed conflict. The compulsory education age is lower than the minimum age for work and child labor laws are not sufficiently enforced. The Government continues to lack programs that target children in relevant worst forms of child labor, particularly those used by armed groups.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Iraq are engaged in the worst forms of child labor, including in armed conflict. (1-7) Table 1 provides key indicators on children's work and education in Iraq.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	5.3 (454,330)
Attending School (%)	5-14 yrs.	75.0
Combining Work and School (%)	7-14 yrs.	4.2
Primary Completion Rate (%)		66.3

Source for primary completion rate: Data from 2007, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting, weeding, hoeing, and transporting, including in the production of rice,* wheat,* orchard fruit,* and vegetables* (10, 11)
	Herding water buffalo* and other livestock* (10, 11)
	Fishing,* activities unknown (10, 11)
Industry	Making bricks* (10, 12-14)
	Working in steel factories* (14)
	Working in plastic recycling factories* (13)
Services	Street work, including selling goods, washing cars, sweeping the streets, picking up trash, begging, and shining shoes (10, 11, 14-17)
	Working at gas stations and auto repair shops (11, 15, 18)
	Selling items in shops* (7, 15)
Categorical Worst Forms of Child Labor‡	Scavenging at dump sites* (11, 19)
	Forced begging* sometimes as a result of human trafficking* (20, 21)
	Domestic work as a result of human trafficking* (20, 22)
	Used in armed conflict, sometimes as a result of forced recruitment, as informants, human shields, and in creating propaganda materials, patrolling the streets, guarding arrested individuals, manning checkpoints, participating in military training, and acting as suicide bombers (1-7, 21-23)
	Commercial sexual exploitation sometimes as a result of trafficking (14, 20, 22-26)

\* Evidence of this activity is limited and/or extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

# Iraq

## MINIMAL ADVANCEMENT

In 2014, Iraq witnessed large-scale violence committed by various armed groups, most importantly the Islamic State of Iraq and the Levant (ISIL), leading to approximately 12,000 fatalities and 22,000 injuries.(27) According to the United Nations High Commissioner for Refugees (UNHCR), as of July 2014, Iraq hosted more than 250,000 refugees, including Syrian refugees. By the end of 2014, there were also over two million internally displaced persons (IDPs).(28)

ISIL recruited children and used them in combat operations, including as suicide bombers, military training, patrolling the streets, and manning checkpoints. UN and media reporting indicate that armed groups involved in the conflict with ISIL recruited and used children to patrol with convoys and man checkpoints.(1-6, 29) There was evidence ISIL forcibly recruited children.(21, 30, 31) Some were used in combat and support roles, including human shields, suicide bombers, bomb makers, informants, or were forced to donate blood to treat injured ISIL fighters.(6, 28) Research found no evidence of the Government recruiting children into the Iraqi armed forces.(7)

Throughout the country, some girls are subject to commercial sexual exploitation by their families, who seek financial gain through temporary marriages.(20, 26) This practice involves a dowry paid to the girl's family, and an agreement to dissolve the marriage after a predetermined length of time.(20) In the Kurdistan Region, child commercial sexual exploitation was reported to be on the rise due to a large increase in Syrian refugees.(18) ISIL fighters subjected girls, primarily from the Yezidi community but also other ethnic and religious groups, to commercial sexual exploitation, forced domestic work or other forms of forced labor in Iraq and Syria.(21, 32, 33)




Children faced barriers to access to education because of attacks on schools, including the targeting of teachers and school personnel, and the use of schools as shelters by IDPs and as detention centers by ISIL.(22, 23, 34, 35) Only 35 percent of Syrian refugee children were enrolled in formal education, leaving nearly 38,000 children without any form of education.(36) Enrollment rates decreased drastically for refugee children past the age of 12.(35) For these refugees, the majority of whom live in the Kurdistan Region, access to education was limited because of school-related costs such as transportation and uniforms, security concerns, and the language of instruction due to insufficient number of Arabic-language schools in the Kurdistan Region.(37)

The Ministry of Labor and Social Affairs (MOLSA) and UNICEF conducted a study on children engaged in the worst forms of child labor in Baghdad, Basrah, Kirkuk, Najaf, and Ninewa provinces. The results of the study are expected to be published in 2015.(28)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Iraq has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 90.1 of the Labor Law (38)
Minimum Age for Hazardous Work	Yes	18	Articles 90.2 and 91.1 of the Labor Law (38)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 91.2 of the Labor Law (38); Ministry of Labor's Instruction 19 of 1987 (25)
Prohibition of Forced Labor	Yes		Articles 91.3(a) and 91.4 of the Labor Law (38); Articles 1 and 6 of the Law to Combat Human Trafficking (39)
Prohibition of Child Trafficking	Yes		Articles 91.3(a) and 91.4 of the Labor Law (38); Articles 1 and 6 of the Law to Combat Human Trafficking (39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 91.3(b) and 91.4 of the Labor Law (38); Paragraphs 399 and 403 of the Penal Code (40)
Prohibition of Using Children in Illicit Activities	Yes		Articles 91.3(c) and 91.4 of the Labor Law (38); Articles 1 and 6 of the Law to Combat Human Trafficking (39)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 6(2) of the CPA Order 22 (41)
Compulsory Education Age	Yes	12	Article 11.1 of the Education Law (42, 43)
Free Public Education	Yes		Article 34.2 of the Constitution (44)

\* No conscription.(41)

The Kurdistan Regional Government (KRG) needs to endorse laws passed by the Government of Iraq after 1991 for such laws to enter into force in the Kurdistan Region, which is comprised of the provinces of Erbil, Dahuk, and Sulaymaniyah.(21, 45) Because the KRG has not endorsed the Law to Combat Human Trafficking, this law is not enforced in the Kurdistan Region.(7, 46)

In 2014, two committees of the Council of Representatives drafted a revised labor law and a child protection law, neither of which was passed.(7) Likewise, the KRG Ministry of Labor and Social Affairs submitted a new draft labor law to the KRG Council of Ministers; however, the draft law has not been adopted.(7)

Article 91.3(a) of the Labor Law, as amended by the Coalition Provisional Authority Order 89, prohibits the forced use of children in armed conflict. Article 97 sets the penalty of short-term imprisonment and a fine for infringements of the Labor Law.(38) These penalties are insufficient for the recruitment of children for armed conflict. Article 91.4 of the Labor Law augments these by asserting that violations will be prosecuted in accordance with the Penal Code.(38) However, the Penal Code does not specify a penalty for forced use of children in armed conflicts.(40) The ILO CEACR has requested that the Government ensure that penalties for compulsory recruitment of children for armed conflict are sufficient.(25)

In the Kurdistan Region, under Articles 6 and 10 of the KRG Ministry of Education Law, children are required to attend school for 9 years, which is typically up to around age 15.(46) However, under Articles 8 and 11 of the Iraqi Education Law, children are required to attend school for 6 years, which is typically up to around age 12.(42, 43) This standard makes children ages 12 to 15 particularly vulnerable to child labor, as they are not required to be in school but are not legally permitted to work either.

In addition, Iraqi law does not provide for circumstances in which children ages 13-15 may engage in light work.(38) The ILO CEACR has requested that the Government regulate the employment of children 13-15 in light work, noting the significant percentage of children that age working already.(47)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Affairs (MOLSA)	Enforce child labor laws and regulations through its Child Labor Unit.(12) Conduct research on child labor through its Childhood Welfare Authority.(47)
Kurdistan Regional Government (KRG) Ministry of Labor and Social Affairs	Enforce child labor laws and regulations in the Iraqi Kurdistan Region. KRG Ministry of Interior's Police units play a supporting role in the daily activities of the Ministry.(28)
Ministry of Interior (MOI)	Enforce criminal laws on the worst forms of child labor. Collaborate with MOLSA, the Iraqi Industries Federation, and the Confederation of Trade Unions to conduct inspection campaigns.(12, 25) Maintain a hotline for victims of human trafficking that is routed directly to MOI's Anti-Trafficking Department.(20) In 2014, the hotline received 41 calls. It is unknown how many of these calls involved children.(18)

Law enforcement agencies in Iraq took actions to combat child labor, including its worst forms. However, the KRG does not enforce some of the central Government's laws, including the Law to Combat Human Trafficking.(7)

### *Labor Law Enforcement*

In 2014, MOLSA employed two to three inspectors for each of the 15 provinces, excluding the 3 provinces in the Kurdistan Region and areas under ISIL control. These inspectors were assigned to investigate child labor, as well as all other labor violations.(12) This number is insufficient to enforce child labor laws. The number of inspectors in the KRG Ministry of Labor and Social Affairs is not known.(28) Due to the conflict with ISIL, MOLSA did not have access to large areas of the country, including Anbar and Ninewa Provinces.(7) While updated statistics were not available from MOLSA, there were ongoing cases against factory owners in which child labor occurred, particularly in brick factories.(7) Research did not find information on the number of inspections, violations, penalties, referral mechanisms between enforcement and social services agencies, training of inspectors, type and quality of inspections, and whether unannounced inspections were permitted.

### *Criminal Law Enforcement*

In 2014, the Ministry of Interior employed two to three inspectors for each of the 15 provinces, excluding the 3 provinces in the Kurdistan Region and areas under ISIL control.(7) These inspectors were in charge of investigating criminal violations of labor laws including those related to the worst forms of child labor. Although in 2012 the Government compiled and reported statistics on trafficking in persons for the first time, it has not made this information publicly available since then.(7) The Ministry of Interior conducted training within the Ministry on human trafficking to raise awareness, increase sensitivity and assist victim identification. Likewise, officials of the KRG Ministry of Interior and the KRG Ministry of Labor and Social Affairs participated in training sessions on human trafficking, victim identification and assistance.(21) The Ministry of Interior reported its initiation of 18 prosecutions related to human trafficking in 2014; it is not known how many of these cases involved child victims or whether these cases were concluded.(21) Research did not find information on the number of investigations, convictions, the implementation of penalties and referral mechanisms between law enforcement and social welfare services.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Inter-ministerial Committee on Child Labor	Coordinate overall government efforts to combat child labor, research policies regarding child labor, and design and manage projects. Members include MOLSA, MOI, and the Ministries of Health, Education, and Foreign Affairs.(7)
Joint Committee on Street Children	Coordinate the implementation of measures for removing and rehabilitating street children. Members include MOLSA and MOI.(25)



**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Central Committee to Combat Trafficking in Persons	Oversee implementation of the Law to Combat Human Trafficking and serve as the national coordinating body on trafficking in persons. Includes representatives from the Ministries of Health, Finance, Migration and Displacement, Labor and Social Affairs, Human Rights, and Justice, the State Ministry for Women's Affairs, the Council of Ministers Secretariat, the High Commission on Human Rights, as well as a representative from the KRG's Ministry of Interior.(48) In 2014, the Committee held training for its staff on countering human trafficking and shelter management.(18)

A source indicates that there was not sufficient coordination between the central Government and the KRG, including in the Central Committee to Combat Trafficking in Persons.(18)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Iraq has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Coalition Provisional Authority Order No. 89	Lays out government policy to address the worst forms of child labor. Order 89 calls for programs to be designed to prevent the engagement of children in the worst forms of child labor, to provide direct assistance for the removal of children in these labor situations, and to ensure the children have access to basic education.(38)
National Action Plan on Human Rights (NAP)	Establishes goals and discrete steps to be taken in specific timeframes to promote and protect human rights as a core value, in line with recommendations adopted by Iraq following its submission to the Universal Periodic Review. NAP recognizes Iraq's obligations to international conventions, including the CRC and its optional protocols and ILO C.182 and C.138 with respect to child labor, and states that such conventions may be applied in Iraqi courts.(49) Sets an action plan to fulfill the right to education in Iraq, including through financial incentives to families living in poverty, to encourage completion of primary- and secondary-level education.(49)

## VI. SOCIAL PROGRAMS TO ADDRESS OF CHILD LABOR

In 2014, the Government of Iraq funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Child Rights Hotline*	Operated by the KRG to receive calls for advice or complaints with respect to children's rights.(12) In 2014, the hotline received approximately 4-5 calls per day related to human trafficking. The number of cases related to children is not known.(18)
Informal Education*‡	Government-supported informal education systems, including evening school programs and fast education mode, to encourage children ages 12 to 18 years who have dropped out of school to continue their education.(25)
Programs for Vulnerable Populations*	Programs funded by international organizations and foreign donors, including the United States, to address the needs of vulnerable populations, such as internally displaced persons (IDPs) and refugees, at risk of the worst forms of child labor.(7)
Shelters for Human Trafficking victims‡	MOLSA-operated shelter for human trafficking victims, including children involved in the worst forms of child labor in Baghdad; other facilities are located in Basrah, Ninewa, and Kirkuk provinces.(7) The KRG operated three shelters for female victims of human trafficking and violence.(18)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Iraq.

In the reporting period, the child rights hotline received approximately 100 calls per month.(7)

Research found no evidence of specific programs targeting children engaged in street work, commercial sexual exploitation, or brickmaking, as well as children involved in armed conflict.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Iraq (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase penalties for the use of children in armed conflict to deter violations.	2013 – 2014
	Regulate the employment of children aged 13-15 in light work.	2014
	Increase the age of compulsory schooling to at least 15, the minimum age for work.	2009 – 2014
Enforcement	Increase the number of labor inspectors and ensure adequate funding in order to effectively enforce legal protections against child labor, including its worst forms, in all provinces where children are known to work, including in the Kurdistan Region.	2011 – 2014
	Collect and make data publicly available information on the number of labor inspections, violations and penalties, and criminal investigations, prosecutions, convictions as well as referral mechanisms between law enforcement and social welfare services, the implementation of penalties, training of inspectors, the type and quality of inspections, and whether unannounced labor inspections are permitted.	2013 – 2014
Coordination	Ensure sufficient coordination between the central Government and the Kurdistan Regional Government, particularly in efforts to combat human trafficking.	2014
Social Programs	Ensure universal access to education, including for refugee and internally displaced children.	2013 – 2014
	Assess the impact that existing social programs have on child labor.	2011 – 2014
	Implement programs to address relevant child labor sectors in Iraq, such as street work, commercial sexual exploitation, and brickmaking.	2010 – 2014
	Implement programs to demobilize and reintegrate children engaged in armed groups.	2009 – 2014

## REFERENCES

- Al-Obaidi, H. "ISIL forces children to be suicide bombers." Mawtani [online] January 12, 2015 [cited January 28, 2015]; [http://mawtani.al-shorfa.com/en\\_GB/articles/iii/features/2015/01/12/feature-01](http://mawtani.al-shorfa.com/en_GB/articles/iii/features/2015/01/12/feature-01).
- CBS News. "Child soldiers become integral part of ISIS' army." November 23, 2014 [cited January 28, 2015]; <http://www.cbsnews.com/news/child-soldiers-become-integral-part-of-isis-army/>.
- Logan, N. "New ISIS video shows training of child soldiers in Iraq." Global News [online] November 24, 2014 [cited January 28, 2015]; <http://globalnews.ca/news/1689987/new-isis-video-shows-training-child-soldiers-in-iraq/>.
- United National Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 – S/2015/409)*; June 5, 2015. [http://www.un.org/gal/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/gal/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
- UN Assistance Mission for Iraq. *Report on the Protection of Civilians in the Non-International Armed Conflict in Iraq: 5 June – 5 July 2014*; 2014. [http://www.ohchr.org/Documents/Countries/IQ/UNAMI\\_OHCHR\\_POC%20Report\\_FINAL\\_18July2014A.pdf](http://www.ohchr.org/Documents/Countries/IQ/UNAMI_OHCHR_POC%20Report_FINAL_18July2014A.pdf).
- UN Assistance Mission for Iraq. *Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014*; 2014. [http://www.ohchr.org/Documents/Countries/IQ/UNAMI\\_OHCHR\\_POC\\_Report\\_FINAL\\_6July\\_10September2014.pdf](http://www.ohchr.org/Documents/Countries/IQ/UNAMI_OHCHR_POC_Report_FINAL_6July_10September2014.pdf).
- U.S. Embassy- Baghdad. *reporting, February 10, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- USDOL official. Interview with Jane Arraf. March 30, 2011.
- Government of Iraq. *Report to the Committee on the Rights of the Child (CRC/C/OPSC/IRQ/1)*; November 21, 2013. [http://tbinternet.ohchr.org/\\_layouts/ treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FOPSC%2FIRQ%2FI&Lang=en](http://tbinternet.ohchr.org/_layouts/ treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FOPSC%2FIRQ%2FI&Lang=en).
- U.S. Embassy- Baghdad. *reporting, January 28, 2014*.
- Bassem, W. "Underage and Trapped: Female Iraqi Factory Workers Need Help." Al-Monitor [online] September 2, 2014 [cited January 28, 2015]; <http://www.al-monitor.com/pulse/originals/2014/09/iraq-underage-girls-working-illegal-exploitation.html>.
- Mamouri, A. "Iraqi children face poverty, violence, exploitation." Al-Monitor [online] November 6, 2013 [cited January 28, 2015]; <http://www.al-monitor.com/pulse/originals/2013/11/iraq-children-torn-instability.html>.
- Ahmad, R. "Child Labor a Blemish on Kurdistan's Booming Reputation." ekurd.net [online] January 20, 2011 [cited January 28, 2015]; <http://www.ekurd.net/mismas/articles/misc2011/1/state4543.htm>.
- Khalid al-Taie, and Mohammed al-Qaisi. "Child Labor Rate Drops in Iraq." mawtani.com [previously online] November 3, 2011 [source on file].
- Al-Baghdadi, W. "Child labor phenomenon invading Iraqi society." Erem News [online] March 23, 2014 [cited January 28, 2015]; <http://www.ereknnews.com/?id=32697>.
- U.S. Department of State. "Iraq," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrprpt/humanrightsreport/index.htm#wrapper>.
- Living Light International Team. "LLI's Pilot Project to Empower Child Workers at Iraqi Dump Yards." livinglightinternational.org [previously online] August 23, 2011 [cited June 11, 2012]; [source on file].
- U.S. Department of State. "Iraq," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>

21. U.S. Embassy- Baghdad. *reporting, February 25, 2015.*
22. Human Rights Watch. "Iraq: Forced Marriage, Conversion for Yezidis." hrw.org [online] October 12, 2014 [cited January 30, 2015]; <http://www.hrw.org/news/2014/10/11/iraq-forced-marriage-conversion-yezidis>.
23. Committee on Foreign Affairs, House of Representatives, Joint Hearing: Genocidal Attacks against Christian and other Religious Minorities in Syria and Iraq. September 10, 2014; <http://foreignaffairs.house.gov/hearing/joint-subcommittee-hearing-genocidal-attacks-against-christian-and-other-religious>.
24. Human Rights Watch. "Iraq," in *World Report 2012*. New York; 2012; <http://www.hrw.org/world-report-2012/world-report-2012-iraq>.
25. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Iraq (ratification: 2001) published: 2013*; accessed March 18, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:1:0::NO::>.
26. Human Rights Watch. *At a Crossroads: Human Rights in Iraq Eight Years after the US-Led Invasion*. New York; February 2011. Report No. 1-56432-736-1. <http://www.hrw.org>.
27. Human Rights Watch. "Iraq," in *World Report 2015*. New York; January 29, 2015; <http://www.hrw.org/world-report/2015/country-chapters/iraq>.
28. U.S. Embassy- Baghdad official. E-mail communication to USDOL official. May 11, 2015.
29. USDOS official. E-mail communication to USDOL official. June 12, 2015.
30. United Nations Assistance Mission for Iraq. *Report on the Protection of Civilians in the Non-International Armed Conflict in Iraq: 5 June - 5 July 2014*; 2014. [http://www.ohchr.org/Documents/Countries/IQ/UNAMI\\_OHCHR\\_POC%20Report\\_FINAL\\_18July2014A.pdf](http://www.ohchr.org/Documents/Countries/IQ/UNAMI_OHCHR_POC%20Report_FINAL_18July2014A.pdf).
31. United Nations Assistance Mission for Iraq. *Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014*; 2014. [http://www.ohchr.org/Documents/Countries/IQ/UNAMI\\_OHCHR\\_POC\\_Report\\_FINAL\\_6July\\_10September2014.pdf](http://www.ohchr.org/Documents/Countries/IQ/UNAMI_OHCHR_POC_Report_FINAL_6July_10September2014.pdf).
32. UN Human Rights Council. *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/28/69)* February 5, 2015. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G15/019/37/PDF/G1501937.pdf>.
33. Amnesty International. *Escape from Hell: Torture and Sexual Slavery in Islamic State Captivity in Iraq (MDE 14/021/2014)* December 2014. [http://www.amnesty.org.uk/sites/default/files/escape\\_from\\_hell\\_-\\_torture\\_and\\_sexual\\_slavery\\_in\\_islamic\\_state\\_captivity\\_in\\_iraq\\_-\\_english\\_2.pdf](http://www.amnesty.org.uk/sites/default/files/escape_from_hell_-_torture_and_sexual_slavery_in_islamic_state_captivity_in_iraq_-_english_2.pdf).
34. UN General Assembly. *Children and Armed Conflict: Report of the Secretary-General*. New York; May 15, 2014. Report No. A/68/878 - S/2014/339. [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2014/339](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/339).
35. UNHCR. *Regional Refugee and Resilience Plan 2015-2016*; 2015. <http://www.3rpsyriacrisis.org/wp-content/uploads/2015/01/3RP-Report-Overview.pdf>.
36. UNHCR. *2014 Syria Regional Response Plan, Mid-year Update, Strategic Overview*; 2014. <http://www.unhcr.org/syriarrp6/midyear/docs/syria-rrp6-myu-strategic-overview.pdf>.
37. UNHCR. *2014 Syria Regional Response Plan: Iraq*; 2014. <http://www.unhcr.org/syriarrp6/docs/Syria-rrp6-full-report.pdf>.
38. Government of Iraq. *Coalition Provisional Authority Order 89, Amendments to the Labor Code, Law No. 71 of 1987, enacted May 30, 2004*. <http://www.ilo.org/dyn/travail/docs/751/Coalition%20Provisional%20Authority%20Order%20No.89.pdf>.
39. Government of Iraq. *Law to Combat Human Trafficking, No. 28 of 2012*, enacted April 4, 2012.
40. Government of Iraq. *Penal Code, Law No. 111 of 1969*, enacted July 19, 1969. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/57206/110681/F-1289690696/IRQ57206.pdf>.
41. Government of Iraq. *Coalition Provisional Authority Order 22 on the Creation of A New Iraqi Army*, enacted August 6, 2003. [http://www.iraqcoalition.org/regulations/20030818\\_CPAORD\\_22\\_Creation\\_of\\_a\\_New\\_Iraqi\\_Army.pdf](http://www.iraqcoalition.org/regulations/20030818_CPAORD_22_Creation_of_a_New_Iraqi_Army.pdf).
42. Government of Iraq. *Law of the Ministry of Education*, enacted September 13, 2011. <http://moedu.gov.iq/upload/upfile/ar/22k.docx>.
43. UNESCO. "Education for All, EFA Global Monitoring Report, Teaching and Learning: Achieving Quality for All." 2013/14 [cited August 6, 2015]; <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>.
44. Government of Iraq. *Constitution of Iraq*, enacted 2005. [http://www.iraqnationality.gov.iq/attach/iraqi\\_constitution.pdf](http://www.iraqnationality.gov.iq/attach/iraqi_constitution.pdf).
45. Kurdistan Regional Government - Iraq. "Geography." [online] [cited July 7, 2015]; <http://www.krg.us/faqs/general-information/geography/>.
46. Kurdistan Regional Government. *Iraqi Kurdistan Region's Ministry of Education Law, No. 4 of 1992 as amended by Law No. 27 of 2007*, enacted December 10, 2007. <http://www.presidency.krd/docs/EducationMInistryAmendemnt3-34-2007-ar.pdf>.
47. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Iraq (ratification: 1985) Published: 2013*; accessed July 23, 2015; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3075750:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3075750:NO).
48. U.S. Embassy- Baghdad. *reporting, March 12, 2013.*
49. Government of Iraq. *The Iraqi National Human Rights Plan Adopted by Council of Ministers*. Baghdad; September 27, 2011. <http://www.ohchr.org/Documents/Issues/NHRA/NAPIraq2011.pdf>.

# Jamaica

## MODERATE ADVANCEMENT

In 2014, Jamaica made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government conducted three assessments on child labor and released the Jamaica Multiple Cluster Survey report, which included information about children in the areas of health, education, child protection, and HIV/AIDS. Jamaica also expanded the Program for Advancement through Health and Education, a conditional cash transfer program, to reach more vulnerable families. In addition, the Government updated the curriculum for new police recruits by including an anti-trafficking training module. However, children in Jamaica are engaged in child labor, including in street work and in the worst forms of child labor, including in commercial sexual exploitation. Although the Government has laws prohibiting the use of children in some illicit activities, it does not prohibit the use of children for drug trafficking and production. In addition, programs to combat child labor are insufficient to adequately address the extent of the problem.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jamaica are engaged in child labor, including in street work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-4) Table 1 provides key indicators on children's work and education in Jamaica.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	5.4 (28,298)
Attending School (%)	5-14 yrs.	99.4
Combining Work and School (%)	7-14 yrs.	6.2
Primary Completion Rate (%)		88.0

Source for primary completion rate: Data from 2004, published by UNESCO Institute for Statistics, 2014.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming activities,* activities unknown (1, 4, 7)
	Fishing activities,* including diving* and cleaning fish* (8)
Industry	Construction,*† activities unknown (4)
	Garbage scavenging,* items include scrap metal* (4, 9)
Services	Work in shops and markets* (4, 8)
	Domestic work* (1, 4, 10, 11)
	Street work, including as beggars and vendors (1, 2, 4, 12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1-4, 7, 12, 13)
	Used in the production of pornography* (14, 15)
	Forced labor in domestic work* and street vending (1, 3, 4, 12)
	Used in Illicit activities, including executing financial scams and serving as drug and gun couriers* (16-18)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.







‡ Child labor understood as the worst forms of child labor under Article 3(a) – (c) of ILO C. 182.

Children are commercially sexually exploited in Jamaica's resort areas. In Jamaica, trafficking victims are often young girls from low-income and single-parent homes.(2, 4, 10, 11) In 2014, the Government conducted three assessments in the township of May Pen and the capital of the Parish of Clarendon, which indicated that children were vulnerable to child labor in street, domestic, and agricultural work. The Government also reported that it conducted assessments in Savanna La Mar, Westmoreland, and Hanover.(19)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Jamaica has ratified all key international conventions concerning child labor, including its worst forms (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 34(1) of the Child Care and Protection Act (20, 21)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (20, 21)
Prohibitions of Hazardous Occupations or Activities for Children	Yes		Article 34(3)(b) of the Child Care and Protection Act of 2004; Section 55 of the Factories Act: Docks (Safety Health and Welfare) Regulations; Section 18 of the Mining Act; Section 49 of the Factories Act: Building Operations and Works of Engineering Construction Regulations (20-24)
Prohibition of Forced Labor	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act (25)
Prohibition of Child Trafficking	Yes		Section 10 of the Child Care and Protection Act (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 3 of the Child Pornography (Prevention) Act; Section 40 of the Sexual Offences Act (12, 25-32)
Prohibition of Using Children in Illicit Activities	Yes		Section 40 of the Child Care and Protection Act (21)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 18(2) of the Defense Act (33, 34)
Compulsory Education Age	Yes	18	Section 20 of the Education Act (27)
Free Public Education	Yes		Section 13 of the Jamaican Charter of Fundamental Rights and Freedoms (27, 35)

\* No conscription (34)

The Child Care and Protection Act establishes the minimum age for employment at 15, but allows children ages 13 to 14 to engage in light work; however, the list of occupations and hours considered light work has not been finalized by the Government. The draft list includes hair braiding, clerical work, newspaper vending, supermarket



# Jamaica

## MODERATE ADVANCEMENT

packing, and household chores.(20, 21, 36) Although the Government has some prohibitions on hazardous work for children in specific industries, in 2010 the Government drafted the Occupational Safety and Health (OSH) Act that would introduce a comprehensive list of prohibitions on hazardous work for children but it has yet to be adopted. The list under review by Parliament would specify 45 hazardous occupations prohibited for children under age 18.(1, 30, 31, 36). The draft statute identifies those hazardous occupations to include, among others, fishing at sea, working on construction sites, participating in the production of pornography, and engaging in illicit activities that involve weapons. If adopted, the OSH Act will increase current fines for employers who illegally utilize child labor and will enable labor inspectors to access formerly prohibited workplace environments in the informal economic sector.(1, 2, 36)Although the Child Care and Protection Act prohibits the use of children in selling alcohol and tobacco, it does not prohibit the use of children in other illicit activities, including the production and trafficking of drugs.(37)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS) –Child Labor Unit and the Occupation Safety Health Department	Enforce and administer child labor laws, including monitoring of violations under related laws, in the formal economy.(1, 2, 38) Develop flow charts to facilitate multiple-agency responses. Share information with all other agencies involved in child labor issues.(38)
Child Development Agency (CDA)	Enforce child labor laws, monitor related violations, and oversee efforts to address the problem.(1, 2)
Office of the Children's Advocate (OCA)	Enforce and protect children's rights, including maintaining records of complaints, conducting investigations, providing legal services for children, and educating the public on the office's services.(3, 39)
Jamaica Constabulary Force (JCF)	Enforce criminal laws, including those related to the worst forms of child labor. Includes a Trafficking in Persons Unit that investigates and prosecutes cases of child trafficking and commercial sexual exploitation.(2, 14, 40)
Centre for the Investigation of Sexual Offences and Child Abuse	Investigate and prosecute sexual offenses and child abuse. Work in victim rehabilitation and conduct public education programs. Branch of the JCF.(41)
Office of the Children's Registry (OCR)	Receive complaints about child abuse, including criminal violations of child labor laws.(3, 39)

Law enforcement agencies in Jamaica took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Security's (MLSS) Child Labor Unit (CLU) is responsible for child labor enforcement monitoring and inspection efforts. The Office of the Children's Advocate (OCA) serves as a monitoring and public awareness-raising agency, while the Office of the Children's Registry (OCR) is the repository for mandatory reports of child abuse.(8) The MLSS's Occupation Safety and Health Department (OSHD) employed 16 inspectors assigned to investigate labor issues, including child labor.(8) Evidence indicates that the number of inspectors is inadequate. Additionally, the OSHD is charged with referring child labor issues to the relevant child advocacy agencies, such as the CLU and the Child Development Agency (CDA). The OSHD reported that it conducted child labor training for labor inspectors and police officers throughout the year.(8) For fiscal year 2013 – 2014, the Government allocated approximately \$41,619,000 to the OSHD, and between January and June of 2014, the OSHD carried out 464 inspections.(19) No cases of child labor were found and, as a result, no penalties or fines were issued. Inspections are performed in the formal sector, in factories, building sites, docks, and ships and not in the informal sector in urban and rural communities .(19) In addition, the labor inspectorate does not grant authority to labor inspectors to issue fines.(8)

The Government has established a system to file and respond to complaints about child labor. The OCR maintains a 24-hour hotline to report offenses against children, including child labor, child abuse, and human trafficking.<sup>(8)</sup> During the year, the OCR published the Child Abuse Report Statistical Bulletin, which included data on the percentage of children who were reported as victims of physical and sexual abuse, trafficking, and child labor.<sup>(42, 43)</sup> Advertisements for the hotline and public service announcements were broadcasted across country in high trafficked areas and occasionally on television and radio. Reports received by the hotline are relayed to the Jamaica Constabulary Force (JCF) and the CDA.<sup>(8)</sup> The high visibility of this hotline has increased awareness of labor exploitation issues and services available to victims.<sup>(8)</sup>

### *Criminal Law Enforcement*

In 2014, research found no information on the number of criminal investigators responsible for addressing the worst forms of child labor. The JCF has the independent authority to enforce laws related to the worst forms of child labor. Both the MLSS and the JCF collaborate with the CDA, the OCA, and the OCR to carry out investigations and report violations.<sup>(8)</sup> During the reporting period, the JCF developed an anti-trafficking module for the curriculum used to train new police recruits; the module was designed by the lead human trafficking investigator.<sup>(8)</sup> In 2014, the Ministry of Foreign Affairs reported that there were two child labor prosecutions, but both cases are still pending. As a result, there were no convictions during the year.<sup>(8)</sup>

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
MLSS's Program for the Elimination of Child Labor	Coordinate the Government's child labor policies and programs and identify gaps in legislation across ministries. The MLSS collaborates with the other ministries such as the Ministry of Youth and Culture (OCA, OCR, CDA), the Ministry of Justice (National Task Force Against Trafficking in Persons), and the Ministry of National Security to address the legislative gaps. <sup>(3, 19, 42)</sup>
National Task Force Against Trafficking in Persons	Facilitate information exchanges between government agencies and external stakeholders, and create momentum for counter-trafficking efforts. Oversee the implementation of the country's National Action Plan to Combat Human Trafficking. <sup>(31, 40)</sup> Led by the Ministry of Justice and includes representatives from the Ministries of National Security and Foreign Affairs, the JCF, and the Department of the Public Prosecutor, as well as representatives from the Ministries of Health, Education, Labor, and Youth and Culture. <sup>(2, 3)</sup> Meets regularly with the JCF, Director of Public Prosecutions, and other ministries. <sup>(38)</sup> Held a 4-day training seminar in January 2014. <sup>(44)</sup>

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Jamaica has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action on Child Labor	Aims to strengthen current legislative frameworks to address all forms of child labor, specifically focusing on children engaged in domestic service, prostitution, forced labor, and hazardous work within the agricultural and fishing industries. Identifies four primary objectives: to collect current and reliable data on child labor, to establish public awareness and sensitize the Jamaican people to the problem, to improve the Labor Ministry's personnel capacity to be able to identify child laborers, and to work with trade unions, as well as the Jamaican Employers' Federation, to raise awareness among employees. <sup>(2, 18, 45)</sup>
National Action Plan to Combat Human Trafficking (2012 – 2015)	Targets law enforcement officials to address the commercial sexual exploitation of children, conducts public awareness campaigns, and implements outreach programs. <sup>(46)</sup>

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013) and signed by Jamaica at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(47-49)
Compulsory Education Policy*	Ensures that all children between the ages of 3 and 18 have access to a learning institution or vocational training program. Includes the Career Advancement Program, which provides 16- to 18-year-olds with two additional years of schooling upon completion of the 11th grade.(50)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The Government has drafted a National Policy on Child Labor in an effort to implement the National Plan of Action on Child Labor and address some of the current challenges, but it continues to be under review.(27, 31, 42) Implementation of the current National Plan of Action of Child Labor has faced difficulties, including the lack of adequate resources and an institutional tracking system.(18, 51) The Government drafted a Plan of Action to Combat Human Trafficking in Persons (2012 – 2015) in an effort to strengthen current priority areas and ensure that shelters are available to victims. The Plan is implemented by the National Task Force Against Trafficking in Persons; the task force meets regularly and implements the Plan through three subcommittees: the Prevention, Protection, and Prosecution subcommittees.(31, 42, 52) In 2014, the Government published a new standard operating procedure (SOP) to guide local law enforcement officers on counter-trafficking initiatives, including child labor trafficking victims. The SOP covers topics including use of special investigating techniques, arrests and presentation of human trafficking cases before the courts, and assessment of local intelligence.(8)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Jamaica funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Tackling Child Labor through Education Project (2008 – 2015)	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states.(53) The Government worked closely with NGOs RISE and Children First to provide direct support to children engaging and at risk of engaging in child labor activities.(54, 55)
Program for Advancement through Health and Education (PATH)‡	Funded by the Government of Jamaica and the World Bank, the conditional cash transfer program helps to reduce child labor by requiring participants to attend school at least 85 percent of the academic days within a month.(56-58) Recent evaluations of the PATH program reveal that children at the primary and secondary levels are not likely to reach that target.(19, 58) In 2014, the Government expanded the program and serviced 330,000 beneficiaries. The education compliance rate was 81 percent boys and 85.5 percent girls at the primary level and 73.5 percent for boys and 80 percent for girls at the secondary level.(8) PATH beneficiaries received a total of \$70 million in payments throughout 2014, an increase of 15 percent over the previous year.(8)
Child Labor Measurement and Policy Development	USDOL-funded research project implemented by the ILO to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(59)
Shelters‡	Government shelters to aid women and children trafficking victims.(2, 27, 30, 46)

‡ Program is funded by the Government of Jamaica.

Although Jamaica has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem of children working in domestic work and street work, as well as in the worst forms of child labor.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Jamaica (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Enact the new Occupational Safety and Health Act that would specify prohibitions on hazardous occupations and activities for children under age 18.	2009 – 2014
	Determine the specific light work activities and hours permissible for children between the ages of 13 to 14 to facilitate enforcement.	2014
	Ensure that legislation prohibits the use of children for all illicit activities, including drug trafficking and production.	2009 – 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide coverage of the workforce.	2014
	Ensure that labor inspections are conducted in not just the formal sector (factories, building sites, docks, and ships) but also in the informal sector in urban and rural communities.	2014
	Ensure that labor inspectors have authority to issue fines and determine penalties for child labor law violations to facilitate enforcement of child labor laws.	2014
	Ensure information is made publicly available on the number of criminal investigators employed to address the worst forms of child labor.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014
	Ensure that the National Plan of Action of Child Labor is implemented by providing adequate resources and an institutional tracking system.	2010 – 2014
Social Programs	Conduct research to determine the activities carried out by children who are working, especially for children working in agriculture and construction.	2013 – 2014
	Expand programs that assist children in the worst forms of child labor and develop programs to aid children in domestic labor and street work.	2013 – 2014

### REFERENCES

- International Trade Union Confederation. *Internationally Recognised Core Labour Standards in Jamaica: Report for the WTO General Council Review of the Trade Policies of Jamaica*. Geneva; January 18 and 20, 2011.
- U.S. Embassy- Kingston. *reporting, February 28, 2011*.
- U.S. Embassy- Kingston. *reporting, February 20, 2013*.
- U.S. Department of State. "Jamaica," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220454>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received February 20, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Reynolds-Baker, A. "Government Resolute on Reducing Child Labour." *jis.gov.jm* November 4, 2013 [cited January 17, 2014]; <http://jis.gov.jm/govt-resolute-reducing-child-labour/>.
- U.S. Embassy- Kingston. *reporting, January 30, 2015*.
- Weekley, K. "Child Labour in the Scrap-Metal Industry." *jamaica-gleaner.com* [online] June 1, 2011 [cited December 13, 2013]; <http://jamaica-gleaner.com/gleaner/20110601/lead/lead9.html>.
- U.S. Department of State. "Jamaica," in *Trafficking in Persons Report- 2011*. Washington, DC; June 27, 2011; <http://www.state.gov/documents/organization/164455.pdf>.
- U.S. Department of State. "Jamaica," in *Trafficking in Persons Report- 2014*. Washington, DC; [www.state.gov/documents/organization/226847.pdf](http://www.state.gov/documents/organization/226847.pdf).
- U.S. Department of State. "Jamaica," in *Trafficking in Persons Report- 2013*. Washington, DC; 2013; <http://www.state.gov/documents/organization/210740.pdf>.
- U.S. Embassy- Kingston. *reporting, February 20, 2014*.
- JIS News. "OCA Reports Convictions in Attempt to Sell Child Overseas." *jis.gov.jm* [online] March 8, 2011 [cited December 19, 2012]; <http://www.jis.gov.jm/news/117-headlines/27034?src=media.webstreams>.
- Hussey-Whyte, D. "Child Labour Horror - 16,000 Being Forced to Work in Jamaica." *The Jamaica Observer*, Kingston, June 27, 2011; June 27, 2011. [http://www.jamaicaobserver.com/news/Child-labour-horror\\_9046350](http://www.jamaicaobserver.com/news/Child-labour-horror_9046350).
- "More Parental Education Needed." *The Gleaner*, Kingston, February 19, 2011. [http://go-jamaica.com/news/read\\_article.php?id=26626](http://go-jamaica.com/news/read_article.php?id=26626).
- "Study: Inner-City Children Dangerously Caught in Border Divisions." *The Jamaica Observer*, Kingston, February 19, 2010. [http://www.jamaicaobserver.com/news/bodies-panos-fri-15\\_7433537](http://www.jamaicaobserver.com/news/bodies-panos-fri-15_7433537).
- Reid, T. "No Tracking System for Child Labourers." *The Gleaner*, Kingston, February 20, 2011. <http://jamaica-gleaner.com/gleaner/20110220/lead/lead5.html>.



19. Government of Jamaica. *Response to Report: Form 2013*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014) "Request for information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Kingston; January 2015.
20. Government of Jamaica. *Response to Report: Form 2012*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 26, 2012) "Request for information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Kingston; September 2012.
21. Government of Jamaica. *Child Care and Protection Act* enacted 2004. <http://www.moj.gov.jm/laws/statutes/The%20Child%20Care%20and%20Protection%20Act.pdf>.
22. Government of Jamaica. *The Factories Act: The Docks (Safety, Health, and Welfare) Regulations 1968*, 315/69, enacted May 27, 1968. [http://www.ilocarib.org.tt/cariblex/jamaica\\_act4.shtml](http://www.ilocarib.org.tt/cariblex/jamaica_act4.shtml).
23. Government of Jamaica. *The Factories Act: The Building Operations and Works of Engineering Construction (Safety, Health, and Welfare) Regulations*, 314/69, enacted May 27, 1968. [http://www.ilocarib.org.tt/cariblex/jamaica\\_act3.shtml](http://www.ilocarib.org.tt/cariblex/jamaica_act3.shtml).
24. Government of Jamaica. *Mining Act*, enacted October 13, 1947. <http://moj.gov.jm/sites/default/files/laws/Mining%20Act.pdf>.
25. Government of Jamaica. *Trafficking in Persons (Prevention, Suppression, and Punishment) Act*, enacted August 4, 1971. [http://www.cda.gov.jm/sites/default/files/content/Trafficking%20in%20Persons%20\(Prevention,%20Suppression%20and%20Punishment\)-1.pdf](http://www.cda.gov.jm/sites/default/files/content/Trafficking%20in%20Persons%20(Prevention,%20Suppression%20and%20Punishment)-1.pdf).
26. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Jamaica (ratification: 2003) Submitted: 2011*; accessed December 17, 2013; <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?h ost-status01&textbase=iloeng&document=27072&chapter=9&query=%28Jamaica%29+%40ref&highlight=&querytype=bool&context=0>.
27. Government of Jamaica. *Response of the Government of Jamaica to the Findings of the 2011 Report of the U.S. Department of Labour on the Worst Forms of Child Labour Pertaining to Jamaica*. Submitted in response to the U.S. Department of Labor letter to the Embassy of Jamaica (December 14, 2012) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Washington, DC; January 8, 2013.
28. Government of Jamaica. *Cyber Crimes Act*, enacted March 17, 2010. <http://moj.gov.jm/sites/default/files/laws/Cybercrimes%20Act.pdf>.
29. Government of Jamaica. *Sexual Offences Act*, Act 12, enacted 2009.
30. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Jamaica (ratification: 2003) Published: 2011*; accessed December 18, 2013; <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?h ost-status01&textbase=iloeng&document=12707&chapter=6&query=%28Jamaica%29+%40ref&highlight=&querytype=bool&context=0>.
31. Government of Jamaica. *Report filed with the ILO under Article 22 of the ILO Constitution for the period ending August 31, 2012 in reference to the Worst Forms of Child Labour Convention, 1999 (No. 182)* Kingston; September 4, 2012. [http://www.ilo.org/dyn/normlex/en/f?p=1000:11110:0::NO:11110:P11110\\_COUNTRY\\_ID:103236](http://www.ilo.org/dyn/normlex/en/f?p=1000:11110:0::NO:11110:P11110_COUNTRY_ID:103236).
32. Government of Jamaica. *Child Pornography (Prevention) Act*, enacted October 21, 2009. [http://www.japarliament.gov.jm/attachments/341\\_The%20Child%20Pornography%20Act.pdf](http://www.japarliament.gov.jm/attachments/341_The%20Child%20Pornography%20Act.pdf).
33. Child Soldiers International. "Appendix II: Data Summary Table on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
34. Government of Jamaica. *The Defence Act*, enacted July 31, 1962. <http://moj.gov.jm/laws/defence-act>.
35. Dunkley, A. "PASSED!-51 MPs Vote in Favour of Charter of Rights Bill." *The Jamaica Observer*, Kingston, March 23, 2011. [http://www.jamaicaobserver.com/news/PASSED-51-MPs-vote-in-favour-of-Charter-of-Rights-Bill\\_8569370](http://www.jamaicaobserver.com/news/PASSED-51-MPs-vote-in-favour-of-Charter-of-Rights-Bill_8569370).
36. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Jamaica (ratification: 2003) Submitted: 2011*; accessed December 12, 2013; <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host-status01&textbase=iloeng&document=26567&chapter=9&query=%28Jamaica%29+%40ref&highlight=&querytype=bool&context=0>.
37. ILO-IPEC. *Jamaica: Child Labour Legislative Gap Analysis*. Geneva; 2012 [http://www.ilo.org/ipec/projects/global/tackle/jamaica/WCMS\\_204258/lang-en/index.htm](http://www.ilo.org/ipec/projects/global/tackle/jamaica/WCMS_204258/lang-en/index.htm).
38. U.S. Embassy- Kingston. *reporting, January 24, 2014*.
39. Office of the Children's Registry. *The Mandate of the OCR*, Government of Jamaica, [online] [cited December 19, 2013]; <http://www.ocr.gov.jm/Mandate.html>.
40. U.S. Embassy- Kingston. *reporting, March 11, 2011*.
41. UNICEF. *Jamaica Child Protection Partners*, UNICEF, [online] January 22, 2014 [cited 2014]; [http://www.unicef.org/jamaica/partners\\_2061.htm](http://www.unicef.org/jamaica/partners_2061.htm).
42. U.S. Embassy- Kingston official. E-mail communication to USDOL official. April 16, 2015.
43. Office of the Children's Registry. *Child Abuse Reports: Statistical Bulletin*. Kingston; September 28, 2012. Report No. 3. <http://www.ocr.gov.jm/index.htm>.
44. Miller, B. "Government Committed to Eliminating Human Trafficking- Senator Golding." *jis.gov.jm* [online] February 3, 2014 [cited 2014]; <http://jis.gov.jm/government-committed-eliminating-human-trafficking-senator-golding/>.
45. Robinson, L. *Draft National Plan of Action on Child Labour- Jamaica*; 2008.
46. Ministry of Justice. *Combating Trafficking of Persons in Jamaica*. online. Kingston; 2013. <http://moj.gov.jm/stophumantrafficking>.
47. ILO. "18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour." [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
48. Iniciativa Regional América Latina y el Caribe. *Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas*; October 14, 2014. [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
49. UN News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." *un.org* [online] October 15, 2014 [cited 2014]; <http://www.un.org/apps/news/printnews.asp?nid=49082>.
50. Ministry of Education, Office of the Chief Education Officer. *Compulsory Education Policy: Career Advancement Programme*. Kingston.
51. ILO-IPEC. *Assessment of Implementation and Enforcement Machinery to Combat Child Labour in Jamaica*. Geneva; February 2010.
52. Caribbean 360. "Jamaica Plans to Amend Existing Human Trafficking Legislation." *caribbean360.com* [online] January 7, 2013 [cited February 27, 2013]; [http://www.caribbean360.com/news/jamaica\\_news/654110.html#axzz2M6aARxeU](http://www.caribbean360.com/news/jamaica_news/654110.html#axzz2M6aARxeU).
53. ILO-IPEC. *Tackling Child Labour through Education in African, Caribbean and the Pacific (ACP) States (TACKLE)*, ILO, [online] February 27, 2014 [cited May 2, 2014]; <http://www.ilo.org/ipec/projects/global/tackle/jamaica/lang-en/index.htm>.
54. ILO-IPEC. *Tackle Child Labor through Education: Moving Children from Work to School in 11 Countries*. Geneva; June 2008. <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=8511>.
55. JIS News. "Tackle Project Gets \$25 Million to Combat Child Labour." *jis.gov.jm* [online] September 8, 2011 [cited December 20, 2013]; <http://www.jis.gov.jm/component/search/child%2Blabour/%252F?ordering=newest&searchphrase=exact&limit=128>.
56. Ministry of Labour and Social Security. *PATH: What is PATH?*; Government of Jamaica, [online] [cited February 27, 2014]; <http://www.mlss.gov.jm/pub/index.php?artid=23>.
57. Ministry of Labour and Social Security. *PATH: Beneficiary Responsibilities*, Government of Jamaica, [online] [cited February 27, 2014]; <http://www.mlss.gov.jm/pub/index.php?artid=55>.
58. Lamanna, F. *Jamaica: Social Protection Project (PATH)*. Implementation Status and Results Report. Washington, DC, The World Bank; October 15, 2012. Report No. ISR8023. <http://documents.worldbank.org/curated/en/2012/10/16830792/jamaica-social-protection-project-p105024-implementation-status-results-report-sequence-09>.
59. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP)*. Geneva; 2014.



In 2014, Jordan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted a new law that expands protection for child laborers including children engaged in street work and garbage collection; worked with international organizations to improve access to education for Jordanian and Syrian refugee children; increased the number of work inspections, including inspection campaigns in targeted sectors; and finalized a child labor monitoring system in cooperation with the ILO. However, children in Jordan are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in domestic work as a result of human trafficking. Child labor remains prevalent among Syrian refugee children, whose access to education is limited. In addition, programs to combat the worst forms of child labor are insufficient to adequately address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jordan are engaged in child labor, including agriculture. Children are also engaged in the worst forms of child labor, including in domestic service as a result of human trafficking. (1, 2) Table 1 provides key indicators on children's work and education in Jordan.

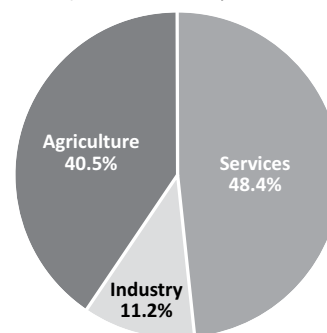
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	0.8 (11,255)
Attending School (%)	5-14 yrs.	94.9
Combining Work and School (%)	7-14 yrs.	0.7
Primary Completion Rate (%)		92.8

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labor Survey, 2007.(4)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (2, 5-10)
	Mining*† (5)
	Painting* (6)
	Construction,† activities unknown (6-12)
Industry	Manufacturing, activities unknown (8, 9, 11)
	Carpentry† (6, 10, 12)
	Blacksmithing*† (6, 12)
	Rock quarrying*† (10)
	Electrical repair*† (10, 13)
Services	Repairing automobiles† (12-14)
	Guiding tours (15-17)
	Street work,† including vending (6, 9, 10, 12, 13, 15, 17-19)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Begging (10, 12, 15, 19)
	Scavenging scrap metal* (14, 20)
	Domestic work† (2, 6, 9, 13)
	Food services (10, 11, 13, 14)
	Hotel services*† (2, 14)
	Hairdressing (9, 10, 15)
Categorical Worst Forms of Child Labor‡	Retail (8-10, 14)
	Forced begging sometimes as a result of human trafficking* (1, 19)
	Domestic work as a result of human trafficking* (19, 21)
	Commercial sexual exploitation* sometimes as a result of human trafficking* (22, 23)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

According to a Ministry of Labor official, about half of the child laborers identified by the Ministry of Labor during inspections in 2014 were Syrian refugee children.(14) Many of these children are the sole breadwinners of their families.(10, 24) Syrian refugee boys work primarily in retail and services, while some Syrian girls work in domestic service and agriculture.(10) Reports state that Syrian refugee children peddle goods inside and outside the Za’atari refugee camp; there are also increasing numbers of Syrian refugee children begging in Jordanian cities.(19) The influx of refugees has led to economic distress in the country; as a result, more Jordanian families have put their children to work as well.(25)




In places where the refugee population is steadily increasing, such as in the northern regions and in Amman, primary schools are not able to meet the increasing demand and lack sufficient space and teaching staff to accommodate all school-aged children.(26) Syrian children living in host communities are granted access to Jordanian public schools. However, as of January 2015, only 129,000 of the 220,000 school-aged Syrians in Jordan were enrolled in schools, and approximately 90,000 had no access to formal education due to space constraints and other issues.(27) The Ministry of Education has initiated a split school day (two shifts) at almost 100 schools, for Jordanian children to attend in the morning and Syrian children to attend in the afternoon in order to accommodate the large number of students. Yet, more children drop out of school and more children attending double-shifted schools have time to work, even while remaining enrolled in school, because school hours are shorter.(14)

There is limited evidence of temporary marriage of Syrian refugee girls as a form of commercial sexual exploitation.(9)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Jordan has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 73 of Labor Code (29)
Minimum Age for Hazardous Work	Yes	18	Article 74 of Labor Code (29); Article 2 of Ministerial Order of 2011 (30)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 2 of Ministerial Order of 2011 (30)
Prohibition of Forced Labor	Yes		Article 3(b) of Law on the Prevention of Human Trafficking (31)
Prohibition of Child Trafficking	Yes		Article 3(a) of Law on the Prevention of Human Trafficking (31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 306, 310, 311, 315 and 319 of Penal Code (32); Article 3(b) of Law on the Prevention of Human Trafficking (31)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Narcotic Drugs and Psychotropic Substances Act (33)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 3(a) of the National Service Act (34)
Minimum Age for Voluntary Military Service	N/A		
Compulsory Education Age	Yes	16	Articles 7(a.2) and 10(b) of the Education Act (35)
Free Public Education	Yes		Article 20 of the Constitution (36)

In November 2014, Jordan adopted a Child Law that expanded the definition of “juveniles in need of protection” to include child laborers, such as street vendors and garbage collectors. The Child Law gave the Ministry of Social Development the responsibility for protecting children in these categories and for establishing a new Child Labor Unit under the law to work in coordination with the Ministry of Labor’s Child Labor Unit.(14)

The Ministry of Labor developed a draft manual to simplify the categorization of hazardous work in the Ministerial Order of 2011.(37)

The Government does not accept volunteers to join the armed forces.(38)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)’s Child Labor Unit	Coordinate the Government’s child labor programs, direct child labor inspections, and ensure the enforcement of child labor laws.(2, 17)
MOL’s Directorate of Labor Affairs and Inspection	Carry out labor inspections, including child labor violations.(1, 39) Identify cases of child labor through work site visits and refer to relevant services. Register child labor cases into a National Child Labor Database, which allows ministries to monitor and track children as they are identified and referred to services.(40) Maintains a hotline to receive labor-related complaints, including complaints of child labor.(41)
Minister of Justice’s (MOJ) Public Security Directorate (PSD), Criminal Investigation Unit (CID)	Investigate and prosecute human trafficking crimes and violations of Jordan’s Penal Code, including allegations of the worst forms of child labor.(14)
MOJ’s National Screening Team	Identify victims of human trafficking.(19)
Joint Anti-Trafficking Unit of MOL and PSD	Investigate cases of human trafficking and forced labor, refer cases for prosecution, and coordinate with foreign embassies to identify victims of human trafficking and repatriate workers.(19)
Municipal Business License Inspectorate	Inspect the business licenses of businesses in the municipality.(37)

Law enforcement agencies in Jordan took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor employed 160 labor inspectors who were responsible for enforcing all aspects of the Labor Code, including child labor. The Ministry of Labor's Child Labor Unit held 11 training sessions, in which 139 labor inspectors were trained on child labor issues.(14) However, due to frequent rotations of Government employees within and among ministries, currently, only 80 of the 160 labor inspectors have been trained on child labor issues. The Child Labor Unit has identified the need for updating the training modules to include information on child labor among Syrian refugees.(14) The lack of resources prevented the Ministry of Labor's Directorate of Labor Affairs and Inspection from inspecting the agricultural sector.(14)

During the reporting period, the Ministry of Labor's Child Labor Unit carried out 1,426 inspections, including unannounced visits, as well as inspections in response to complaints, and identified 1,060 child laborers. In 2014, the Child Labor Unit conducted inspection campaigns targeting the auto-repair and mechanical industry, the restaurant industry, and highway coffee shops, which is largely an informal sector.(14) During the inspections, the Ministry of Labor issued 633 warnings and 235 fines.(14) A warning requires the employer to sign a pledge certifying that it will cease employing children within one week. Without a signed pledge, the Ministry can close a business within one week.(14)

### *Criminal Law Enforcement*

In 2014, the Joint Anti-Trafficking Unit participated in and contributed to almost 30 training sessions offered by international organizations and NGOs.(25) These organizations also held training sessions for prosecutors and border guards. As a result of the training sessions, observers noted that the Unit has expanded its definition of human trafficking.(25) The Joint Anti-Trafficking Unit published awareness-raising brochures about the indicators of human trafficking, which they distributed in police stations, customs offices, and specific sectors in which human trafficking occurs. The Joint Anti-Trafficking Unit investigated 311 potential cases of human trafficking in 2014.(25) Of these, 53 were identified as human trafficking cases and were referred to the Prosecutor General. The 53 cases involved 121 female and 40 male victims, including 11 girls involved in commercial sexual exploitation as a result of human trafficking.(25) The Unit referred 91 male and 24 female suspects to the Prosecutor General. The Unit received information for potential cases from various sources, including the Ministry of Labor's hotline.(25) Research did not find information regarding the number of investigators.

A technical subcommittee of the National Committee for the Prevention of Human Trafficking was reviewing the Law on the Prevention of Human Trafficking to close loopholes, as well as drafting an official referral mechanism for referring human trafficking victims to an under-construction shelter. Meanwhile, an informal referral network is operating to place human trafficking victims in temporary shelter.(25) The Government referred 122 human trafficking victims to three organizations for services and assistance in 2014.(25)

The Ministry of Justice registered 83 cases under the Law on the Prevention of Human Trafficking in 2014. Of these, 20 resulted in convictions, 2 in acquittals, 1 case was dropped by general amnesty, and the rest were pending.(25) The sentences for the convictions ranged from 1 to 10 years' hard labor, 3 to 5 months' imprisonment, payment of court fees, a fine, or some combination thereof.(25)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
National Committee on Child Labor	Form new policy, amend legislation as necessary, and oversee the implementation of current child labor policy, including the National Framework to Combat Child Labor. Led by MOL.(27) Includes the Ministry of Labor, the Ministry of Education, the Ministry of Social Development, the National Council on Family Affairs, as well as international and civil society organizations.(27)
The National Center for Family Affairs	Coordinate policy issues involving abused or exploited children.(2)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Steering Committee of the National Framework to Combat Child Labor	Coordinate referrals between Ministries of Labor, Education, and Social Development to identify child laborers, withdraw them from work, provide them with services, and monitor their progress.(27, 42)
National Committee for the Prevention of Human Trafficking	Coordinate the implementation of the National Strategy and Action Plan to Combat Human Trafficking.(43) Chaired by MOJ. Other members include representatives from the Ministries of Labor, Foreign Affairs, Interior, Social Development, Health, Trade and Industry, as well as the National Council for Family Affairs, the National Commission on Human Rights, and the Joint Anti-Trafficking Unit of the Ministry of Labor and PSD CID.(25)

In 2014, the Steering Committee of the National Framework to Combat Child Labor usually met on a biweekly basis. The Ministries of Labor, Education, and Social Development, in cooperation with the ILO, finalized a child labor monitoring system (CLMS) that will act as a coordinating and referral mechanism, as well as a Web site for centralized data collection.(14) The Ministry of Labor manages the CLMS in coordination with the other two Ministries. In 2015, the pilot phase, conducted during the reporting period in Amman, Irbid, and Zarqa will be expanded to three additional governorates.(14) Likewise, in 2015, a bilingual (Arabic and English) Web site integrated with the CLMS will be launched for the public to be able to report cases of child labor. The Ministry of Education will track school dropout in efforts to encourage children to re-enter school.(14)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Jordan has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Framework to Combat Child Labor	Outlines the roles and responsibilities of the key government agencies, including the Ministries of Labor, Education, and Social Development; NGOs; and other stakeholders involved in identifying and responding to cases of child labor.(42) The Ministry of Labor's Child Labor Unit held training for 25 Ministry of Labor's inspectors on their role in the implementation of the National Framework to Combat Child Labor.(37)
Jordan Response Plan	Facilitates the country's humanitarian and development response to the needs of incoming Syrian refugees and Jordanian host communities, a joint effort of the Government and the UN.(44) Includes elements aimed at reducing refugees' vulnerability to child labor through improved access to education.(45, 46)
The National Agenda (2007–2017)*	Provides a comprehensive reform framework for political, economic, and social policies, including the restructuring of Jordan's social safety net system.(47)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Jordan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Nonformal Education Centers‡	Consisting of 51 centers under the Ministry of Education throughout the country that seek to bring school dropouts, including those engaged in or at risk of child labor, back into the educational system. Children attend classes 3 hours a day in a flexible learning environment.(14) Target children aged 13 and older. Specially trained teachers work with small classes of about 20, and at the end of the curriculum, students earn a certificate equivalent to a 10th-grade education.(14)
Social Center in Marka‡	Funded by the Ministry of Labor and operated by the Ministry in cooperation with the ILO. Its activities include identifying child laborers, providing services, including nonformal education, training, and rehabilitation for school dropouts and child laborers, assisting families in finding alternate forms of supplemental income, and conducting awareness-raising sessions in the community. Served 165 children in 2014.(14)



**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Nonformal Education Center in Petra‡	Part of a trilateral project between UNESCO, the ILO, and the Petra Authority that operates a nonformal education center and provides services to children at risk of child labor in the local tourism industry in the Um Sayhoun community and in Petra.(41, 48)
Moving Towards a Child-Labor Free Jordan (2010–2016)	\$4.04 million USDOL-funded, 6-year project implemented by ILO-IPEC to facilitate the Government of Jordan's implementation of the National Framework to Combat Child Labor, including conducting a national child labor survey.(49) During the reporting period, an online child labor monitoring database was launched and piloted for key government and nongovernment stakeholders to document cases of child labor and refer victims to services, including cases involving Syrian refugee children.(37)
Promising Futures: Reducing Child Labor in Jordan through Education and Sustainable Livelihoods (2010–2014)	\$4 million USDOL-funded, 4-year project implemented by Save the Children to reduce the number of children working in construction, manufacturing, informal services and the storage industry, as well as in domestic service. Serves beneficiaries in poverty-stricken areas with high numbers of child refugees, including East Amman, Mafraq, and Zarqa.(50)
Child Begging Assistance Campaign‡	Ministry of Social Development's program that implements an identification and services referral system for child beggars. Links children with shelter and education services. Returns children to their parents who must then pledge in writing that their children will not return to the street.(51)
Sustaining Quality Education and Promoting Skills Development Opportunities for Young Syrian Refugees in Jordan (2013–2015)*	\$5.6 million EU-funded, 2-year project implemented by UNESCO in cooperation with the Ministry of Education to offer informal and nonformal education for Syrian and Jordanian youth in Jordan.(52)
The National Aid Fund*‡	Ministry of Social Development's conditional cash transfer program that pays families approximately \$50 per month for withdrawing a child from the labor market and reenrolling the child in school.(41)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Jordan.

As the Ministry of Social Development does not have a mandate regarding protection of Syrian refugee children, Government officials refer Syrian children identified through the child labor monitoring system to international and NGOs. The Ministry of Labor's Child Labor Unit has a process to refer Syrian child laborers to United Nations High Commissioner for Refugees.(14)

During the reporting period, the Ministry of Labor's Child Labor Unit broadcast 20 radio and TV spots and supported 3 public awareness sessions. In February 2014, in coordination with Save the Children, the Child Labor Unit hosted a conference entitled "My Dream is My Right" on child labor.(14)

Although Jordan has programs that target child labor, the scope of these programs does not address the extent of the problem, including in human trafficking, domestic work, commercial sexual exploitation, begging, and other forms of street work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Jordan (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Ministry of Labor's inspectors have the resources to carry out inspection in the agricultural sector.	2014
	Collect and make publicly available data on the number of investigators responsible for criminal enforcement of child labor laws.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention into the National Agenda.	2014
Social Programs	Expand programs to ensure equal access to education for all refugee children.	2013 – 2014
	Assess the impact that existing programs may have on child labor.	2010 – 2014
	Institute programs to address the worst form of child labor in domestic service as a result of human trafficking, domestic work, commercial sexual exploitation, begging and other forms of street work.	2013 – 2014

## REFERENCES

- U.S. Embassy- Amman. *reporting, January 31, 2013.*
- U.S. Embassy- Amman. *reporting, January 29, 2014.*
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from National Child Labour Survey, 2007. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- CHF International. *Child Labor in the Agriculture Sector in Jordan.* Amman; 2012.
- U.S. Department of State. “Jordan” in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 2014; <http://www.state.gov/documents/organization/220572.pdf>.
- United Nations. *Needs Assessment of Displaced Syrians in Jordan* Amman; July 2012. <http://documents.wfp.org/stellent/groups/public/documents/enal/wfp251901.pdf>.
- The Manara Network for Child Rights. *Country Profile of Jordan: A Review of the Implementation of the UN Convention on the Rights of the Child;* August 2011. <http://www.ibcr.org/editor/assets/Jordan%20Country%20Profile.pdf>.
- UN Women. *Gender-based Violence and child Protection among syrian refugees in Jordan, with a focus on early marriage.* Amman; July 2013. <http://www.unwomen.org/-/media/Headquarters/Attachments/Sections/Library/Publications/2013/7/Report-web%20pdf.pdf>.
- UNHCR. *The Future of Syria: Refugee Children in Crisis.* Geneva; November 2013. <http://unhcr.org/FutureOfSyria/>.
- Un Ponte Per. *Comprehensive Assessment on Syrian Refugees Residing in the Community in Northern Jordan.* Amman; August 2012. <http://data.unhcr.org/syrianrefugees/download.php?id=607>.
- ILO. *Report of the rapid assessment on Child Labour in the Urban Informal Sector in three governorates of Jordan (Amman, Mafraq and Irbid);* 2014 May 25,.
- Save the Children. *Marka Needs Assessment: Final Report.* Amman; October 30, 2011.
- U.S. Embassy- Amman. *reporting, January 19, 2015.*
- Al Anbat, B. *Combat Child Labor in Petra: Phase III,* Bait Al Anbat, [online] [cited December 1, 2014]; <http://www.baitalanbat.org/home.asp?mode=more&NewsID=214&catID=11&Lang=eng>.
- ILO-IPEC. *Child Labour in Tourism in Petra: Outcomes and Recommendations of the Stakeholders’ Workshop.* Wadi Mousa; July 10-11, 2012.
- Seeger, J. *Independent Midterm Evaluation of Combating Exploitive Child Labor Through Education in Jordan.* Mid-term Evaluation Report. Washington, DC; 2011.
- Integrated Regional Information Networks. “Syrian Child Refugees Who Work-Culture or Coping Mechanism?” IRIN.org [online ] December 12, 2012 [cited December 1, 2014]; <http://www.irinnews.org/report/97062/jordan-syrian-child-refugees-who-work-culture-or-coping-mechanism>.
- U.S. Department of State. “Jordan,” in *Trafficking in Person Report- 2014.* Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226749.htm>.
- Save The Children. *Children in Scrap Collection Research Paper.* Amman; 2014.
- U.S. Department of State. “Jordan,” in *Trafficking in Persons Report- 2013.* Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210740.pdf>.
- Luck, T. “In a Jordan Camp, Outsiders Seek Syrian Brides.” The Washington Post, Washington, DC, November 23, 2012; World. [http://articles.washingtonpost.com/2012-11-23/world/35507754\\_1\\_syrian-refugees-zaatari-refugee-camp-syrian-women](http://articles.washingtonpost.com/2012-11-23/world/35507754_1_syrian-refugees-zaatari-refugee-camp-syrian-women).
- McLeod, B. “Syrian Refugees ‘Sold for Marriage’ in Jordan.” bbc.co.uk [online] May 10, 2013 [cited June 24, 2013]; <http://www.bbc.co.uk/news/world-middle-east-22473573>.
- Harper, L. “Syrian refugee children face ‘catastrophic’ life in exile, UN says.” The Guardian, London, November 28, 2013; Global Development. [http://www.theguardian.com/global-development/2013/nov/29/syrian-refugee-children-catastrophe-exile-un?utm\\_source=Sailthru&utm\\_medium=email&utm\\_term=Morning%20Brief%20Complete%2010%202F7&utm\\_campaign=MB%2011.29.13](http://www.theguardian.com/global-development/2013/nov/29/syrian-refugee-children-catastrophe-exile-un?utm_source=Sailthru&utm_medium=email&utm_term=Morning%20Brief%20Complete%2010%202F7&utm_campaign=MB%2011.29.13).
- U.S. Embassy- Amman. *reporting, March 1, 2015.*
- Save the Children- Jordan. *Technical Progress Report.* Amman; October 2013.
- U.S. Embassy- Amman official. E-mail communication to USDOL official. April 2, 2015.
- Save The Children. *Homebound Girls in Jordan* Amman; September, 2013.
- Government of Jordan. *Labor Code and Amendments, No. 8 of 1996 (last amended under the interim Labor Code, Law No. 51 of 2002),* enacted March 2, 1996. [www.aproarab.org/Down/Jorddn/3amal.doc](http://www.aproarab.org/Down/Jorddn/3amal.doc).
- Government of Jordan. *Order of Minister of Labor concerning Occupations that are Dangerous, Tiring or Harmful to the Health of Youth, related to the Provisions of Article 74 of Labor Code, Law No 8 of 1996 and its Amendments,* enacted [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=JOR&p\\_classification=04&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=JOR&p_classification=04&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).
- Government of Jordan. *Law No 9 of 2009 on the Prevention of Human Trafficking,* enacted February 9, 2009. <http://www.protectionproject.org/wp-content/uploads/2010/09/Jordan-Anti-Trafficking-Legislation-2009-and-TIP-Law-2008.pdf>.
- Government of Jordan. *Penal Code, Law No 16 of 1960 (including all Amendments until 2011),* enacted 1960.
- Government of Jordan. *Narcotic Drugs and Psychotropic Substances Act and its Amendments, Law No. 11 of 1988,* enacted 1988. [www.jfda.jo/Download/Laws/23\\_71.doc](http://www.jfda.jo/Download/Laws/23_71.doc).
- Government of Jordan. *National Service Act, Law No. 23 of 1986,* enacted May 7, 1986.
- Government of Jordan. *Education Law No. 3 of 1994 and its amendments,* enacted 1994. <http://www.moe.gov.jo/Departments/DepartmentsMenuDetails.aspx?MenuID=324&DepartmentID=5>.
- Government of Jordan. *The Constitution of The Hashemite Kingdom of Jordan,* enacted 1952. [http://www.kinghussein.gov.jo/constitution\\_jo.html](http://www.kinghussein.gov.jo/constitution_jo.html).
- ILO-IPEC. *Technical Progress Report of Project Moving Towards A Child Labour Free Jordan.* Technical Progress Report; October 2014.
- Government of Jordan. *Consideration of reports submitted by States parties under article 44 of the Convention - Combined fourth and fifth periodic reports of States parties due in 2011 (CRC/C/JOR/4-5);* 2013 March 1, [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FJOR%2F4-5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FJOR%2F4-5&Lang=en).
- ILO-LAB/ADMIN. *Jordan: Labour Inspection Structure and Organization;* accessed 2014; [http://www.ilo.org/labadmin/info/WCMS\\_159113/lang-en/index.htm](http://www.ilo.org/labadmin/info/WCMS_159113/lang-en/index.htm).
- ILO News. “Jordan pilots National Framework to Combat Child Labour.” ilo.org [online] June 11, 2013 [cited 2014]; [http://www.ilo.org/beirut/media-centre/news/WCMS\\_215622/lang-en/index.htm](http://www.ilo.org/beirut/media-centre/news/WCMS_215622/lang-en/index.htm).
- U.S. Embassy- Amman official. E-mail communication to USDOL official. February 22, 2015.
- National Committee for Child Labor. *National Framework for Combating Child Labor Jordan.* Framework. Amman; 2011.
- Nihal, F. *Assessment of the Trafficking Situation and Anti-Human Trafficking Legislation in MENA.* Comparative Study. ; 2011
- UNICEF. *Syria Crisis Bi-weekly Humanitarian Situation Report,* UNICEF, [online] June 12, 2014 [cited December 1, 2014]; [http://www.unicef.org/appeals/files/UNICEF\\_Syria\\_Regional\\_Crisis\\_Humanitarian\\_SitRep\\_12Jun2014.pdf](http://www.unicef.org/appeals/files/UNICEF_Syria_Regional_Crisis_Humanitarian_SitRep_12Jun2014.pdf).

# Jordan

## MODERATE ADVANCEMENT

45. UNHCR. *2014 Syria Regional Response Plan: Jordan*; 2014. <http://www.unhcr.org/syriarrp6/docs/syria-rrp6-jordan-response-plan.pdf>.
46. Amani Campaign. *Interagency child protection and GBV campaign*; 2014. <http://jordan.savethechildren.net/sites/jordan.savethechildren.net/files/library/CP%20and%20GBV%20messages%20English%20PDF.pdf>.
47. King Abdullah II ibn Al Hussein of Jordan. *National Agenda 2007 - 2017*; 2013. [http://kingabdullah.jo/index.php/en\\_US/initiatives/view/id/2.html](http://kingabdullah.jo/index.php/en_US/initiatives/view/id/2.html).
48. UNESCO Office in Amman. *UNESCO Amman Quarterly Newsletter*, 3(no. 3) (July 2012); [http://www.unesco.org/fileadmin/MULTIMEDIA/FIELD/Amman/pdf/UNESCO\\_Amman\\_Newsletter\\_July2012.pdf](http://www.unesco.org/fileadmin/MULTIMEDIA/FIELD/Amman/pdf/UNESCO_Amman_Newsletter_July2012.pdf).
49. ILO-IPEC. *Moving Towards a Child Labor-Free Jordan*. Technical Cooperation Project Summary; 2014.
50. Office of Child Labor, Forced Labor and Human Trafficking. *Promising Future's Technical Cooperation Project Summary*. Project Summary November 2012.
51. ILO Committee of Experts. *Individual Direct Request adopted 2012, published 102nd ILC session (2013) Worst Forms of Child Labour Convention, 1999 (No. 182) Jordan (ratification: 2000)*; accessed January 14, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
52. UNESCO. *Sustaining Quality Education and Promoting Skills Development Opportunities for Young Syrian Refugees in Jordan*; 2013. [http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/BSP/pdf/Syrian\\_Refugees\\_Initiatives\\_Nov2013.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/BSP/pdf/Syrian_Refugees_Initiatives_Nov2013.pdf).

In 2014, Kazakhstan made a minimal advancement in efforts to eliminate the worst forms of child labor. Kazakhstan has received an assessment of minimal advancement because its President issued a decree in February 2014 placing a moratorium on inspections of small and medium-size businesses, resulting in the Government not enforcing its child labor laws. This gap in enforcement delays the advancements made in eliminating child labor during the reporting period. In addition, there is limited comprehensive and current research on child labor and programs to combat the worst forms of child labor are insufficient to adequately address the extent of the problem. Children in Kazakhstan are engaged in the worst forms of child labor, including in cotton farming. Despite these gaps, the Government did make efforts to prevent and eliminate child labor, including making children engaged in the worst forms of child labor eligible for social protection services and developing a new national action plan on human trafficking.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kazakhstan are engaged in the worst forms of child labor, including in cotton farming. (1-4) Table 1 provides key indicators on children's work and education in Kazakhstan.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.2 (79,690)
Attending School (%)	5-14 yrs.	90.7
Combining Work and School (%)	7-14 yrs.	3.6
Primary Completion Rate (%)		102.2

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Cotton† farming (1-4)
	Production of vegetables* (1, 2, 4)
Industry	Construction,* activities unknown (4)
	Working in markets,* activities unknown (4, 7)
	Domestic work* (4, 8)
Services	Working in gas stations* (7)
	Car washing* (4, 7)
	Working as waiters*† (7)
Categorical Worst Forms of Child Labor‡	Forced begging as a result of human trafficking* (9, 10)
	Forced labor in agriculture,* domestic work,* and construction,* each as a result of human trafficking* (9, 10)
	Commercial sexual exploitation as a result of human trafficking* (9, 10)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

# Kazakhstan

## MINIMAL ADVANCEMENT




There is no current, comprehensive research on child labor in Kazakhstan. The last national child labor survey was conducted in 2006; since then, a baseline study prioritizing child labor in agriculture in the Almaty and South Kazakhstan areas was completed in 2012.(11) There is limited evidence that children from the neighboring countries of Uzbekistan and the Kyrgyz Republic migrate with their families to work in Kazakhstan's cotton fields.(2, 7, 12)

Access to education is a challenge for some migrant children who do not have an Individual Identification Number, which became a requirement for school enrollment in September 2014.(4)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kazakhstan has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 30 of the Labor Code (13)
Minimum Age for Hazardous Work	Yes	18	Article 179 of the Labor Code (13)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Decree No. 1220 (14)
Prohibition of Forced Labor	Yes		Article 8 of the Labor Code (13); Note 2 to Article 125 of the Criminal Code (15)
Prohibition of Child Trafficking	Yes		Article 133 of the Criminal Code (15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 132-1 of the Criminal Code (15)
Prohibition of Using Children in Illicit Activities	Yes		Article 132 of the Criminal Code (15); Article 179 of the Labor Code (13)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 31 of the Military Service Act (16)
Minimum Age for Voluntary Military Service	Yes	19	Article 38.1(2) of the Military Service Act (16)
Compulsory Education Age	Yes	17	Article 30 of the Constitution (17)
Free Public Education	Yes		Article 8.2 of the Education Act (18)

In July 2014, the Parliament adopted a new Criminal Code, which strengthens the penalties for certain criminal offenses, such as engaging a child in the commission of a crime. This law entered into force on January 1, 2015 and repealed the previous Criminal Code.(19)

## III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).



**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Committee on Labor, Social Protection and Migration*	Enforce child labor laws under the newly formed Ministry of Health and Social Development. Manage child labor cases in the course of broader investigations.(4)
Ministry of Education and Science	Receive complaints of child labor and determine if law enforcement should investigate the case. Mediate cases of child labor in the agricultural sector to encourage parents to keep their children in school.(4)
Ministry of Education and Science's Center for the Adaptation of Minors	Refer and provide assistance to child victims of forced labor, human trafficking, commercial sexual exploitation, or children involved in illicit activities, to the appropriate government services or NGOs for further assistance.(20, 21)
Ministry of Internal Affairs	Enforce child labor laws in criminal offenses and train criminal and migration police in investigating the worst forms of child labor, including commercial sexual exploitation.(20, 22)
Ministry of Internal Affairs' Criminal Police Department, Anti-Trafficking Unit	Investigate allegations of human trafficking, including trafficking of children.(4, 23)
Assistance Hotlines	Ministry of Internal Affairs and Ministry of Education and Science hotlines for child-related issues, including child labor and child trafficking. Refer all child labor and trafficking cases to the police or NGOs, which in turn refer victims to shelters or crisis centers.(24)

\* Agency responsible for child labor enforcement was created during the reporting period.

Labor law enforcement agencies in Kazakhstan took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor and Social Protection was merged with the Ministry of Health to form the Ministry of Health and Social Development, which is responsible for enforcing child labor laws. The Ministry employed approximately 320 labor inspectors.(4) In accordance with ILO's Strategies and Practice for Labor Inspections, the number of labor inspectors is insufficient to handle the labor force in Kazakhstan.

The Ministry of Health and Social Development reported that, while it did not conduct specific training on child labor for its inspectors during the reporting period, its periodic recertification requirement mandates competence in all facets of labor inspection, and that preparation for recertification includes review of materials on combating child labor. According to the Ministry, labor inspectors did not carry out any inspections for the purpose of enforcing child labor laws because of a moratorium on inspections of small- and medium-size businesses announced by the President's Decree No.757 in February 2014.(4) The moratorium covered the period of April 2, 2014 through January 1, 2015 and was intended to improve the conditions for the development of entrepreneurship in Kazakhstan. Reports state that despite the Government's national laws that comply with international standards on child labor issue, its efforts to combat child labor are hindered by the lack of adequate inspection of workplaces where children are commonly employed, such as cotton or vegetable fields.(4) Research did not find information on the number of complaints received on Ministry of Internal Affairs and Ministry of Education and Science hotlines, including those that may have been related to child labor.

Articles 16.10 and 16.11 of the Law on State Control allows for unannounced inspection of workplaces only under certain conditions.(25) In general, unannounced inspections are not carried out.(4) Inspectors conduct announced inspections according to the annual and publicly available plan of labor inspections, which are developed by each *oblast's* (each province's) labor department under the supervision of the Ministry of Health and Social Development. The plan is designed to cover large agricultural enterprises.(4) Small agricultural businesses that may employ children are usually inspected only in response to complaints.(4)

The Government has a system for filing and responding to complaints about child labor. Instances of illegal child labor may be reported to the police, an education official, a labor inspector, or one of the several government-operated hotlines.(4) An official from the *oblast*-level Department of Education will respond to the report and determine whether law enforcement should investigate the claim. For cases in which the alleged child labor occurs in an agricultural setting, local officials will meet with the child's parents and with school administrators to reinforce the message that, during the school year, children should be in school and not in the fields.(4)

# Kazakhstan

## MINIMAL ADVANCEMENT

### *Criminal Law Enforcement*

In 2014, the Ministry of Internal Affairs' Anti-Trafficking Unit employed approximately 40 operational officers who were responsible to identify crime and collect evidence, covering issues of trafficking in persons, including forced labor and commercial sexual exploitation of children. This number is not sufficient for Kazakhstan.(4, 21) The Ministry of Internal Affairs annually trains police officers dealing with cases that involve the worst forms of child labor at the Anti-Trafficking in Persons Training Center at the Ministry's Legal Academy in Karaganda.(4) In 2014, 84 police officers were trained on identifying victims and conducting human trafficking investigations; they comprised 34 migration police officers, 16 community police officers, 17 school inspectors, and 17 investigators who investigate crimes and prepare cases for the prosecution.(4, 21)

In 2014, the police investigated 17 criminal cases related to the commercial sexual exploitation of children. Eleven child victims were removed from such situations and provided assistance by the government as a result of these investigations.(4) Investigations related to 8 of the 17 criminal cases were completed and resulted in 11 convictions, with sentences ranging from 1 year of probation to 10 years imprisonment.(4) Research did not find information on whether these penalties had been implemented.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Coordination Council on Child Labor (NCCCL)	Coordinate efforts to address the worst forms of child labor, and prepare proposals and recommendations on implementing state policy to eliminate child labor.(11) Chaired by the Minister of Health and Social Development, includes representatives from the Ministry of Internal Affairs, the Ministry of Education and Science, the Prosecutor General's Office, the Human Rights Ombudsman, and NGOs. Required to meet semiannually, but did not convene in 2014.(4)
Committee for the Protection of Child Rights	Work to protect children against exploitation. Operates under the Ministry of Education and Science.(4)
Interagency Trafficking in Persons Working Group	Coordinate efforts to combat human trafficking. Chaired by the Minister of Internal Affairs; its coordinating role is shared on a 2-year rotation basis between the Ministry of Internal Affairs and the Ministry of Health and Social Development.(26) Includes representatives from the Ministry of Foreign Affairs, the Ministry of Education and Science, the Ministry of Culture and Sports, the Committee for National Security, the office of the Prosecutor General, the National Human Rights Commission, and the Supreme Court. Met twice in 2014.(26)

NGOs reported that the work of the Committee for the Protection of Children's Rights has slowed after the Committee's reorganization of its 14 *oblast*-level and 2 city-level Departments for the Protection of Children's Rights were abolished in 2013; the Committee's duties were transferred to *oblast*-level Departments of Education in 2014.(4) The National Coordination Council on Child Labor did not meet in 2014 and, therefore, could not monitor the implementation of the Joint Workplan on the Elimination of the Worst Forms of Child Labor.(4) The Council also lacks data on child labor migration in the regions.(27)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Kazakhstan has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Joint Workplan on the Elimination of the Worst Forms of Child Labor and Implementation of ILO International Convention 182 in the Republic of Kazakhstan (2012–2014)	Maps out legislation and policies in Kazakhstan on the worst forms of child labor, as well as both <i>oblast</i> and national programs on child labor and youth employment, to facilitate collaboration between the Government and its partners on these issues.(28) Provides measures for conducting investigations into the production of tobacco and cotton to prevent the worst forms of child labor and to check on children's school attendance.(29)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Action Plan to Combat Human Trafficking (2012–2014)	Prioritizes the development of standards for shelter assistance for trafficking victims and the provision of services to vulnerable population groups, including children.(30, 31) Also includes the development of recommendations to improve regulation of the domestic labor market and the accession of Kazakhstan to the ILO Convention on Domestic Workers, the ILO Convention on Migration for Employment, and the ILO Convention on Migrant Workers.(31) Contains provisions that specifically address child labor, in particular to conduct joint inspections of businesses engaged in cultivation of cotton and tobacco in order to prevent illegal labor migration and exploitation of child labor; to study school attendance during cotton and tobacco harvest season; and to provide social assistance to children who are victims of human trafficking.(4)

Implementation of the Joint Workplan for the Elimination of the Worst Forms of Child Labor was completed in 2014; however, no study was conducted to assess its impact on the worst forms of child labor. No new plan for future years was developed in 2014.(4)

The National Action Plan to Combat Human Trafficking was also completed in 2014; a report on the Government's accomplishments in implementing this Plan will be published in 2015.(4) A new plan for 2015–2017 was developed by the Interagency Trafficking in Persons Working Group and presented to the Prime-Minister's Office in November 2014.(4, 21)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Kazakhstan participated in and funded programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms.(Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Combating Child Labor in Central Asia — Commitment Becomes Action (PROACT CAR Phase III) (2010–2015)	\$3.7 million Government of Germany-funded, 5-year regional project implemented by the ILO, to mainstream child labor issues into national policies and legislation, build the capacity of stakeholders, and provide direct services to children withdrawn from the worst forms of child labor.(8)
Assistance to trafficking victims‡	Provides medical and legal assistance, pretrial safe houses, security services, housing, food, clothing, and transportation to trafficking victims. Authorities can help victims or witnesses change residence, find another job, or change their physical appearance.(27)
Ministry of Education and Science Program of Education Development (2011–2020)*	Aims to provide equal access to education, transition to a 12-year education model, and improve technical and vocational training.(32)
Improving Identification and Referral of Victims of Human Trafficking†	USDOS-funded project implemented by IOM aiming to improve identification of human trafficking victims and referring them to services. Government of Kazakhstan has committed to extend identification functions to all police units, such as migration police and administrative police, as well as to labor inspectors and train them on how to identify victims and refer these victims for further assistance.(26)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Kazakhstan.

In 2014, the Government funded social, educational, and crime-prevention campaigns, including “Road to School” and “12 Days Against Child Labor,” in all the regions of Kazakhstan, reaching just under half a million children from socially vulnerable families.(4) Likewise, the Ministry of Culture and Sport funded awareness-raising campaigns designed to prevent human trafficking, including television programs, and Web site and print newspaper articles.(26) The Ministry of Justice provided a grant to an NGO to allow a shelter to serve victims of human trafficking in Astana.(26)

In March 2014, the Minister of Education and Science signed Order No.75 that extended the category of children eligible for placement in the Centers for Adaptation of Minors to include children engaged in the worst forms of child labor.(4)

# Kazakhstan

## MINIMAL ADVANCEMENT

Although the Government of Kazakhstan implemented programs to combat human trafficking and provide assistance to trafficking victims in 2014, research found no evidence that it has carried out programs to assist children engaged in child labor in services and agriculture, particularly in the production of cotton.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kazakhstan (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2014
	Resume labor inspections to enforce child labor laws, particularly targeting cotton fields and other areas where children are commonly employed.	2013 – 2014
	Collect and make publicly available the number of complaints made to the hotlines and disaggregate that number to discern how many of the complaints were related to child labor.	2014
	Strengthen the inspection system by permitting unannounced inspections and including routine or targeted inspections in all sectors of the economy, including small agricultural businesses.	2014
	Collect and make publicly available information on the implementation of penalties in cases of the worst forms of child labor.	2009 – 2014
Coordination	Resume the activities of the National Coordination Council on Child Labor and increase its access to data on child labor migration in the regions.	2012 – 2014
Social Programs	Conduct research to gather comprehensive data on child labor, including the activities carried out by children working in the construction and services industries to inform policies and programs.	2013 – 2014
	Ensure universal access to education, targeting migrant children.	2014
	Assess the impact that existing programs have on child labor.	2010 – 2014
	Institute programs to address child labor in services and agriculture, particularly in the production of cotton.	2014

### REFERENCES

- ILO-IPEC. *ILO-IPEC in Kazakhstan Newsletter*. Geneva; January 3, 2011.
- ILO-IPEC. *Child Labour in Rural Kazakhstan: Baseline Survey Results in Almaty and South Kazakhstan Oblasts*. Almaty; 2012.
- Human Rights Council. *Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shabinian on her mission to Kazakhstan (24 September to 1 October 2012)*. Geneva; June 27, 2013. [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session24/Documents/A-HRC-24-43-Add1\\_en.pdf](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session24/Documents/A-HRC-24-43-Add1_en.pdf).
- U.S. Embassy- Astana. *reporting, January 29, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- ILO. *Report of the Committee of Experts on the Application of Conventions and Recommendations*. Geneva; 2014. [http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS\\_235054/lang-en/index.htm](http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS_235054/lang-en/index.htm).
- ILO-IPEC. *Combating Child Labour in Central Asia – Commitment becomes Action PROACT CAR Phase III*. Technical Progress Report (July - December 2013). Geneva; 2013.
- UNICEF. *A Rapid Assessment of Children’s Vulnerabilities to Risky Behaviors, Sexual Exploitation, and Trafficking in Kazakhstan*. New York; March 2012.
- U.S. Department of State. “Kazakhstan,” in *Trafficking in Persons Report- 2014*. Washington, DC; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- ILO-IPEC. *Activities for the elimination of child labour in Kazakhstan 2005-2010*. Newsletter. Geneva; February 23, 2011. [http://www.ilo.org/public/english/region/eurpro/moscow/info/publ/ipecc/factsheet\\_final\\_en.pdf](http://www.ilo.org/public/english/region/eurpro/moscow/info/publ/ipecc/factsheet_final_en.pdf).
- U.S. Department of State. “Kazakhstan,” in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm>.
- Government of Kazakhstan. *Labor Code of the Republic of Kazakhstan*, No. 251-III, enacted May 15, 2007. [www.oit.org/dyn/inatlex/docs/MONOGRAPH/76433/82753/F982631364/Microsoft%20Word%20-%20ENG%20KAZ.76433.pdf](http://www.oit.org/dyn/inatlex/docs/MONOGRAPH/76433/82753/F982631364/Microsoft%20Word%20-%20ENG%20KAZ.76433.pdf).
- Government of Kazakhstan. *Decree No. 1220*, Decree No. 1220, enacted October 28, 2011. <http://adilet.zan.kz/rus/docs/P1100001220>.
- Government of Kazakhstan. *The Criminal Code of the Republic of Kazakhstan*, Law No. 167, as amended, enacted July 16, 1997. [www.legislationline.org/download/action/download/id/1681/file/ca1cfb8a67f8a1c2ffe8de6554a3.htm/preview](http://www.legislationline.org/download/action/download/id/1681/file/ca1cfb8a67f8a1c2ffe8de6554a3.htm/preview).

16. Government of Kazakhstan. *Law No. 561-IV on Military Service and the Status of Military Personnel, as amended*, Law No. 561-IV, enacted February 16, 2012. [http://online.zakon.kz/Document/?doc\\_id=31130640](http://online.zakon.kz/Document/?doc_id=31130640).
17. Government of Kazakhstan. *Constitution of the Republic of Kazakhstan*, enacted August 30, 1995. [http://online.zakon.kz/Document/?doc\\_id=1005029#sub\\_id=100000](http://online.zakon.kz/Document/?doc_id=1005029#sub_id=100000).
18. Government of Kazakhstan. *Law No. 319-III On Education, as amended*, Law No. 319-III, enacted July 27, 2007. [http://online.zakon.kz/Document/?doc\\_id=30118747](http://online.zakon.kz/Document/?doc_id=30118747).
19. Government of Kazakhstan. *The Criminal Code of the Republic of Kazakhstan, No. 226-V, as amended*, No. 226-V, enacted July 3, 2014. [http://online.zakon.kz/Document/?doc\\_id=31575252](http://online.zakon.kz/Document/?doc_id=31575252).
20. U.S. Embassy- Astana. *reporting, January 17, 2014*.
21. U.S. Embassy- Astana. *reporting, April 15, 2015*.
22. U.S. Department of State. "Kazakhstan," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm>.
23. U.S. Embassy- Astana. *reporting, February 18, 2010*.
24. U.S. Embassy- Astana official. E-mail communication to USDOL official. March 2, 2012.
25. Government of Kazakhstan. *Law No. 377-IV on State Control and Supervision in the Republic of Kazakhstan, as amended*, Law No. 377-IV enacted January 6, 2011. [http://online.zakon.kz/document/?doc\\_id=30914758](http://online.zakon.kz/document/?doc_id=30914758).
26. U.S. Embassy- Astana. *reporting, February 19, 2015*.
27. U.S. Embassy- Astana. *reporting, May 20, 2013*.
28. ILO-IPEC. *Combating Child Labour in Central Asia - Commitment Becomes Action PROACT CAR Phase III*. Technical Progress Report. Geneva; Jan- Jun 2012.
29. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Kazakhstan (ratification: 2001) Published: 2014*; accessed November 08, 2014 <http://www.ilo.org/ilolex/english/iloquery.html>.
30. U.S. Embassy- Astana. *reporting, February 15, 2012*.
31. ILO-IPEC. *Combating Child Labour in Central Asia - Commitment Becomes Action PROACT CAR Phase III*. Technical Progress Report. Geneva; July- Dec 2012.
32. Ministry of Education and Science. *State Program of Education Development in the Republic of Kazakhstan for 2011- 2020*. Astana; 2010. [www.akorda.kz/upload/SPED.doc](http://www.akorda.kz/upload/SPED.doc).



# Kenya

## MODERATE ADVANCEMENT

In 2014, Kenya made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government put into effect its List of Hazardous Occupations Prohibited to Children and conducted a trafficking in persons survey. The Government also provided cash transfers to an additional 90,000 households as part of its National Safety Net Program for Results, and participated in several programs to combat the worst forms of child labor. However, children in Kenya are engaged in child labor, including in agriculture and fishing. Moreover, Kenya has yet to ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography and has not committed sufficient resources to enforcement efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kenya are engaged in child labor, including in agriculture and fishing.(1-5) Table 1 provides key indicators on children's work and education in Kenya.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	6-14 yrs.	32.5 (2,943,310)
Attending School (%)	5-14 yrs.	74.9
Combining Work and School (%)	7-14 yrs.	32.3
Primary Completion Rate (%)		90.7

Source for primary completion rate: Data from 2005, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 2, 2000.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of tea, coffee, miraa,† rice, sisal, sugarcane, tobacco, corn,* and cotton* (4, 5, 8-13)
	Herding livestock*† (4, 13)
	Fishing,† including for tilapia* and sardines* (4, 14, 15)
	Burning wood to produce charcoal* (4, 15, 16)
Industry	Construction,*† including carrying heavy loads (4, 13)
	Quarrying,† including for stones* and coral* (4, 5, 9, 16)
	Harvesting sand*† (4, 15-17)
	Making bricks*† (13, 16)
	Mining† for gold,* gemstones,* and salt* (4, 5, 9, 13, 18-20)
Services	Working in slaughterhouses,*† including disposal of after-products and cleaning (21)
	Domestic work† (4, 5, 15, 17, 21, 22)
	Street work, including vending (5, 13, 21)
	Transporting goods and people† by bicycle, motorcycle, and handcarts (4, 16)
	Scavenging for scrap materials† (4, 5, 15, 21, 23)
	Begging† (4, 24)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (4, 5, 15, 25, 26)
	Used in illicit activities, including drug trafficking (13, 20)
	Begging and work on tobacco* farms each sometimes as a result of human trafficking (4, 5, 11, 25, 26)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children in Kenya scavenge dumpsites and streets for scrap material, including metal and glass.(4, 15) These children earn about \$1–\$2 per day, while often risking injury and exposing themselves to infectious diseases, such as tetanus, by sorting through waste. Evidence suggests such children are also exposed to mercury.(4, 5) The commercial sexual exploitation of children is also a problem in Kenya, especially in Eldoret, Kisumu, Nairobi, Nyeri, and in coastal areas.(4, 5, 15, 26, 27) The majority of children engaged in commercial sexual exploitation are girls, but boys are also involved.(4, 5).







While education in Kenya is free, access to education is limited for a number of reasons. Teacher shortages in Kenya hinder children’s access to education and contribute to overcrowding in schools.(28) School administrators also limit some children’s access to education by denying pregnant girls admittance to schools.(28) Difficulties to access education are made worse by the prevalence of sexual abuse in schools.(5, 29) Although the Basic Education Act and the Children Act provide for free education and the Basic Education Act prohibits schools from charging tuition fees, the costs of unofficial school fees, books, and uniforms keep some children from attending school.(30-33) In addition, even though the Births and Deaths Registration Act makes birth registration compulsory, many children in rural areas are not registered at birth. Unable to prove their citizenship, nonregistered children have difficulty accessing services such as education.(5, 34)

The last national child labor survey was conducted in 2000.(7) As a result, data may no longer be reflective of the current child labor situation in Kenya.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kenya has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Section 56 of the Employment Act; Section 10.4 of the Children Act; Fourth Schedule of the Employment (General) Rules, 2014 (35-37)
Minimum Age for Hazardous Work	Yes	18	Sections 2 and 53.1 of the Employment Act; Section 10.1 of the Children Act (35, 36)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Hazardous Occupations or Activities for Children	Yes		Fourth Schedule of the Employment (General) Rules, 2014; Section 10.1 of the Children Act (36, 37)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution; Section 4.1 of the Employment Act; Section 266 of the Penal Code (35, 38, 39)
Prohibition of Child Trafficking	Yes		Article 3 of the Counter-Trafficking in Persons Act; Article 13 of the Sexual Offences Act; Section 13.1 of the Children Act; Sections 174 and 254-263 of the Penal Code (36, 39-41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 8-9, 11-12, and 14-16 of the Sexual Offences Act; Sections 2 and 53.1 of the Employment Act; Section 15 of the Children Act (35, 36, 41)
Prohibition of Using Children in Illicit Activities	Yes		Sections 2 and 53.1 of the Employment Act; Section 16 of the Children Act (35, 36)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 10.2 of the Children Act; Article 243 (1) of the Kenya Defence Forces Act (36, 42)
Compulsory Education Age	Yes	14	Section 30 of the Basic Education Act (43-45)
Free Public Education	Yes		Section 7.2 of the Children Act; Sections 28-29 and 32 of the Basic Education Act; Article 53(b) of the Constitution (36, 38, 44)

\*No conscription (42)

The minimum age protections in Kenya only protect children working under a contract.(35, 36) In 2014, the Government issued the Employment (General) Rules, which includes a list of hazardous work. The Rules also set forth a list of light work permissible for children between thirteen and sixteen under certain conditions.(21, 37) In Kenya, children are only required to attend school until the age of 14. This standard makes children ages 14-15 particularly vulnerable to child labor as they are not required to be in school but are not legally permitted to work.(43, 45)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Social Security, and Services (MLSSS)	Enforce labor laws, including those related to child labor, through county labor officers in Kenya's 47 counties.(4, 46, 47) Through its Child Labor Division, coordinates activities to eliminate child labor.(4)
MLSSS's Department of Children's Services	Coordinate services provided to children, ensure that child protection activities are being implemented countrywide, and maintain records on children and the services provided to them.(4)
National Police Service	Enforce laws related to the worst forms of child labor.(4)
Anti-Trafficking Police Unit	Enforce laws related to the commercial sexual exploitation of children, child trafficking, and the use of children in illicit activities.(4)
Tourism Police Unit	Enforce laws related to the commercial sexual exploitation of children related to the tourism industry.(48)

Law enforcement agencies in Kenya took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor, Social Security, and Services (MLSSS) employed 95 labor officers and 500 child protection officers.(4) Information was not available on whether labor officers were provided training on enforcement of child labor laws during the year. The Government allocated approximately \$116,000 to the MLSSS's Child Labor Division in previous years; however, the MLSSS's budget is inadequate to address Kenya's labor enforcement needs.(4, 49) Research found no information on the number of labor inspectors, the number, type, frequency, location, or quality of the inspections. Research found no information on the number of child labor law violations found, how many citations were issued, or whether appropriate penalties were

applied.(4, 21, 49) Additionally, labor inspectors do not have the ability to issue fines or penalties when they encounter a workplace violation.(50) The Government implements an emergency, toll-free, nationwide child hotline to report child abuse, including child labor, and refer callers to organizations for social protection services.(4, 51, 52) In 2014, the Child Helpline received 227 calls regarding child labor, and 4 calls regarding child trafficking.(21)

### ***Criminal Law Enforcement***

Research found no information on the total number of investigators. However, approximately 120 members of the National Police Service received training on trafficking in persons during the year.(25) Other criminal law enforcement personnel also received training on trafficking in persons from the IOM, the U.S. Immigration and Customs Enforcement, and the International Law Enforcement Academy in Botswana.(25) In 2014, the MLSSS identified 23 cases of child trafficking.(21) Research found no information on the number and quality of the investigations. Some child victims were referred to social services and counseling, and others were reintegrated into their families.(25) Research did not find comprehensive statistics on the enforcement of criminal laws, including prosecutions, convictions, and the implementation of penalties related to the worst forms of child labor.(21)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
National Steering Committee on Child Labor	Oversee efforts to eliminate child labor.(4) Composed of government agencies, private employers, workers' organizations, and civil society organizations. Chaired by the Permanent Secretary, with coordination duties performed by the MLSSS's Child Labor Division.(21, 53)
National Council for Children's Services	Coordinate, on a quarterly basis, government efforts on child-related issues, including child labor.(4) Operate the National Children Database, which collects comprehensive data on children, including child labor.(4) Led by a presidential appointee and composed of 18 NGOs, private sector representatives, faith-based organizations, and representatives from various ministries.(53)
National Labor Board	Advise the Cabinet Secretary on all issues related to labor and employment, including legal and policy issues.(21)
Counter-Trafficking in Persons Advisory Committee	Coordinate the implementation of policies related to human trafficking and provide prevention and protection services to victims. Mandated by the Counter-Trafficking in Persons Act.(40)
Local, Advisory, and District Child Labor Committees	Coordinate activities to eliminate child labor at the local level.(4)

The National Steering Committee on Child Labor met twice during the reporting period, and the National Council for Children's Services met quarterly.(21) Members of the Counter-Trafficking in Persons Advisory Committee were nominated in March 2014.(26) This Advisory Committee met five times in 2014.(54)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Kenya has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

<b>Policy</b>	<b>Description</b>
National Action Plan for the Elimination of Child Labor (2004–2015)	Aims to eliminate the worst forms of child labor by 2015 by targeting vulnerable populations and addressing the root causes of child labor, such as poverty and lack of access to education. Prioritizes law enforcement, awareness raising, and universal basic education.(55)
National Plan of Action Against Sexual Exploitation of Children in Kenya (2013–2017)	Aims to prevent, protect, and reintegrate child victims of commercial sexual exploitation. Emphasizes identifying children engaged in commercial sexual exploitation, raising awareness of community leaders, parents, and tourism employees on commercial sexual exploitation, and implementing programs to assist victims.(52)
Framework for The National Child Protection System for Kenya (2011)	Describes the laws and policies that protect children from violence and exploitation and the roles and responsibilities of the Government to protect children from exploitative work.(56)
Vision 2030: Second Medium-Term Plan (2013–2017)	Identifies child labor as a major challenge Kenya faces, and aims to finalize and implement the National Policy on Child Labor.(57)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
County Integrated Development Plan	Serves as a guide for a county's development planning processes. Required of all 47 counties in Kenya.(58) In the case of Kiambu County, for example, it addresses child labor on coffee and tea estates.(59) In Turkana County, it addresses the issue of street children.(60)
The National Children Policy (2008)	Seeks to protect children from exploitative labor, human trafficking, and commercial sexual exploitation through the enforcement of relevant laws.(61)
The National Education Sector Support Programme (2013–2018)*	Aims to enhance access to and quality of basic education.(62)
Kenya National Social Protection Policy (2011)*	Aims to reduce the vulnerability of Kenyans to social, economic, and environmental shocks. Seeks to provide children with access to education and health services.(63)
UNDAF (2014–2018)*	Promotes improved access to education and provides adequate technical and financial capacities to the National Council for Children's Services to align national law with international standards.(64)
Policy for Alternative Provision of Basic Education and Training (2009)*	Provides guidelines for the development and implementation of alternative basic education and training for vulnerable groups.(65)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The National Plan of Action Against Sexual Exploitation of Children in Kenya did not include a corresponding budget.(52) The Government did not adopt the drafted National Policy on Child Labor, which seeks to eliminate child labor by 2015.(21)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Kenya funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Child Protection Centers‡	Government-implemented child protection centers that provide counseling and reintegration services for children in Eldoret, Garrisa, Malindi, and Mombasa. Four additional centers were built in Kakamega, Nairobi, Nakuruat, and Siaya, but they were not yet operational.(25, 26)
Child Labor-Free Zones	Government-implemented program, with support from the ILO and an Italian NGO, Cooperazione e Sviluppo (CESVI), to create child labor-free zones in fish farms and commercial fishing operations. There are 70 child labor-free zones in 50 villages and on 20 beaches.(4)
Child Labor-Free Supply Chain Certifications	Government program supported by CESVI that develops child labor-free supply chain certifications. Kenya's largest vegetable processor was awarded a certificate in February 2014.(4, 66)
Global Action Program on Child Labor Issues Project (2011–2016)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010.(67) Aims to improve the evidence base on child labor through data collection and research. Also aims to strengthen legal protections and social service delivery for child domestic workers in Kenya.(67)
Tackling Child Labor Through Education Project	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and through the Pacific group of states.(68) Aims to withdraw and prevent children from engaging in child labor, improve child labor-related legislation, build the Government's capacity to implement child labor policies, and enhance the knowledge base on child labor in Kenya, including through the release of a study on project interventions during the reporting period.(69)
National Safety Net Program for Results‡	Government-implemented, 5-year cash transfer and social safety net program, with support from the World Bank, that assists families of working children, orphans, and vulnerable children to meet their basic needs and pay for school-related costs. Added an additional 90,000 households in 2014, bringing the total number of beneficiaries to 240,000 households across Kenya.(4, 21, 70) Approximately \$411 million has been committed by the Government of Kenya to the program.(4, 21) An impact evaluation found that this program led to a significant reduction in child labor on family farms.(71)
National Labour Force Survey with Child Labour Module	Government survey to determine the prevalence of child labor in Kenya. Government currently lacks funding to conduct the survey.(21, 72)
Decent Work Country Program (2013–2016)	ILO-IPEC program that seeks to eliminate the worst forms of child labor by establishing a referral system for victims and implementing child labor legislation and policies.(73)



**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Trafficking in Persons Survey†‡	Government survey to determine the prevalence of human trafficking in Kenya; began in February 2014.(25)
School Meals Program*‡	Government program that provides school meals to vulnerable children. Since its inception, has provided over 1.5 million children with school meals, which has resulted in improved school attendance.(74)
Wings to Fly Program (2011–2016)*	Government program, in partnership with USAID, the Equity Group Foundation, the MasterCard Foundation, and UK aid that provides secondary school scholarships to children from needy backgrounds. Provided education support to 2,000 children in January 2014.(21, 75)
Kitui County Child Rescue Center†‡	Government program that aims to withdraw and rehabilitate child laborers by providing counseling and life skills training. The Government-funded center cost approximately \$34,500.(76)
Refugee Assistance Programs*	Government program, with support from UNICEF, provides educational and nutritional services to 320,250 children.(77)
Regional Counter-Trafficking Project	Government project, with support from the IOM, that aims to combat human trafficking through prevention, protection, and support for victims.(78)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Kenya.

Although Kenya has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially the commercial sexual exploitation of children.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kenya (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2014
	Ensure that minimum age laws apply to children working in noncontractual employment.	2011 – 2014
	Raise the compulsory education age to 16 to be equivalent to the minimum age for work.	2013 – 2014
Enforcement	Ensure that law enforcement agencies are provided with sufficient resources to address Kenya's labor enforcement needs.	2009 – 2014
	Make comprehensive information publicly available about the number, type, and quality of labor inspections, as well as the numbers of citations issued and penalties applied.	2009 – 2014
	Implement measures to make assessing penalties and fines for child labor violations easier.	2010 – 2014
	Make comprehensive information publicly available about the number of personnel investigating criminal cases related to the worst forms of child labor; the number, type, and quality of criminal investigations; and the number of prosecutions and convictions.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the UNDAF, National Education Sector Support Programme, Kenya National Social Protection Policy, and Policy for Alternative Provision of Basic Education and Training.	2013 – 2014
	Include a budget in the National Plan of Action Against Sexual Exploitation of Children in Kenya.	2013 – 2014
	Adopt the National Policy on Child Labor.	2009 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Update data on child labor by conducting a national child labor survey.	2014
	Ensure that children can attend primary school by subsidizing or defraying the cost of school fees, books, and uniforms; improve access to education by training new teachers, ensuring that pregnant girls can remain in school, addressing sexual abuse in schools, and ensuring that children are registered at birth.	2010 – 2014
	Assess the impact that existing social programs have on reducing the worst forms of child labor.	2011 – 2014
	Expand efforts to assist child laborers, including children engaged in commercial sexual exploitation.	2009 – 2014

## REFERENCES

- ILO-IPEC. *Kenya Child Labor Baseline Survey: Kitui District Report*. Geneva; 2012. <http://www.ilo.org/ipceinfo/product/viewProduct.do?productId=19561>.
- ILO-IPEC. *Kenya Child Labor Baseline Survey: Kilifi District Report*. Geneva; 2012. <http://www.ilo.org/ipceinfo/product/viewProduct.do?productId=19562>.
- ILO-IPEC. *Kenya Child Labor Baseline Survey: Busia District Report*. Geneva; 2012. <http://www.ilo.org/ipceinfo/product/viewProduct.do?productId=19560>.
- U.S. Embassy- Nairobi. *reporting, February 11, 2014*.
- U.S. Department of State. "Kenya," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220336.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 2, 2000 Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Otieno, E. "Kenya: Farmers Go Wild on Tobacco Cash." *allafrica.com* [online] January 10, 2012 [cited April 14, 2014]; <http://allafrica.com/stories/201201100354.html>.
- USDOL. *Trip Report on Meetings attended in Kenya*. Washington, DC; September 4-9, 2011.
- Odeny, M. "Kenya: Child Labour on the Rise." *allafrica.com* [online] July 4, 2013 [cited April 11, 2014]; <http://allafrica.com/stories/201307041029.html>.
- Njeru, G. "Kenya: Tobacco's Immigrant Child Labour." *thinkafricapress.com* [online] January 15, 2013 [cited April 11, 2014]; <http://thinkafricapress.com/kenya/child-tobacco-farmers-kenya>.
- Karanja, M. "Child labour, poverty linked to poor education." *news24.co.ke* [online] March 15, 2013 [cited April 11, 2014]; <http://www.news24.co.ke/MyNews24/Child-labour-poverty-linked-to-poor-education-20130315>.
- International Labour Organization. *Integrated area-based approach as a strategy for laying foundations for child labour-free zones - A case of Busia, Kilifi and Kitui Districts in Kenya*. Geneva; November 15, 2013. <http://www.ilo.org/ipceinfo/product/download.do?type=document&id=23676>.
- Omolo Jacob. *A Rapid Assessment of Trade Union Interventions in the Fight Against Child Labour in Kenya*. Nairobi; July, 2010.
- Ottolini, D. *Unearthing the Invisible. Worst forms of Child Labour in Nairobi and Nyanza Provinces. A Baseline Survey Analytical Report*. Nairobi, CESVI; June, 2012. <http://www.cesvi.org/dom/cesvi.org/aaa-root/o/unearthing-the-invisible.pdf>.
- ILO-IPEC. *Kenya labour market survey for older children withdrawn from worst forms of child labour: Kitui district report*. Geneva; February, 2012. <http://www.ilo.org/ipceinfo/product/download.do?type=document&id=19556>.
- Munyuwiny, S. *Rapid Assessment on Child Labour in Magarini District, Kenya*. Nairobi, Africa Institute for Children Studies; May 28, 2012. <http://institutechildstudies.org/wp-content/uploads/2012/05/RAPID-ASSESSMENT-ON-CHILD-LABOUR-IN-MAGARINI-DIST-5-26-2012.pdf>.
- U.S. Embassy- Nairobi official. E-mail communication to USDOL official. January 29, 2010.
- Integrated Regional Information Networks. "Kenya: Gold mining beats school any day." *IRINnews.org* [online] February 9, 2012 [cited April 14, 2014]; <http://www.irinnews.org/Report/94822/KENYA-Gold-mining-beats-school-any-day>.
- U.S. Embassy- Nairobi. *reporting, January 25, 2012*.
- U.S. Embassy- Nairobi. *reporting, February 24, 2015*.
- International Labour Organization. *Situation analysis on conducive learning environment for children withdrawn and prevented from child labour - A case of Busia District in Kenya*. Geneva; November 15, 2013. <http://www.ilo.org/ipceinfo/product/download.do?type=document&id=23677>.
- International Labour Organization. *Situation analysis on conducive learning environment for children withdrawn and prevented from child labour - A case of Kitui District in Kenya*. Geneva; November 15, 2013. <http://www.ilo.org/ipceinfo/product/download.do?type=document&id=23679>.
- The Africa Report. "Kenya-Tanzania: Trafficking handicapped children and the economy of misery." *theafricareport.com* [online] July 29, 2013 [cited January 27, 2014]; <http://www.theafricareport.com/East-Horn-Africa/kenya-tanzania-trafficking-handicapped-children-and-the-economy-of-misery.html>.
- U.S. Embassy- Nairobi. *reporting, May 4, 2014*.
- U. S. Department of State. "Kenya," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226847.pdf>.
- Migiro, K. "One Third of Kenyan Girls Subjected to Sexual Violence - Survey." *trust.org* [online] November 28, 2012 [cited April 14, 2014]; <http://www.trust.org/trustlaw/news/one-third-of-kenyan-girls-subjected-to-sexual-violence-survey>.
- Franciscans International, Edmund Rice International, Marist Foundation for International Solidarity, Pax Romana, and Justice Peace Integrity of Creation Franciscans Africa (JPICFA). *List of Concerns and Recommendations to the Seventh Periodic Report of Kenya*. Geneva; 2011. Report No. CEDAW/C/Ken/7. [http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/FI\\_forthesession\\_Kenya\\_CEDAW48.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/FI_forthesession_Kenya_CEDAW48.pdf).
- BBC News. "Hundreds of Kenyan Teachers Sacked over Sex Abuse." *bbc.co.uk* [online] October 7, 2010 [cited April 14, 2014]; <http://www.bbc.co.uk/news/world-africa-11492499>.
- ILO. *Micro factors inhibiting education access, retention and completion by children from vulnerable communities in Kenya*; March 15, 2010. [http://www.ilo.org/ipce/projects/global/tackle/kenya/WCMS\\_204229/lang-en/index.htm](http://www.ilo.org/ipce/projects/global/tackle/kenya/WCMS_204229/lang-en/index.htm).
- ILO. *Independent Midterm Evaluation of the Project: Creating the enabling environment to establish models for child labour free areas in Kenya: Support to the implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labour with special focus on agriculture and older children*. Nairobi; March 2012. [source on file].
- Moyi, P. "Child Labor and School Attendance in Kenya." *Educational Research and Reviews*, 6(1)(2011); <http://www.academicjournals.org/ERR>.
- International Labour Organization. *Situation analysis on conducive learning environment for children withdrawn and prevented from child labour - A case of Kilifi District in Kenya*. Geneva; November 15, 2013. <http://www.ilo.org/ipceinfo/product/download.do?type=document&id=23678>.

34. Government of Kenya. *The Births and Deaths Registration Act*, enacted 2010. <http://www.kenyalaw.org>.
35. Government of Kenya. *The Employment Act*, 11, enacted October 22, 2007. <http://www.kenyalaw.org:8181/exist/kenyalex/actview.xql?actid=CAP.226>.
36. Government of Kenya. *The Children Act*, 141, enacted 2010. [http://www.icrc.org/ihl-nat.nsf/a24d1cf3344e99934125673e00508142/95bcf642e7784b63c1257b4a004f95e8/\\$FILE/Childrens%20Act.pdf](http://www.icrc.org/ihl-nat.nsf/a24d1cf3344e99934125673e00508142/95bcf642e7784b63c1257b4a004f95e8/$FILE/Childrens%20Act.pdf).
37. Government of Kenya. *The Employment (General) Rules, 2014*, enacted March 2014. <http://kenyalaw.org/kl/index.php?id=4334>.
38. Government of Kenya. *The Constitution of Kenya*, enacted 2010. [http://www.kenyalaw.org/kenyalaw/klr\\_app/frames.php](http://www.kenyalaw.org/kenyalaw/klr_app/frames.php).
39. Government of Kenya. *Penal Code*, 63, enacted 2009. [http://www.kenyapolice.go.ke/resources/Penal\\_Code\\_\(cap\\_63\).pdf](http://www.kenyapolice.go.ke/resources/Penal_Code_(cap_63).pdf).
40. Government of Kenya. *The Counter Trafficking in Persons Act*, enacted 2010. [http://www.kenyalaw.org/kenyalaw/klr\\_app/frames.php](http://www.kenyalaw.org/kenyalaw/klr_app/frames.php).
41. Government of Kenya. *The Sexual Offences Act*, 3, enacted July 21, 2006. [http://www.kenyalaw.org/kenyalaw/klr\\_app/view\\_cap.php?CapID=596](http://www.kenyalaw.org/kenyalaw/klr_app/view_cap.php?CapID=596).
42. Government of Kenya. *Kenya Defence Forces Act*, enacted 2012. [http://www.kenyalaw.org:8181/exist/kenyalex/actview.xql?actid=CAP%20199#part\\_XIV](http://www.kenyalaw.org:8181/exist/kenyalex/actview.xql?actid=CAP%20199#part_XIV).
43. UNESCO. *Beyond 20/20 Web Data System: Table*. 2012. <http://stats.uis.unesco.org/unesco/TableViewer>.
44. Government of Kenya. *The Basic Education Act*, 14, enacted January 14, 2013. [http://planipolis.iiep.unesco.org/upload/Kenya/KenyaBasicEducationActNo\\_14\\_of2013.pdf](http://planipolis.iiep.unesco.org/upload/Kenya/KenyaBasicEducationActNo_14_of2013.pdf).
45. ILO Committee of Experts. *Direct Request concerning Minimum Age Convention, 1973 (No. 138) Kenya (ratification: 1979) Published: 2014*; accessed April 14, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
46. Ministry of Labor Social Security and Services. *Background*, Government of Kenya, [online] [cited April 11, 2014]; <http://www.labour.go.ke/index.php/2013-11-19-06-14-02/background>.
47. International Labour Organization. *National Profile on Occupational Safety and Health*. Geneva, Ministry of Labour; 2013. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---safework/documents/policy/wcms\\_187632.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/policy/wcms_187632.pdf).
48. UN Committee on the Elimination of Discrimination Against Women. *Concluding Observations of the Committee on the Elimination of Discrimination Against Women*. Geneva; April 5, 2011. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/418/57/PDF/G1141857.pdf?OpenElement>.
49. ILO Committee of Experts. *Direct Request concerning Labor Inspection Convention, 1947 (No. 81) Kenya (ratification: 1964) Published: 2013* accessed February 27, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
50. ILO. *Kenya: Labour Administration and Inspection Programme (LAB/ADMIN)*. Geneva; February 7, 2011. [http://www.ilo.org/labadmin/info/lang-en/WCMS\\_151305/index.htm](http://www.ilo.org/labadmin/info/lang-en/WCMS_151305/index.htm).
51. UNICEF. Kenya: Child Helpline [video]. Kenya: UNIFEED; November 20, 2013, 2 min. 52 sec., April 10, 2014; <http://www.unmultimedia.org/tv/unifeed/2013/11/kenya-child-helpline/>.
52. Government of Kenya. *The National Plan of Action Against Sexual Exploitation of Children in Kenya 2013-2017*. Nairobi; 2013. <http://www.anppcan.org/newsite/files/npa%20against%20sec.pdf>.
53. U.S. Embassy- Nairobi official. E-mail communication to USDOL official. March 16, 2011.
54. U.S. Embassy- Nairobi. *reporting, December 9, 2014*.
55. Government of Kenya. *National Action Plan for the Elimination of Child Labour in Kenya 2004-2015 (Revised 2008)*. Nairobi; January 5, 2009.
56. Government of Kenya. *The Framework for the National Child Protection System for Kenya*. Nairobi, The National Council for Children's Services; November, 2011. <http://resourcecentre.savethechildren.se/sites/default/files/documents/5429.pdf>.
57. Government of Kenya. *Kenya Vision 2030: Second Medium Term Plan (2013-2017)*. Nairobi; 2013. <http://www.usaid.gov/sites/default/files/documents/186011%20Second%20Medium%20Term%20Plan%202013%20-%202017.pdf>.
58. Government of Kenya. *Guidelines for Preparation of County Integrated Development Plans*. Nairobi, Ministry of Devolution and Planning; May, 2013. <http://www.tisa.or.ke/uploads/Planning-Guidelines-MoDP.pdf>.
59. County Government of Kiambu. *County Integrated Development Plan 2013-2017*. <http://www.kiambu.go.ke/blog/wp-content/uploads/2013/10/30092013KIAMBU-CIDP-FINAL-41.pdf>.
60. United Nations Trust Fund for Human Security. *Strengthening Human Security in the Border Communities of Turkana, Kenya*; April 2014. Report No. 2. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipecc/documents/newsitem/wcms\\_243111.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/newsitem/wcms_243111.pdf).
61. Government of Kenya. *The National Children Policy*. Nairobi; 2008. [http://www.google.com/url?sa=t&trct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCkQFjAA&url=http%3A%2F%2Fwww.nccs.go.ke%2Findex.php%3Foption%3Dcom\\_docman%26task%3Ddoc\\_download%26gid%3D4%26Itemid%3D73&ei=ldJGU4aIAbDKsQSt\\_ICYCg&usq=AFQjCNHJZEknJPM6Y3tr6jRyccu8lJA&sig2=EHE3YFAIcf\\_0sl7lf4LaA&bvm=bv.64507335.d.cWc](http://www.google.com/url?sa=t&trct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCkQFjAA&url=http%3A%2F%2Fwww.nccs.go.ke%2Findex.php%3Foption%3Dcom_docman%26task%3Ddoc_download%26gid%3D4%26Itemid%3D73&ei=ldJGU4aIAbDKsQSt_ICYCg&usq=AFQjCNHJZEknJPM6Y3tr6jRyccu8lJA&sig2=EHE3YFAIcf_0sl7lf4LaA&bvm=bv.64507335.d.cWc).
62. World Food Programme. *Country Programme Kenya 200680 (2014-2018)*; May 9, 2014. Report No. WFP/2B.A/2014/8. [http://one.wfp.org/operations/current-operations/project\\_docs/200680.pdf](http://one.wfp.org/operations/current-operations/project_docs/200680.pdf).
63. Government of Kenya. *Kenya National Social Protection Policy*. Nairobi; June, 2011. [http://www.africanchildforum.org/ctr/policy%20per%20country/kenya\\_socialprot\\_2011\\_en.pdf](http://www.africanchildforum.org/ctr/policy%20per%20country/kenya_socialprot_2011_en.pdf).
64. UN Development Group. *United Nations Development Assistance Framework for Kenya 2014-2018*. Nairobi; 2014. <http://www.undg.org/docs/13463/UNDAF-Kenya-2014-2018.pdf>.
65. Government of Kenya, Ministry of Education. *Policy for Alternative Provision of Basic Education and Training*. Nairobi; May, 2009. <http://planipolis.iiep.unesco.org/upload/Kenya/KenyaPolicyAlternativeProvisionBasicEducationTraining.pdf>.
66. Kenya Flower Council. "Child Labour Free Certification Award Ceremony." [www.kenyaflowercouncil.org](http://www.kenyaflowercouncil.org) [online] February 7, 2014 [cited April 10, 2014]; <http://www.kenyaflowercouncil.org/blog/?p=5267>.
67. ILO-IPEC. *Global Action Program on Child Labour Issues*. Technical Progress Report. Geneva; May 5, 2014.
68. ILO. *Tackling child labour through education in African, caribbean and the Pacific (ACP) States (TACKLE)*, ILO, [online] [cited April 8, 2014]; <http://www.ilo.org/ipecc/projects/global/tackle/lang-en/index.htm>.
69. ILO. *Kenya*, ILO, [online] [cited April 8, 2014]; <http://www.ilo.org/ipecc/projects/global/tackle/kenya/lang-en/index.htm>.
70. The World Bank. *Kenya Cash Transfer for Orphans and Vulnerable Children: P11545- Implementation Status Results Report: Sequence 11*; July 7, 2014. Report No. ISR15023. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/AFR/2014/07/07/090224b082561e9/1\\_0/Rendered/PDF/Kenya000Kenya00Report000Sequence011.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/AFR/2014/07/07/090224b082561e9/1_0/Rendered/PDF/Kenya000Kenya00Report000Sequence011.pdf).
71. Asfaw, Sea. *The impact of the Kenya CT-OVC programme on productive activities and labour allocation* Food and Agriculture Organization, University of North Carolina at Chapel Hill, and American University November 1, 2012. [http://www.fao.org/fileadmin/user\\_upload/p2p/Publications/KenyaCT-OVCproductivImpactjan13.pdf](http://www.fao.org/fileadmin/user_upload/p2p/Publications/KenyaCT-OVCproductivImpactjan13.pdf).
72. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Kenya (ratification: 1979) Published: 2014*; accessed October 29, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
73. ILO-IPEC. *Kenya Decent Work Country Programme 2013-2016*. Geneva; 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/kenya.pdf>.
74. Government of Kenya. *Kenya: 2013 Long Rains Assessment: Education Sector*. Nairobi; December, 2013. [https://kenya.humanitarianresponse.info/sites/kenya.humanitarianresponse.info/files/KEN\\_Education\\_LRA\\_Analysis\\_31Dec2013.pdf](https://kenya.humanitarianresponse.info/sites/kenya.humanitarianresponse.info/files/KEN_Education_LRA_Analysis_31Dec2013.pdf).
75. Equity Bank. "2,000 KCPE students awarded Wings To Fly Secondary School Scholarships." [equitybankgroup.com](http://equitybankgroup.com) [online] January 21, 2014 [cited April 10, 2014]; <http://equitybankgroup.com/index.php/blog/view/2000-kcpe-students-awarded-wings-to-fly-secondary-school-scholarships>.
76. Nzengu, M. "Kenya: New Initiative Set to Eradicate Child Labour in Kitui County." [allafrica.com](http://allafrica.com) [online] March 3, 2014 [cited April 11, 2014]; <http://allafrica.com/stories/201403030893.html>.
77. UNICEF. *Kenya*, UNICEF, [online] August 7, 2014 [cited December 4, 2014]; <http://www.unicef.org/appeals/kenya.html>.
78. IOM. *Kenya*, IOM, [online] October, 2013 [cited April 10, 2014]; <https://iom.int/cms/en/sites/iom/home/where-we-work/africa-and-the-middle-east/east-africa/kenya.default.html?displayTab=latest-news>.

# Kiribati

## MINIMAL ADVANCEMENT

In 2014, Kiribati made a minimal advancement in efforts to eliminate the worst forms of child labor. It continued initiatives to raise awareness about child protection issues, including commercial sexual exploitation. The Government also trained police and prosecutors on trafficking in persons. However, children in Kiribati are engaged in the worst forms of child labor, including in commercial sexual exploitation. The law does not prohibit hazardous occupations or activities for children, and existing laws fail to fully protect children under age 18 from all forms of commercial sexual exploitation. In addition, the Government did not make sufficient efforts to provide services to children engaged in commercial sexual exploitation.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kiribati are engaged in the worst forms of child labor in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in Kiribati. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		115.2

Source for primary completion rate: Data from 2008, published by UNESCO Institute for Statistics, 2015.(4)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Services	Street vending* (6, 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (1, 3, 8)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.




In Kiribati, a small number of minors are reported to be engaged in commercial sexual exploitation, particularly in hotels and bars.(9) Evidence suggests that crewmembers of foreign fishing vessels account for much of the demand for children in the commercial sex sector.(1, 3, 10, 11) Girls are reported to receive financial support, food, alcohol, or goods in exchange for sexual services.(3)

While education is free and compulsory for all children until age 15, children face barriers to accessing education due to prohibitive costs of education and lack of schools in remote areas.(1)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kiribati has ratified most key international conventions concerning child labor, including its worst forms (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Section 85 of the Employment Act (12)
Minimum Age for Hazardous Work	Yes	18	Section 87(1) of the Employment (Amendment) Act (13)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Sections 244 and 249 of the Penal Code; Section 75 of the Employment Act (12, 14, 15)
Prohibition of Child Trafficking	Yes		Section 43 of the Measures to Combat Terrorism and Transnational Organized Crime Act (16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 136, 141, and 142 of the Penal Code (14)
Prohibition of Using Children in Illicit Activities	Yes		Section 142 of the Penal Code (14)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	15	Section 7 of the Education Act (17)
Free Public Education	Yes		Section 11 of the Education Act (17)

†No standing military (18)

The law does not prohibit hazardous occupations and/or activities for children. With the support of the ILO, the Government has drafted a hazardous list, but it has not yet been approved by the Decent Work Agenda Steering Committee.(1, 2) Legislation that criminalizes human trafficking is limited to international movement of people, not domestic trafficking of humans.(3, 16) Laws prohibiting commercial sexual exploitation do not extend to male children ages 15 to 17. The legal framework also lacks explicit prohibitions on child pornography. The law fails to protect children ages 15 to 17 from use in illicit activities.(14)

If passed, the Employment and Industrial Relations Act would prohibit commercial sexual exploitation for all children under age 18, child pornography, and the use of children for illicit activities.(1) The Juvenile Bill, which is also awaiting parliamentary approval, will address child abuse, violence, sexual abuse, child labor, and commercial exploitation of children.(2, 19)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).



**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Human Resources Development (MOL)	Enforce labor laws, including those related to child labor. Refer child labor cases to the Ministry of Women, Youth, and Social Affairs (MWYSA).(6)
Kiribati Police Force	Enforce criminal laws related to the worst forms of child labor. Investigate cases of human trafficking and sexual exploitation of children through a specialized Domestic Violence and Sexual Offenses Unit.(6) Refer cases requiring protective services for minors to the MWYSA.(6)
Kiribati Director of Public Prosecutions	Responsible for criminal prosecutions, including those related to the worst forms of child labor.(20)
Director and Social Welfare Officers, MWYSA	Remove children from harmful situations, including as a result of sexual exploitation and harsh or exploitative labor. Bring children in need of care and protection to the Court Magistrate to ensure their health and safety.(21)
Court Magistrate	Issue care and protection orders for children who have been harmed, including as a result of sexual exploitation and harsh or exploitative labor.(21)

Law enforcement agencies in Kiribati took actions to combat child labor, including its worst forms, during the reporting period.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Human Resources Development’s (MOL) labor officers conducted inspections. MOL does not have dedicated labor inspectors but has seven labor officers, six of whom are based in the capital city of Tarawa, tasked with conducting inspections.(2, 6) The MOL does not have adequate manpower to provide inspection services and did not provide training on the enforcement of child labor during the reporting period.(6)

Information on the number of inspections conducted during the reporting period is not available.(2) During the reporting period, there were no reports of violations of child labor laws, and there were no reports of children being removed or assisted. However, the MOL does not keep records of the number of child labor violations, penalties, fines, or children assisted as a result of inspections.(2)

### *Criminal Law Enforcement*

In 2014, the Kiribati Police Force conducted anti-human trafficking training for police and prosecutors to learn how to identify victims, enforce, and prosecute crimes involving the trafficking of persons.(2) The Ministry of Women, Youth, and Social Affairs (MWYSA) provided training to magistrates on implementing the Children, Young People and Family Welfare Law in order to enhance the care and protection of child victims of human trafficking.(8) The Government does not employ investigators to specifically enforce laws dealing with the worst forms of child labor.(2) During the reporting period, there were no reports of investigations, prosecutions, or convictions for crimes involving the worst forms of child labor.(2, 8)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although mechanisms exist to coordinate Government efforts to improve the welfare of children, the Government has not established a mechanism to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Secretary of MWYSA	Coordinate Government authorities and other stakeholders to respond to abuse, neglect, and exploitation of children and young people.(21)
Kiribati National Advisory Committee on Children	Implement the Convention on the Rights of the Child, including with regard to the worst forms of child labor. Members include the MOL, Ministry of Education, and Kiribati police.(2)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Kiribati has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Children, Young People, and Families Welfare System Policy	Focuses on strengthening the welfare system, in part by implementing services to prevent the abuse, violence, neglect, and exploitation of children and young people, including in the forms of sexual abuse and hazardous labor.(22)
UNDAF for the Pacific Region (2013 – 2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island countries and territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(23) In Kiribati, includes initiatives to prevent and respond to abuse and exploitation of children.(24)
Education Sector Strategic Plan (2012 – 2015)*	Sets out the goals to guide the planning and delivery of high-quality and relevant education for all children. Includes providing conducive learning environments in schools and professional development for teachers and staff.(25)
The Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region	Commits signatories to advancing efforts to protect children's rights, including with regard to child labor, child trafficking, and child pornography.(26)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Kiribati funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Safenet	MWYSA-coordinated program that allows government, churches, and NGOs to collect data, share information, and provide assistance to child victims found in exploitative and violent situations.(2, 9)
Hotlines‡	MWYSA-supported 24-hour hotline for children to report violations, request information, or obtain access to services.(6) Domestic Violence and Sexual Offenses unit operates two 24-hour phone-line services for reporting exploitation and abuse.(3)
Awareness-Raising Programs	MWYSA weekly radio program and workshops with community and educational leaders to address child protection issues, including commercial sexual exploitation of children.(3) Government-UNICEF collaborative programs to increase children's awareness about human rights issues in Kiribati.(6)
Kiribati Educational Improvement Program*	Multi-partner aid program to provide greater protection and educational opportunities to children through policy and legislative review, workforce development, improvement of school curriculum, and infrastructure development in the education sector. Partners include the Government of Kiribati, Australian Agency for International Development, UNICEF, and UNESCO.(27)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Kiribati.

Although Kiribati has programs that target the commercial sexual exploitation of children, these programs are insufficient to fully address the scope of the problem. Specifically, the Government does not have programs that offer targeted services to victims.(3)

The Government worked with ILO-IPEC to conduct a child labor survey in 2012, but the results have yet to be finalized and released.(2)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kiribati (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2014
	Prohibit hazardous occupations or activities for children.	2011 – 2014
	Ensure that the law specifically prohibits domestic human trafficking.	2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Amend legislation to explicitly protect all children under age 18 from all forms of commercial sexual exploitation, including pornography.	2010 – 2014
	Ensure that the law protects children from use in illicit activities.	2013 – 2014
Enforcement	Provide an adequate number of labor inspectors and police officers and allocate sufficient resources to investigate child labor violations, including the worst forms of child labor.	2010 – 2014
	Collect and make publicly available the data on the enforcement of child labor laws and criminal laws prohibiting the worst forms of child labor.	2012 – 2014
Coordination	Establish a mechanism to coordinate the Government's efforts to combat child labor, including its worst forms.	2013 – 2014
Policies	Integrate child labor elimination and prevention strategies into policies that seek to prevent and respond to child exploitation.	2014
Social Programs	Implement programs to alleviate the financial burden of education and increase access to schools in remote locations.	2014
	Assess the impact the Education Improvement Program may have on child labor.	2012 – 2014
	Implement programs to sufficiently identify and serve victims of commercial sexual exploitation of children.	2009 – 2014
	Release the results and findings of the 2012 child labor survey.	2014

## REFERENCES

- ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kiribati (ratification: 2009) Submitted: 2014*; accessed April 8, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- U.S. Embassy- Suva. *reporting, January 15, 2015*.
- U.S. Department of State. "Kiribati," in *Trafficking in Person's Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226752.htm>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Suva. *reporting, January 17, 2014*.
- U.S. Department of State. "Kiribati," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Suva. *reporting, February 12, 2015*.
- U.S. Embassy Suva official. E-mail communication to USDOL official. April 30, 2015.
- U.S. Embassy- Suva. *reporting, April 10, 2014*.
- Karen McMillan; Heather Worth. *Risky Business Kiribati: HIV Prevention Amongst Woman Who Board Foreign Fishing Vessels to Sell Sex*; 2010. <http://www.fsm.ac.fj/files/Risky%20Business%20Kiribati-%20HIV%20prevention%20amongst%20women%20who%20board.pdf>.
- Government of the Republic of Kiribati. *Employment Act*, enacted April 22, 1966. [source on file].
- Government of the Republic of Kiribati. *Employment (Amendment) Act 2008*, enacted May 15, 2008. <http://www.parliament.gov.ki/act/2008/Employment%20%28Amendment%29%20Act%202008.pdf>.
- Government of the Republic of Kiribati. *Penal Code*, PC66, enacted October 18, 1965. [http://www.paclii.org/ki/legis/consol\\_act/pc66/](http://www.paclii.org/ki/legis/consol_act/pc66/).
- Kiribati. *Constitution of Kiribati*, enacted July 12, 1979. <http://www.parliament.gov.ki/content/constitution-kiribati>.
- Government of the Republic of Kiribati. *Measures to Combat Terrorism and Transnational Organized Crime Act*, enacted June 14, 2005. [http://www.paclii.org/ki/legis/num\\_act/mctatoca2005608/](http://www.paclii.org/ki/legis/num_act/mctatoca2005608/).
- Kiribati. *Education Act, 2013*, enacted December 30, 2013. [http://beta.paclii.org/ki/legis/num\\_act/ea2013104/](http://beta.paclii.org/ki/legis/num_act/ea2013104/).
- Child Soldiers International. "Appendix II: Data Summary Table on Recruitment Ages of National Armies," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- U.S. Embassy- Suva. *reporting, January 31, 2013*.
- U.S. Embassy Suva official. E-mail communication to USDOL official. March 11, 2014.
- Government of the Republic of Kiribati. *Children, Young People, and Family Welfare Act 2012*, enacted May 17, 2013. [source on file].
- Government of Republic of Kiribati. *Children, Young People, and Families Welfare System Policy*. Tarawa; April 2012. [source on file].
- UNDAF for the Pacific Region 2013-2017. [http://www.undp.org/content/dam/samoa/docs/UNDP\\_WS\\_UNDAF\\_Summary\\_Report\\_2013-17.pdf](http://www.undp.org/content/dam/samoa/docs/UNDP_WS_UNDAF_Summary_Report_2013-17.pdf).
- UNDAF. *Results Matrix 2013-2017, Kiribati*. [http://www.pacific.one.un.org/images/stories/2013/kiribati\\_crm.pdf](http://www.pacific.one.un.org/images/stories/2013/kiribati_crm.pdf).
- Ministry of Education. *Sector Strategic Plan, 2012-2015*. Sector Strategic Plan, 2012-2015.
- The Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region*. New York, UNICEF; November 4-6, 2010. [www.unicef.org/eapro/Beijing\\_Declaration.docx](http://www.unicef.org/eapro/Beijing_Declaration.docx).
- AusAid. *Kiribati Education Improvement Program, 2010-2020*. <http://aid.dfat.gov.au/countries/pacific/kiribati/Documents/kiribati-ed-imp-design-doc.pdf>.

In 2014, Kosovo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government conducted a study on child labor as part of the implementation of its National Strategy and Action Plan for the Prevention and Elimination of Child Labor in Kosovo (SAP). The Government also drafted the 2014–2020 Sectorial Strategy and Action Plan to address issues of child labor in Kosovo. In addition, the Government issued two decisions determining the roles and responsibilities of educational institutions and agriculture sector employees in preventing and eliminating child labor. However, children in Kosovo are engaged in child labor, including in street work and in the worst forms of child labor, including in commercial sexual exploitation. Children from minority communities continue to face barriers to accessing education. In addition, both the Labor Inspectorate and the Kosovo Police's Directorate of Trafficking in Human Being Investigation face gaps in the availability of resources and the collection and publishing of data on enforcement efforts.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo are engaged in child labor, including in street work.(1-5) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1, 2, 5-7) Data on key indicators on children's work and education are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		Unavailable

Source for primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(8)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2-5, 10)
	Forestry,* activities unknown (2, 5)
Industry	Mining, including for coal*† (4, 5, 11, 12)
Services	Street work, including vending small items,† transporting goods,† and begging† (1-5, 10, 12)
	Scavenging (2, 3, 5, 10)
Categorical Worst Forms of Child Labor‡	Forced begging sometimes as a result of human trafficking (1, 6, 7)
	Commercial sexual exploitation sometimes as a result of human trafficking (1, 2, 5-7, 13)
	Used in illicit activities* (2, 5)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

# Kosovo

## MODERATE ADVANCEMENT

Kosovo is a source and destination country for child trafficking. The majority of child trafficking victims in Kosovo are girls ages 14 to 17, who are primarily trafficked domestically for commercial sexual exploitation.(6, 13, 14)




Children from Kosovo and neighboring countries were also subjected to forced begging in Kosovo.(13) The majority of children involved in begging and other street work are members of the Roma, Ashkali, and Egyptian minority ethnic groups.(1, 3) Roma, Ashkali, and Egyptian children, as well as children from Albania, are sometimes subject to forced begging by criminal groups.(1, 6)

Children from the Ashkali, Egyptian, and Roma communities continue to experience difficulty accessing education. A shortage of native-language teachers continues to contribute to low school attendance rates for ethnic minority children, despite some Government efforts to ensure the right to native language education.(4, 15) In addition, the prohibitively high fee for birth registration leaves some children in these communities without registration. Lack of birth registration sometimes hampers children from enrolling in schools.(4, 15, 16)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kosovo is not a UN member country; therefore, the Government is not eligible to ratify any ILO or other UN conventions. Article 22 of Kosovo's Constitution, however, incorporates the UN CRC by reference.(17)

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	N/A
	ILO C. 182, Worst Forms of Child Labor	N/A
	UN CRC	N/A
	UN CRC Optional Protocol on Armed Conflict	N/A
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	N/A
	Palermo Protocol on Trafficking in Persons	N/A

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 7 of the Labor Law (18)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26-28, and 45 of the Labor Law (18)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Administrative Instruction 05/2013 (AI 05/2013) (12, 19)
Prohibition of Forced Labor	Yes		Article 6 of the Labor Law; Article 169 of the Criminal Code (18, 20)
Prohibition of Child Trafficking	Yes		Articles 171 and 231 of the Criminal Code; Law No. 04/L-218 on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (20, 21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 231, 237, 238, 241, and 242 of the Criminal Code (20)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	NA*		
Minimum Age for Voluntary Military Service	Yes	18	Article 13 of the Kosovo Law No. 03/L-046 on the Kosovo Security Force (22)
Compulsory Education Age	Yes	15	Article 9 of the Kosovo Law No. 04/L-032 on Pre-University Education (23)
Free Public Education	Yes		Article 9 of the Kosovo Law No. 04/L-032 on Pre-University Education (11, 23, 24)

\* No conscription (22)



In January 2014, the Kosovo Ministry of Education, Science, and Technology (MEST) issued Decision 217, which establishes the roles and responsibilities of educational institutions in preventing and eliminating hazardous child labor.<sup>(5)</sup> Decision 217 requires schools to be the primary identifier of child labor practices at the community level and obligates schools to notify the local Municipal Local Action Committee (MLAC) when action is needed. The decision also requires schools to raise community awareness on the issue of child labor.<sup>(16)</sup>

Also in January 2014, the Ministry of Agriculture, Forestry, and Rural Development (MAFRD) issued Decision 185, which obligates MAFRD employees to participate in the prevention and elimination of hazardous child labor in the agriculture sector.<sup>(5)</sup> Decision 185 will result in increased awareness of the issue of child labor within municipal departments of agriculture, and will also mobilize personnel in these departments to raise awareness among farmers and their families.<sup>(16)</sup>

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Welfare (MLSW) Labor Inspectorate	Conduct inspections to enforce labor laws, including child labor laws, with a focus on protecting children who are legally employed. Refer all cases of children under age 15 involved in hazardous child labor practices to the MLSW Regional Centers for Social Work. <sup>(5)</sup>
MLSW Department of Social Welfare	Investigate for underage child labor. <sup>(24)</sup>
MLSW Regional Centers for Social Work	Address cases of children under age 15 involved in child labor and enter these cases into a nationwide database accessible by all relevant stakeholders. <sup>(5)</sup>
Kosovo Police	Enforce criminal laws against forced child labor and commercial sexual exploitation of children. Enforce criminal laws against human trafficking, including child trafficking, through the Directorate of Trafficking in Human Beings Investigation (DTHBI). <sup>(5)</sup>
Ministry of Justice	Enforce criminal laws against forced child labor, child trafficking, and commercial sexual exploitation of children. <sup>(5)</sup>
Ministry of Education, Science, and Technology (MEST)	Ensure that students have an appropriate balance of school and work hours through the work of education inspectors. <sup>(25)</sup>

Law enforcement agencies in Kosovo took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Welfare (MLSW) Labor Inspectorate employed 51 inspectors.<sup>(5)</sup> The Labor Committee of the Kosovo Assembly has noted that the Labor Inspectorate's budget, personnel, resources for transportation, and equipment are insufficient to effectively enforce labor laws.<sup>(5, 11)</sup> Labor inspectors did not receive any training, including on the worst forms of child labor, during the reporting period.<sup>(5)</sup>

The Labor Inspectorate is authorized to conduct both announced and unannounced inspections in all relevant sectors, both proactively and in response to complaints. However, due to a significant lack of resources, the Labor Inspectorate was only able to conduct unannounced inspections in the construction industry.<sup>(5)</sup> In 2014, the Labor Inspectorate conducted 9,337 inspections, which included inspecting for child labor. The Labor Inspectorate did not find cases of child labor during any of these inspections.<sup>(5)</sup> The MLSW's Regional Centers for Social Work identified 206 children engaged in child labor in agriculture, street work, scavenging, and mining. The DSW was able to remove 46 of these children from hazardous work situations and reintroduce them into the education system.<sup>(5)</sup>

#### *Criminal Law Enforcement*

In 2014, the Kosovo Police's Directorate of Trafficking in Human Being Investigation (DTHBI) Victim's Assistance Unit had 54 investigators. During the year, these investigators received training on cyber child pornography, street child labor, and interviewing at-risk victims, including children.<sup>(5)</sup> The Kosovo Police report the number of investigators to be adequate. However, in its annual report, the DTHBI notes that it still lacks sufficient funding for official vehicles and advanced technology for undercover investigations.<sup>(5)</sup>

# Kosovo

## MODERATE ADVANCEMENT

During 2014, the DTHBI did not report any investigations of the worst forms of child labor.<sup>(5)</sup> The Kosovo Police reported having removed 18 children from prostitution. These children were referred to the Regional Centers for Social Work, or to shelters for human trafficking victims. However, the Kosovo Police do not systematically track whether children involved in child labor were referred to providers of social services as a result of the investigations.<sup>(5)</sup> The Kosovo Judicial Council does not publish quantitative data on cases tried; therefore information on the number of prosecutions, convictions, and implementation of penalties related to criminal laws on child labor was not available.<sup>(5)</sup>

Research found that judges and prosecutors sometimes incompletely or incorrectly apply the legal framework for human trafficking, which hinders effective prosecutions. Human trafficking incidents have sometimes been classified as less severe offenses, resulting in lighter penalties for the perpetrators.<sup>(6, 26)</sup>

In addition, a source reported that cases of child begging are only investigated when the child involved is being prosecuted for a crime, and that there are no investigations into whether children engaged in begging are subject to forced labor or use in illicit activities. The Director of the Center for Social Work (CSW) in Pristina has stated that although the CSW undertakes to remove beggars from the street on a bimonthly basis in cooperation with the Kosovo Police, there are no shelters or rehabilitation centers to which child beggars can be referred, nor are there any facilities capable of providing social reintegration services to children who have been used for begging activities.<sup>(1, 27)</sup>

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Kosovo Committee for Prevention and Elimination of Child Labor	Oversee and provide policy guidance for activities to prevent and eliminate child labor. Members consist of representatives from government agencies, the Kosovo Police, trade unions, the Kosovo Chamber of Commerce, and a child protection NGO. <sup>(11)</sup>
Counter-Trafficking Inter-Ministerial Working Group	Coordinate policy implementation, monitoring, and reporting on the implementation of actions to combat trafficking, including child trafficking. Efforts are led by a National Anti-Trafficking Coordinator through the Ministry of Interior Affairs (MOIA). <sup>(7, 28)</sup>
Child Labor Monitoring System (CLMS)	Coordinate approach to child labor at the municipal level, including by overseeing Municipal Local Action Committees. Addresses child labor by promoting best practices, documenting child labor trends in specific sectors, planning for measures to be undertaken at the local level for the prevention and elimination of the worst forms of child labor, and evaluating the efficiency of existing responses at local levels. <sup>(5)</sup>
Municipal Local Action Committees (MLACs)	Coordinate municipal-level approach to preventing and eliminating child labor, and report to the CLMS. Members consist of representatives from local schools, municipal education departments, the Kosovo Police, and the MLSW. <sup>(11, 16)</sup> In 2014, MLACs continued activities to prevent and eliminate child labor, despite government formation delays that stalled state-level coordination mechanisms. <sup>(16)</sup>

All 38 municipalities in Kosovo have a Directorate of Health and Social Welfare and a Municipal Center for Social Work (CSW) as child labor monitoring bodies.<sup>(27)</sup> Directorates and CSWs are individually responsible for monitoring the child labor situation in a given municipality, and they share data at the local level. Although data are periodically shared among municipalities on an informal basis, and despite the existence of the Child Labor Monitoring System, government officials, representatives of international organizations, and NGOs reported that the Government lacks a sustainable and comprehensive mechanism to collect nationwide data on child labor, analyze lessons learned, and take follow-up actions.<sup>(11, 16, 27, 29)</sup>

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Kosovo has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy and Action Plan (SAP) for the Prevention and Elimination of Child Labor in Kosovo (2010–2016)	Aims to eliminate the worst forms of child labor in Kosovo by 2016, with a focus on prevention, as well as withdrawal of children from the worst forms of child labor, protection of young workers, and integration of gender concerns into anti-child labor efforts.(30)
National Strategy and Action Plan against Trafficking in Human Beings (2011–2014)	Calls for the elimination of trafficking and organized crime in Kosovo through four main strategies: (1) prevention of trafficking; (2) protection of victims and witnesses; (3) prosecution of trafficking crimes; and (4) special protection for children.(14) According to the most recent reports from early 2013, the National Anti-Trafficking Coordinator led regular meetings to review the Plan and revise standard operating procedures. The procedures were aligned with the goal of the new Criminal Code and Criminal Procedure Code to focus on achievable objectives and activities; they included requirements for the police and social workers to communicate with victims' advocates after they have identified potential trafficking victims.(28)
Strategy for the Integration of Roma, Ashkali, and Egyptian Communities (2009–2015)	Promotes the protection of the Ashkali, Egyptian, and Roma communities, and calls for their full integration into Kosovar society. Includes actions in various areas, including education, and establishes a fund specifically dedicated to improving these communities' access to educational opportunities.(31)

In 2014, the MLSW drafted a 2014–2020 Sectorial Strategy and an Action Plan for 2014–2016 that includes actions to address child labor.(5) The strategy aims to increase the effectiveness of the MLACs and to review the database of social assistance beneficiaries to ensure that children vulnerable to worst forms of child labor are included.(16) The Government also drafted a 2014–2019 Anti-Trafficking in Persons National Action Plan and National Strategy.(13) Neither plan was adopted during the reporting period, in part due to a 6-month delay in government formation after early elections were held in June.(13)

During 2014, the Government did not allocate funds for the National Strategy and Action Plan for the Prevention and Elimination of Child Labor.(16) The MLSW used residual implementation funding allocated from previous years to support activities in 2014. The MLSW reported that this funding was inadequate.(16)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Kosovo funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8). The Government has other programs that may have an impact on child labor, including its worst forms.

**Table 8. Social Programs to Address Child Labor**

Program	Description
Kosovo Shelter Coalition and Hope and Homes for Children‡	MLSW-funded coalition of 8 NGOs that provide shelter to victims of trafficking and domestic violence, as well as at-risk youth.(13) Beneficiaries include Hope and Homes for Children, which provides services only to victims of child trafficking. In 2014, the Government increased funding to the Coalition by more than \$160,000.(7, 13)
Social Assistance Benefits*‡	MLSW program that provides monthly social assistance benefits to needy families. Benefits are increased per child, conditioned on the child's school attendance.(11) In 2014, the MLSW began to fully implement new data collection software that categorizes social welfare recipients to reduce fraud, which resulted in reducing the number of families and individuals who received social welfare. In 2014, the number of social welfare recipients dropped to 27,389 families with approximately 60,000 children, compared to 29,500 families with approximately 65,000 children in 2013.(5) The amount received per family varies from \$45 to \$90 per month, based on the number of family members.(16)
Study on Child Labor Practices	UNICEF-funded study on child labor practices implemented by the MLSW in cooperation with the Kosovo Agency of Statistics and the ILO as part of a general study on labor practices in Kosovo. Originally intended by the SAP to be conducted in 2013, the study was conducted in 2014, and the report is expected to be finalized and published in June 2015.(5, 15)
Free School Meals and Text Books*‡	MEST program that provides free school meals for children up to age 15, and free textbooks through fifth grade.(11)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
<i>Social Inclusion and Improvement of Living Conditions for Roma, Ashkali, and Egyptians, and Other Vulnerable Groups in Kosovo (2009–2015)</i> ‡	Government and foreign donor-funded project implemented by Terre des Hommes and a local NGO.(32) Focuses on four basic areas: (1) empowerment and advocacy; (2) basic, secondary, and tertiary education; (3) sanitation and housing; and (4) vocational education, employment, and income to improve the lives of minority communities in Kosovo. Based on the Government’s Strategy for the Integration of Ashkali, Egyptian, and Roma communities.(32)
Minority Support Project*	USAID-funded project implemented with the Government; goals include connecting Kosovo minorities with government social assistance. Part of USAID’s Strategic Plan in Kosovo.(33-35) USAID also supports implementation of another project focused on Kosovo’s education sector, and a third project in Northern Kosovo to promote integration by targeting areas of economic integration, community development, and capacity building.(29)
Trafficking Awareness Campaign‡	Annual government program to raise awareness of human trafficking among potential trafficking victims. In 2014, focused on potential victims of child trafficking.(13)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Kosovo.

In addition, the MLSW Department of Social Welfare reported that the social welfare does not adequately meet Kosovo’s social welfare needs.(16)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kosovo (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits the use of children in all illicit activities.	2013 – 2014
Enforcement	Increase the Labor Inspectorate’s budget, number of personnel, and access to needed resources to facilitate effective targeting and investigation of cases of child labor, including ensuring that unannounced inspections are conducted in all relevant sectors.	2009 – 2014
	Provide training to labor inspectors on child labor issues.	2009 – 2014
	Improve the collection and publication of data on the results of investigations related to criminal laws against child labor, including the number of related prosecutions, convictions, the implementation of penalties, and the referral of children found in child labor to appropriate services.	2009 – 2014
	Provide the DHTBI with sufficient funding to facilitate effective enforcement of laws against child trafficking.	2014
	Ensure that the penalties in the legal framework regulating the crime of human trafficking are correctly applied, including by providing training to prosecutors and judges on the legal framework for human trafficking.	2012 – 2014
	Routinely target and investigate cases of child begging to ensure that children are not subject to situations of forced labor or exploitation by criminal groups.	2014
	Coordination	Strengthen the Child Labor Monitoring System to better collect and analyze data on child labor, and to synthesize data and develop appropriate policy responses at the national and municipal levels.
Government Policies	Provide adequate funding to implement the National Strategy and Action Plan for the Prevention and Elimination of Child Labor.	2014
Social Programs	Increase efforts to address barriers to education for children from the Ashkali, Egyptian, and Roma communities, including lack of birth registration and lack of teachers from minority communities.	2011 – 2014
	Develop an infrastructure for the provision of social services to children found in street work, including begging.	2014
	Assess the impact that existing programs may have on child labor.	2011 – 2014
	Increase funding for the MLSW Social Assistance benefits program and other social welfare programs.	2013 – 2014

## REFERENCES

- Conflict Prevention Forum. *Begging in Kosovo and Its Impact on People's Safety*. Pristina; January 2014. <http://www.saferworld.org.uk/resources/view-resource/788-begging-in-kosovo-and-its-impact-on-peoples-safety>.
- ILO-IPEC. *ILO-IPEC Steps to Eliminate the Worst Forms of Child Labor in Kosovo*. Report. Pristina; 2011. [http://www.ilo.org/budapest/what-we-do/publications/WCMS\\_168288/lang-en/index.htm](http://www.ilo.org/budapest/what-we-do/publications/WCMS_168288/lang-en/index.htm).
- Mario Project. *Observation Report: Exploitation of Albanian Children in Street Situation in Kosovo*. Budapest; 2010.
- U.S. Department of State. "Kosovo," in *Country Reports on Human Rights Practices*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220294#wrapper>.
- U.S. Embassy- Pristina. *reporting, February 2, 2015*.
- U.S. Department of State. "Kosovo," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2013/>.
- U.S. Embassy- Pristina. *reporting, March 17, 2014*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Curbing child labour in Kosovo: Let children be children*, ILO, [online] February 9, 2015 [cited March 25, 2015]; [http://www.ilo.org/global/abouttheilo/newsroom/features/WCMS\\_343157/langen/index.htm](http://www.ilo.org/global/abouttheilo/newsroom/features/WCMS_343157/langen/index.htm).
- U.S. Embassy- Pristina. *reporting, January 16, 2014*.
- Republic of Kosovo. *Administrative Instruction (AI) 05/2013 on the prevention and elimination of hazardous forms of child labor* enacted 2013. [http://www.kryeministri-ks.net/repository/docs/UDHEZIMI\\_ADMINISTRATIV\\_QRK\\_NR\\_05\\_2013.pdf](http://www.kryeministri-ks.net/repository/docs/UDHEZIMI_ADMINISTRATIV_QRK_NR_05_2013.pdf).
- U.S. Embassy- Pristina. *reporting, February 25, 2015*.
- Republic of Kosovo. *National Strategy and Action Plan against Trafficking in Human Beings 2011-2014*. Pristina; 2011. <http://www.mpb-ks.org/repository/docs/TQNJAnghisht.pdf>.
- Ministry of Labor and Social Welfare. *Annual report on the implementation of the Action Plan on Prevention and Elimination of Child Labour*. Pristina; 2013.
- U.S. Embassy- Pristina official. E-mail communication to USDOL official. March 26, 2015.
- Republic of Kosovo. *Constitution of the Republic of Kosovo*, enacted 2008. <http://www.assembly-kosova.org/common/docs/Constitution1%20of%20the%20Republic%20of%20Kosovo.pdf>.
- Republic of Kosovo., *Labour Law*, Law No.03/L –212, enacted October 8, 2001. <http://www.assembly-kosova.org/common/docs/ligjet/2010-212-eng.pdf>.
- Republic of Kosovo. *Administrative Instructions No.2008 on Prevention and Eliminations of the Most Hazardous Forms of Child Labor in Kosovo*. Pristina; 2008.
- Republic of Kosovo. *Criminal Code of the Republic of Kosovo*, enacted January 1, 2013. <http://www.assembly-kosova.org/common/docs/ligjet/Criminal%20Code.pdf>.
- Republic of Kosovo. *Law No. 04/L-218 On Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking*, enacted August 19, 2013. [http://www.mpb-ks.org/repository/docs/Ligji\\_kunder\\_trafikimit\\_Anglisht.pdf](http://www.mpb-ks.org/repository/docs/Ligji_kunder_trafikimit_Anglisht.pdf).
- Republic of Kosovo. *Law on the Kosovo Security Force*, enacted March 13, 2008. [http://www.gazetazyrtare.com/e-gov/index.php?option=com\\_content&task=view&cid=140&Itemid=56&lang=en](http://www.gazetazyrtare.com/e-gov/index.php?option=com_content&task=view&cid=140&Itemid=56&lang=en).
- Republic of Kosovo. *Law on Pre-University Education in the Republic of Kosovo*, No. 04/L-032, enacted August 29, 2011. <http://www.kuvendikosoves.org/?cid=2,191,666>.
- U.S. Embassy- Pristina official. E-mail communication to USDOL official. March 18, 2014.
- Republic of Kosovo. *Law on Inspection of Education in Kosovo*, enacted September 8, 2004. [http://www.mash-gov.net/advCms/documents/Ligji\\_mbi\\_inspeksionin\\_e\\_arsimit\\_ne\\_kosove.pdf](http://www.mash-gov.net/advCms/documents/Ligji_mbi_inspeksionin_e_arsimit_ne_kosove.pdf).
- OSCE. *Defining and Prosecuting the Crime of Human Trafficking*. Pristina; October 2011. [www.osce.org/kosovo/83831](http://www.osce.org/kosovo/83831).
- U.S. Embassy- Pristina official. E-mail communication to USDOL official. April 28, 2015.
- U.S. Department of State. "Kosovo," in *Trafficking in Persons Report- 2013*. Washington, DC; June 24, 2013; <http://www.state.gov/j/tip/rls/tiprpt/2013/>.
- U.S. Embassy- Pristina official. E-mail communication to USDOL official. May 15, 2014.
- Republic of Kosovo. *National Strategy and Action Plan for Prevention and Elimination of Child Labor in Kosovo 2010-2016*. Pristina; 2010.
- Republic of Kosovo. *Strategy for the Integration of Roma, Ashkali and Egyptian Communities in the Republic of Kosovo*. Pristina; 2008. [http://www.kryeministri-ks.net/zck/repository/docs/Strategy\\_for\\_the\\_Integration\\_of\\_Roma\\_Ashkali\\_and\\_Egyptian\\_communities\\_2009-2015.pdf](http://www.kryeministri-ks.net/zck/repository/docs/Strategy_for_the_Integration_of_Roma_Ashkali_and_Egyptian_communities_2009-2015.pdf).
- Terre des Hommes. *Kosovo Social inclusion project launched for Roma, Ashkali and Egyptian communities* Terre des Hommes, [online] April 12, 2013 [cited January 27, 2014]; <http://tdh-childprotection.org/news/social-inclusion-project-launched-for-roma-ashkali-and-egyptian-communities>.
- USAID Kosovo. *USAID/Kosovo Strategic Plan 2010-2014*. Washington, DC; May 20, 2010. [http://pdf.usaid.gov/pdf\\_docs/PDACQ298.pdf](http://pdf.usaid.gov/pdf_docs/PDACQ298.pdf).
- USAID. *Promising Approaches- Addressing Child Trafficking in Europe and Eurasia: Final Report*. Washington, DC; 2013. [http://www.gem2.org/sites/default/files/USAID\\_Promising\\_Approaches\\_final.pdf](http://www.gem2.org/sites/default/files/USAID_Promising_Approaches_final.pdf).
- USAID. *Education*, USAID, [online] July 11, 2014 [cited 2014]; <http://www.usaid.gov/kosovo/education>.



# Kyrgyz Republic

## MINIMAL ADVANCEMENT

*In 2014, the Kyrgyz Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government began conducting a national child labor survey in collaboration with the ILO. However, children in the Kyrgyz Republic are engaged in child labor, including in cotton cultivation, and in the worst forms of child labor, including in tobacco cultivation. Interagency coordination on child labor continued to be poor and legal protections, such as minimum age of employment and prohibition on hazardous work, are not extended to children engaged in non-contractual employment.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic are engaged in child labor, including in cotton cultivation. Children are also engaged in the worst forms of child labor, including in tobacco cultivation.(1-3) Table 1 provides key indicators on children’s work and education in the Kyrgyz Republic.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	4.5 (48,305)
Attending School (%)	5-14 yrs.	84.0
Combining Work and School (%)	7-14 yrs.	4.8
Primary Completion Rate (%)		97.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(5)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Cultivating cotton, tobacco,† rice,* potatoes,* sugar beets,* and wheat* (1-3, 6-13)
	Raising cattle* and sheep* (6, 7, 11-13)
Industry	Coal mining*† (6, 7, 12, 13)
	Brick making* (6, 7, 12, 13)
	Construction, including lifting and portering construction materials,* and cutting metal sheets for roofs* (6, 7, 13)
	Loading and unloading goods, portering, and selling items, including food and newspapers, in bazaars (6, 8, 10, 12, 14-18)
Services	Collecting plastic bottles* and garbage* in bazaars (8, 19)
	Washings cars* (6, 10, 17)
	Working in restaurants and cafes, including serving food* and washing dishes* (6, 8, 12, 20)
	Street work, including begging* and shoe shining* (6, 12, 17, 21, 22)
Categorical Worst Forms of Child Labor‡	Domestic work, including babysitting* (6, 7, 9, 19, 21, 22)
	Forced begging* and forced labor in tobacco cultivation*(12, 21, 22)
	Commercial sexual exploitation, sometimes as a result of human trafficking* (3, 7, 17, 19, 21, 22)
	Used in illicit activities, including trafficking of illegal drugs as a result of human trafficking* (6, 21)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

According to the most recent child labor survey conducted in 2007, child labor is concentrated in agriculture, primarily in the *oblasts* (provinces) of Issyk Kul and Osh.(15) Children also transport and sell items in local bazaars.(15)




Labor migration from southern to northern areas of the Kyrgyz Republic and from the Kyrgyz Republic to Kazakhstan and the Russian Federation is a common occurrence. Some parents leave their children behind, oftentimes without birth certificates and guardianship documents. As a result, some children cannot enroll in school and are vulnerable to the worst forms of child labor.(8, 11, 12) Similarly, many ethnic Lyuli children, a subgroup of the Roma people living in Central Asia, are out of school, and child labor is prevalent in this community.(6) Children with disabilities and those living and working on the street also have difficulty accessing education.(7, 15, 18, 23) Some schools require residence registration known as *propiska* for enrollment, even though according to the Ministry of Education and Science, this is not mandatory.(7, 9, 19)

In 2014, the National Statistics Committee, in cooperation with the ILO-IPEC, began conducting interviews with 6,000 households for a national child labor survey.(24)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Kyrgyz Republic has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 18 of the Labor Code (25)
Minimum Age for Hazardous Work	Yes	18	Article 294 of the Labor Code (25); Article 15 of the Code on Children (26)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 294 of the Labor Code (25); Decree 314 (27); Annex I of Decree 548 (28)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code (25); Article 15.2 of the Code on Children (26)
Prohibition of Child Trafficking	Yes		Articles 1 and 12 of the Law on Preventing and Combating Human Trafficking (29); Article 124 of the Criminal Code (30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 157 of the Criminal Code (30); Articles 5 and 15 of the Code on Children (26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 157, 249, 247, and 375 of the Criminal Code (30); Articles 5 and 15 of the Code on Children (26)
Minimum Age for Compulsory Military Recruitment	Yes	18	Articles 17.1 and 22.1 of the Law on Military Service (31)
Minimum Age for Voluntary Military Service	Yes	18	Article 24.1 of the Law on Military Service (31)
Compulsory Education Age	Yes	15	Article 16 of the Law on Education (32)
Free Public Education	Yes		Article 16 of the Law on Education (32)

# Kyrgyz Republic

## MINIMAL ADVANCEMENT

According to Article 6 of the Labor Code, protections, such as the minimum age of employment and prohibition on hazardous work, are not extended to children engaged in non-contractual employment.(25) Most incidences of child labor occur in employment relationships where the child does not have a signed employment contract with the employer.(8, 11) Children in the Kyrgyz Republic are also required to attend school only until grade nine, which is typically until they reach age 14 or 15.(8, 9, 23, 33) This standard makes such children between the ages of 15 and 16 vulnerable to child labor, as they are not required to be in school but are not legally permitted to work either.

The Ministry of Social Development and the ILO indicate that the list of hazardous work in Decrees 314 and 548 is outdated.(34) The Government has drafted a revised list in 2011, which has not yet been approved.(35)

In 2014, the President signed the decree on Social Support for Children and Families in Difficult Living Conditions to address the root causes of child labor.(35)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Inspectorate on Ecological and Technical Safety	Monitor work sites and refer child laborers to social services. Cooperate with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs, the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws.(35)
Ministry of Internal Affairs' Inspectorate for Minors' Affairs	Enforce criminal laws related to the worst forms of child labor; conduct independent inspections and joint raids with the State Inspectorate on Ecological and Technical Safety to find neglected or abused children; and refer children to social institutions for care.(35)
Prosecutor General's Office	Enforce and apply laws concerning labor, including by conducting labor inspections and investigating child labor violations in coordination with the State Inspectorate on Ecological and Technical Safety.(35, 36)
<i>Oblast</i> Administration	Enforce child labor laws at the <i>oblast</i> level.(35)
Ministry of Social Development	Serve as the key government agency for child issues charged with protecting children and families in difficult conditions, including child laborers.(6) Child labor issues are covered by the Ministry's Department of Child Protection. Monitor for children engaged in the worst forms of child labor.(6) Coordinate with <i>oblast</i> -level authorities to pursue violations of child labor laws.(33)

Law enforcement agencies in the Kyrgyz Republic took actions to combat child labor, including its worst forms.

#### ***Labor Law Enforcement***

In 2014, the State Inspectorate on Ecological and Technical Safety employed 23 inspectors charged with investigating all labor issues, including child labor. Given the size of the workforce, the number of labor inspectors was inadequate to ensure appropriate enforcement of child labor laws.(6, 18) State Inspectorate on Ecological and Technical Safety officials noted that insufficient funds hindered enforcement efforts. Inspectors attended weekly personnel meetings where they received updates and training on issues, including child labor.(18) During the reporting period, labor inspectors identified 243 children engaged in child labor and issued penalties for employers.(18) Unannounced inspections are not permitted; in accordance with Article 6.6 of the Business Inspections Act, labor inspectors must inform businesses of inspections 10 days in advance.(37)

#### ***Criminal Law Enforcement***

In 2014, a total of 22 cases of human trafficking, forced labor, and commercial sexual exploitation were investigated. The Prosecutor General's Office prosecuted 9 cases involving 21 suspected offenders and 6 child victims.(38) Fifteen offenders were convicted.(38) Research did not find information on the number of investigators, their training, and the implementation of penalties.

In 2013, some child victims of commercial sexual exploitation were treated as criminals or were further abused by law enforcement officials, including while in custody.(3, 21, 39) Concerns about law enforcement's treatment of child victims of commercial sexual exploitation remained in 2014 because the Government did not investigate allegations of police misconduct. Some law enforcement officials acknowledged that more should be done to protect child victims.(33)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.<sup>(6)</sup> The National Coordination Council on Child Labor was previously in charge of developing policies to eliminate child labor, but it is no longer operational.<sup>(11)</sup>

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Kyrgyz Republic has established policies related to child labor, including its worst forms (Table 6).

**Table 6. Policies Related to Child Labor**

Policy	Description
National Program Against Human Trafficking and Action Plan for the Implementation of the Program (2013–2016)	Aims to provide protection to children in difficult situations to prevent them from becoming victims of sexual, labor, or criminal exploitation. Does not, however, have a specific focus on the commercial sexual exploitation of children. Action Plan is overseen by the Ministry of Labor, Migration, and Youth. <sup>(35)</sup>
Sustainable Development Plan (2013–2017)	Addresses child labor by undertaking a child labor survey, strengthening enforcement mechanisms for monitoring child labor, and replicating best practices to improve access to education. <sup>(35, 40)</sup>
Roadmap on Out-of-School Children	Seeks to collect information on the problem of school nonattendance and develop a comprehensive list of activities to address the issue. Developed by UNICEF, the ILO, the Ministry of Education; currently under revision. <sup>(40)</sup>
National Education Strategy (2012–2020)	Seeks to improve access to education, develop skills based on labor market needs, and increase access to elementary education for illiterate individuals and those who dropped out of school. <sup>(41)</sup>
Social Protection Development Strategy (2012–2014)	Aims at formulating the guidelines for the Child Labor Monitoring System, revising the list of hazardous work prohibited for children, and preparing for the replication of the Child Labor Monitoring System in other regions of the country. <sup>(35)</sup>

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of the Kyrgyz Republic funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 7. Social Programs to Address Child Labor**

Program	Description
Combating Child Labor in Central Asia—Commitment Becomes Action (PROACT CAR Phase III) (2010–2015)	Government of Germany-funded, \$6.7 million, 5-year project implemented by the ILO-IPEC to mainstream child labor issues into national policies and legislation, build the capacity of stakeholders, and provide direct services to children withdrawn from the worst forms of child labor. <sup>(40)</sup> There is a pilot program in two districts that consists of evening classes for children engaged in child labor and child labor monitoring by teachers and social workers. <sup>(7, 42)</sup>
Implementing Practices to Address Child Labor in Tobacco in Kyrgyzstan (IMPACT) (2013–2015)	Eliminating Child Labor in Tobacco Growing Foundation-funded, \$709,943, 2-year project implemented by the Alliance on Protection of Child Rights that works to eliminate child labor in tobacco-growing communities in southern areas of the Kyrgyz Republic. Objectives include preventing 3,000 children from entering child labor and improving access to education, water, and sanitation. <sup>(43)</sup>
Evening Classes for Child Laborers <sup>‡</sup>	ILO and Ministry of Education and Science project that provides evening classes to secondary school students in districts where there is a high concentration of child laborers. Includes weekly or biweekly family consultations with social workers who observe the children during which the parents receive information on the hazards of child labor. <sup>(44)</sup>
Social Support for Children and Families in Difficult Living Conditions <sup>‡</sup>	Social workers monitor places where children may be working, with a primary focus on bazaars. <sup>(33)</sup> The decree indicates that social workers will assist with returning children to school and ensure that they are no longer working. <sup>(33)</sup>
World Day Against Child Labor	ILO-IPEC media campaign for World Day Against Child Labor in 2014, highlighting extending social protections to eliminate child labor. <sup>(33)</sup>
Toll-Free Hotline for Human Trafficking <sup>‡</sup>	Ministry of Labor, Migration, and Youth's toll-free line provided to the IOM that offers information to potential labor migrants and assistance to victims of human trafficking. <sup>(23)</sup>

**Table 7. Social Programs to Address Child Labor (cont)**

Program	Description
Ministry of Education and Science National School Attendance Database‡	Launched in 2014, pilot national electronic database to track children who do not attend school. Although not operational, database information will be shared with the Ministry of Social Development to assist children engaged in child labor.(9) The Ministry of Internal Affairs will also be informed of cases of criminal violations of child labor laws. In addition, social pedagogues will work with families to ensure that children attend school.(9)

‡ Program is funded by the Government of the Kyrgyz Republic.

Research found no evidence that the Government has carried out programs to assist children in domestic work, cotton cultivation, and herding during the reporting period.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Kyrgyz Republic (Table 9).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law’s minimum age provisions and hazardous work prohibitions apply to children working without a signed employment contract.	2014
	Increase the age for compulsory schooling to 16, the minimum age to work.	2014
Enforcement	Increase the number of labor inspectors and provide inspectors adequate resources to conduct inspections.	2012 – 2014
	Strengthen the inspection system by permitting unannounced inspections.	2014
	Collect and make publicly available the number of criminal investigators, their training, and the implementation of penalties.	2011 – 2014
	Ensure that children engaged in child labor are not treated as criminals.	2014
	Investigate allegations of, and take appropriate legal action against, police misconduct, including sexual abuse of child laborers.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2012 – 2014
Social Programs	Ensure that all children have access to free education.	2009 – 2014
	Institute programs to address child labor in agriculture, including the cultivation of cotton, domestic work, and herding.	2014

## REFERENCES

- ILO-IPEC official. E-mail communication to USDOL official. March 6, 2012.
- Yakovleva, E. “Child labor: in tobacco slavery.” 24.kg [online] March 25, 2014 [cited March 27, 2015]; <http://www.eng.24.kg/community/169611-news24.html>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) - Kyrgyzstan (ratification: 2004)* Published: 2013; accessed November 26, 2013; <http://www.ilo.org/ilolex/english/ilquery.htm>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from Multiple Indicator Cluster Survey 3, 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- U.S. Embassy- Bishkek. *reporting, January 16, 2014.*
- Association for the Promotion of Rights and Interests of Children official. Interview with USDOL official. May 20, 2015.
- ILO-IPEC official. Interview with USDOL official. May 18, 2015.
- Ministry of Education and Science official. Interview with USDOL official. May 19, 2015.
- Ministry of Social Development official. Interview with USDOL official. May 19, 2015.
- Trade Union of Agro-Industrial Complex’s Workers official. Interview with USDOL official. May 21, 2015.
- USAID official. Interview with USDOL official. May 20, 2015.
- Alliance on Protection of Children Rights official. Interview with USDOL official. May 20, 2015.
- ILO. *The Main Change Has to Happen in People’s Minds: A Child Labour Film Programme in Kyrgyzstan.* ILO, [online] June 11, 2010 [cited April 9, 2013]; [www.ilo.org/global/about-the-ilo/press-and-media-centre/insight/WCMS\\_141588](http://www.ilo.org/global/about-the-ilo/press-and-media-centre/insight/WCMS_141588).
- UNICEF. *All Children in School by 2015: Global Initiative on Out-of-school Children - Kyrgyzstan Country Study.* 2012. <http://www.uis.unesco.org/Education/Documents/OOSCI%20Reports/kyrgyzstan-oosci-report-2012.pdf>.



16. Toktonaliev, T. "Kyrgyz Child Workers Harassed, Not Helped by Police." iwpr.net [online] June 25, 2014 [cited January 23, 2015]; <https://iwpr.net/global-voices/kyrgyz-child-workers-harassed-not-helped-police>.
17. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kyrgyzstan (ratification: 2004) Published: 2013*; accessed October 28, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
18. State Inspectorate on Environmental and Technical Safety official. Interview with USDOL official. May 22, 2015.
19. Adilet Legal Clinic official. Interview with USDOL official. May 21, 2015.
20. Parliament Committee for Human Rights, CLaSo. Interview with USDOL official. May 21, 2015.
21. U.S. Department of State. "Kyrgyz Republic," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226847.pdf>.
22. IOM official. Interview with USDOL official. May 18, 2015.
23. U.S. Department of State. "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm>.
24. ILO. "Kyrgyzstan to interview 6,000 households within national child labour survey." [online] November 3, 2014 [cited January 23, 2015]; <http://www.ilo.org/public/english/region/eurpro/moscow/news/2014/1103.htm>.
25. Government of the Kyrgyz Republic. *Labor Code of the Kyrgyz Republic, No. 106, as amended*, enacted August 4, 2004. [http://www.mkk.gov.kg/index.php?option=com\\_content&view=article&catid=116%3A-1-5-&id=1084%3A-i-v&lang=ru](http://www.mkk.gov.kg/index.php?option=com_content&view=article&catid=116%3A-1-5-&id=1084%3A-i-v&lang=ru).
26. Government of the Kyrgyz Republic. *The Kyrgyz Republic's Code on Children, No. 100*, enacted July 10, 2012. [http://online.adviser.kg/Document/?doc\\_id=31223299&mode=all](http://online.adviser.kg/Document/?doc_id=31223299&mode=all).
27. Government of the Kyrgyz Republic. *Decree No. 314 on the list of industries, occupations and work with difficult and hazardous working conditions, employment in which is prohibited for persons under the age of eighteen (as amended)*, enacted July 2, 2001. <http://cbd.minjust.gov.kg/act/view/ru-ru/33457/30?mode=tekst>.
28. Government of the Kyrgyz Republic. *Decree No. 548 on the Adoption of a Standard Maximum Weight for the Lifting and Moving of Heavy Loads by Women and Workers under the Age of 18*, enacted December 2, 2005. <http://cbd.minjust.gov.kg/act/view/ru-ru/56683?cl=ru-ru>.
29. Government of the Kyrgyz Republic. *Law No. 55 on Preventing and Combatting Human Trafficking*, enacted March 17, 2005. <http://www.legislationline.org/ru/documents/action/popup/id/14215>.
30. Government of Kyrgyz Republic. *Criminal Code of the Kyrgyz Republic, No 68, as amended*, enacted October 1, 1997. [http://legislationline.org/download/action/download/id/4221/file/Kyrgyzstan\\_CC\\_1997\\_%20am\\_2006\\_en.pdf](http://legislationline.org/download/action/download/id/4221/file/Kyrgyzstan_CC_1997_%20am_2006_en.pdf) [source on file].
31. Government of Kyrgyz Republic. *Law No. 43 on the Universal Conscription of Citizens of the Kyrgyz Republic, Military and Alternative Service, as amended*, enacted February 9, 2009. <http://cbd.minjust.gov.kg/act/view/ru-ru/202536?cl=ru-ru>.
32. Government of Kyrgyz Republic. *Law of the Kyrgyz Republic on Education, No 92, as amended*, enacted April 30, 2003. <http://edu.gov.kg/ru/normativnopravovaja-baza/zakony/3-zakon-ob-obrazovanii.html>.
33. U.S. Embassy- Bishkek. *reporting, May 6, 2015*.
34. U.S. Embassy- Bishkek official. E-mail communication to USDOL official. March 7, 2013.
35. U.S. Embassy- Bishkek. *reporting, December 29, 2014*.
36. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) - Kyrgyzstan (ratification: 1992) Published : 2013*; accessed November 26, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
37. Government of Kyrgyz Republic. *Business Inspection Act, No. 72, as amended*, enacted May 25, 2007. [http://www.kenes.kg/Articles/2357-Zakon\\_Kyrgyzskoj\\_Respubliki\\_O\\_poryadke\\_provedeniya\\_proverok\\_subektov\\_predprinimatelstva.aspx](http://www.kenes.kg/Articles/2357-Zakon_Kyrgyzskoj_Respubliki_O_poryadke_provedeniya_proverok_subektov_predprinimatelstva.aspx).
38. U.S. Embassy- Bishkek. *reporting, February 27, 2015*.
39. M'jid, NM. *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/25/48/Add.1)* December 23, 2013. <http://www.ohchr.org/EN/Issues/Children/Pages/CountryVisits.aspx>.
40. ILO-IPEC. *Combating Child Labour in Central Asia - Commitment Becomes Action PROACT CAR Phase III*. Technical Progress Report (July - December, 2013). Geneva; 2013.
41. Government of Kyrgyz Republic. *Decree 201 on National Educational Strategy 2012-2020*, enacted March 23, 2012. [http://online.adviser.kg/Document/?link\\_id=1002436221](http://online.adviser.kg/Document/?link_id=1002436221).
42. Child Institute official. Interview with USDOL official. May 22, 2015.
43. Eliminating Child Labor in Tobacco Growing (ECLT) Foundation. *Kyrgyzstan, 2013-2015*, ECLT, [online ] 2013 [cited June 19, 2014]; <http://www.eclt.org/project-countries/kyrgyzstan/kyrgyzstan-2013-2015/>.
44. ILO. *More than 70 children in Bishkek and Osh will be enrolled to evening classes* ILO, [online ] [cited June 6, 2013]; <http://www.ilo.org/public/english/region/eurpro/moscow/news/2013/0606.htm>.

# Lebanon

## MODERATE ADVANCEMENT

*In 2014, Lebanon made a moderate advancement in efforts to eliminate the worst forms of child labor. While both the anti-Human Trafficking National Action Plan and the National Action Plan for Human Rights await formal adoption by the Parliament, Government agencies in cooperation with other organizations began to implement them. The Government allowed Syrian refugee children to access education. The Reaching All Children through Education project, which aims to improve access to education, was launched. Also, the Ministry of Social Affairs in cooperation with UNICEF formed a program to enroll children in schools and improve working conditions for children. However, children in Lebanon continue to engage in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. Labor law enforcement is weak due to a lack of resources, and enforcement agencies do not maintain enforcement data. There are not sufficient programs and services that target children engaged in agriculture, street work, domestic service, or commercial sexual exploitation.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lebanon are engaged in child labor, including in agriculture.(1-3) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1, 4-6) Table 1 provides key indicators on children’s work and education in Lebanon. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		86.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2013.(7)  
Data were unavailable from Understanding Children’s Work Project’s analysis, 2013.(8)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Picking olives,* potatoes,* citrus fruit,* beans,* and figs* (1, 9-11)
	Production of tobacco† (9, 12)
	Clearing rocks and preparing ground for planting* (1, 13)
	Fishing,* activities unknown (2, 3)
Industry	Construction,† including carpentry and welding*† (2, 3, 9)
	Rock quarrying*† (14)
	Making handicrafts* (2, 9, 12)

**Table 2. Overview of Children's Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Street work,† including peddling,* portering,* begging,* washing cars,* scavenging garbage,*† and shining shoes (1, 2, 9, 10, 12, 15)
	Maintenance and repair of motor vehicles† (2, 9, 14)
	Building maintenance, including painting† and cleaning* (1, 2, 9)
	Domestic work† (3, 9, 16)
	Cleaning sewage*† (1-3)
	Food service*† (3, 15)
	Working in the preparation of bodies for funerals and burials*† (17, 18)
	Cleaning market places* (1, 2)
	Working in slaughterhouses*† and butcheries* (2, 3)
	Working in small shops* (2, 15)
Categorical Worst Forms of Child Labor‡	Used in illicit activities, including drug trafficking sometimes as a result of human trafficking, and arms dealing* (3, 4, 18, 19)
	Forced begging sometimes as a result of human trafficking (4, 6, 20)
	Commercial sexual exploitation sometimes as a result of human trafficking (1, 4-6, 12, 19)
	Work in agriculture as a result of human trafficking* (3, 6)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children who work in agriculture, mainly in the districts of Akkar, Hermel, Baalbek, and South Lebanon, often do not attend school during harvesting and planting seasons.(13, 21) Children working on the streets are sometimes forced into commercial sexual exploitation and illicit work by criminal gangs and acquaintances. A 2011 study found that boys working on the street are at a high risk of sexual exploitation by peers and by men.(4) Lebanon is a source country for children, especially girls, trafficked for commercial sexual exploitation, domestic service, and criminal activity. Lebanon is also a destination country for children trafficked for commercial sexual exploitation.(4, 6) Syrian girls, particularly, are trafficked into Lebanon for the purpose of commercial sexual exploitation under the guise of marriage.(4, 6)

The Syrian conflict has caused a large influx of refugees to Lebanon. The United Nations High Commissioner for Refugees (UNHCR) reported that as of December 2014, more than half of the 1.15 million Syrians who had sought refuge in Lebanon were children.(22) Working in the streets is especially common among refugee children, including Palestinian, Iraqi, and Syrian, as well as Dom children (an ethnic minority).(12, 23) Refugee families face extreme poverty, making their children more vulnerable to the worst forms of child labor.(6, 24) There is limited evidence of recruitment of children for use in armed conflict in Syria.(25, 26)

The law guarantees free compulsory education for children, but only for Lebanese citizens.(27) Noncitizen children, including stateless and refugee children, have limited access to education. While Palestinian refugees cannot access public schools, they are required to attend schools operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).(21, 24, 28) Although Syrian refugees can access public education, the public school system in Lebanon does not have the capacity to accommodate the large number of school-age Syrian refugee children.(24) As of summer 2014, only 20 percent of school-age Syrian refugee children attended schools in Lebanon.(28) Lack of awareness about education opportunities, school fees, costs of transportation and supplies, use of schools as shelters, and lack of security are among the barriers to education.(25, 28, 29) Lebanese children face similar barriers in accessing education.(21) Likewise, Iraqi refugee children may not be enrolled in school due to such reasons as school-related costs, reliance on child labor income, and discrimination.(30) Additionally, in Lebanon many classes are taught in French or English, whereas Syrian and Iraqi children are used to learning all subjects in Arabic.(29, 30)




## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Lebanon has ratified most key international conventions concerning child labor (Table 3).

# Lebanon

## MODERATE ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government of Lebanon has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 22 of the Labor Code (31)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Decree No. 8987 (32)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Annex 1 of the Decree No. 8987 (32)
Prohibition of Forced Labor	Yes		Articles 586.1 and 586.5 of the Law on the Punishment of Human Trafficking (33)
Prohibition of Child Trafficking	Yes		Articles 586.1 and 586.5 of the Law on the Punishment of Human Trafficking (33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 523-527 and 507-510 of the Penal Code (34); Articles 586.1 and 586.5 of the Law on the Punishment of Human Trafficking (33)
Prohibition of Using Children in Illicit Activities	Yes		Article 618 of the Penal Code (34); Articles 586.1 and 586.5 of the Law on the Punishment of Human Trafficking (33)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 30 of the National Defense Law (35)
Compulsory Education Age	Yes	12	Article 49 of Education Law (21, 27)
Free Public Education	Yes		Article 49 of Education Law (27)

\* No conscription (36)

The law requires Lebanese citizens to attend school only until the age of 12. This standard makes children ages 12-14 particularly vulnerable to child labor, as they are not required to be in school but are not legally permitted to work.(37) Additionally, according to the Ministry of Labor's Unit for the Combat of Child Labor, penalties for criminal violations of child labor and related laws are not sufficient to deter future violations.(12) Draft legal amendments to address compulsory education age and insufficient penalties remain pending.(12, 38)

Lebanese law is not consistent in its treatment of children working in begging. Article 610 of the Penal Code criminalizes begging.(34) Reports refer to limited cases in which children working as beggars have been arrested.(23) However, Articles 25 and 26 of the Delinquent Juveniles Law stipulate that child begging endangers children and that such children are entitled to protective measures.(23, 39)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce child labor laws through workplace inspections.(12) Maintain a hotline to receive labor-related complaints, including cases of child labor.(3)
Internal Security Forces	Enforce laws regarding the worst forms of child labor through the Anti-Human Trafficking and Morals Protection Bureau.(12, 40)
Ministry of Justice	Prosecute violations of the Penal Code in coordination with the Internal Security Forces and the Ministry of Social Affairs' Higher Council for Childhood. Maintain general data and statistics on criminal violations involving the worst forms of child labor.(12) Refer at-risk children to shelters and protection services.(3)
Ministry of Justice's Union for Protection of Juveniles in Lebanon	Refer ill-treated children, children in conflict with the law, and child victims of human trafficking and other forms of worst forms of child labor to social services. Coordinate juvenile justice procedures and advise juvenile court judges on referring child labor victims to appropriate social services.(12, 16)
Ministry of Social Affairs	Refer children identified by the Internal Security Forces and the Ministry of Justice to protective institutions, such as health centers.(3, 16) Refer children to shelters through its Higher Council for Childhood.(12)
Directorate of General Security's Hotline	Receive complaints, including on human trafficking.(41)

Law enforcement agencies in Lebanon took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor (MOL) employed 90 labor inspectors, including administrators. Labor inspectors did not receive child labor training in the reporting period. MOL did, however, provide a guide, developed in cooperation with the American University in Beirut, on best practices for implementing Decree No. 8987.(3) Additionally, MOL does not have the resources to provide inspectors with the necessary office equipment or transportation to enforce child labor laws.(3) Although, in theory, labor inspectors can initiate both routine and complaint-based inspections, including unannounced, desk reviews, and on-site inspections, due to a lack of resources, almost all inspections are generally complaint-based. MOL did not receive any child labor complaints in the reporting period, thus no inspection was performed.(3)

### ***Criminal Law Enforcement***

In 2014, the head of the Anti-Human Trafficking and Morals Protection Bureau of the Internal Security Forces stated that the Bureau lacks sufficient staff and that officers are routinely pulled from their duties to perform other tasks.(3) The Human Rights Institute of the Beirut Bar Association published an informational manual on the legal provisions and best practices to combat human trafficking as well as 500 copies of a handbook on human-trafficking indicators to help officials identify victims. Trainings were also provided for the staff of the Directorate of General Security, the Internal Security Forces, and the Lebanese Armed Forces.(40) However, officials of the Ministry of Justice indicate that judges need more training on the application of the Law on the Punishment of Human Trafficking.(41) The Internal Security Forces investigated five cases of human trafficking, including those that involved child victims. The Ministry of Justice prosecuted 34 cases of human trafficking, including cases of forced child labor in begging.(41) Six individuals were convicted under the Law on the Punishment of Human Trafficking. In addition, two cases of forced child labor in begging, initiated prior to 2014, resulted in convictions of 10-year imprisonment and fines.(41) Research did not find information on the number of child labor and human trafficking complaints received through the Ministry and Labor and the Directorate of General Security's hotlines.

The Government did not generally provide protection, including shelter, to victims of human trafficking and continued to arrest, detain, and deport victims for crimes committed as a direct result of being trafficked.(6) Only one child was removed from a situation of commercial sexual exploitation and was handed over to NGO Abaad for further assistance.(3)

When a child is found to be involved in or a victim of criminal activities, the Internal Security Forces take the child into protective custody and contact the Ministry of Justice's Union for Protection of Juveniles in Lebanon, which then refers the child to appropriate social services. Given the Union's limited resources, the Ministry of Justice is in talks with more organizations to boost the number of social workers.(3)



# Lebanon

## MODERATE ADVANCEMENT

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
MOL's Unit for the Combat of Child Labor	Raise awareness; coordinate efforts among government agencies; establish standard practices; and develop, enforce and recommend changes to the law and ensure they comply with it.(42) Led by the Minister of Labor, includes representatives from the National Social Security Fund; Ministries of Social Affairs; Public Health; Justice; and Agriculture; and National Employment Office.(43)
Inter-Ministerial Task Force on Human Trafficking	Coordinate efforts against human trafficking, including child trafficking.(44)

The UN coordinates efforts to address the needs of children affected by the Syrian refugee crisis in Lebanon and maintains interagency standards for child protection. Its agents identify crucial concerns, including factors that make children vulnerable to child labor, and make recommendations to the Government on the use of resources, including referral services.(24, 45)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Lebanon has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor (2013-2016)	Establishes strategies for addressing the worst forms of child labor. Includes a National Awareness Strategy to be carried out by the ILO.(12, 46)
National Social Development Strategy	Establishes a plan for a comprehensive social, health, and educational program.(47) Includes the protection of working children and the implementation of the Higher Council for Childhood's strategy to address the needs of street children.(48)
Ministry of Education and Higher Education's Education Sector Development Plan (2010-2015)*	Aims to improve quality learning during pre-school, general, and higher education levels; integral part of the National Social Development Strategy.(49)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In 2014, MOL's Unit for the Combat of Child Labor was in the process of finalizing the National Awareness Strategy against the Worst Forms of Child Labor. The Unit also announced that it will update its website to become the main portal of information on all types of child labor.(3) The revamped website, expected to be launched in 2015, will also include an online child labor complaints system. Likewise, the Ministry of Social Affairs' Higher Council for Childhood launched its consultations with World Vision to draft a sectoral action plan on child trafficking, part of the National Action Plan for Child Protection.(3)

In 2013, government agencies, including the Internal Security Forces, and the Ministries of Justice, Interior, and Social Affairs introduced a draft of an Anti-Human Trafficking National Action Plan that outlines the roles and responsibilities of agencies involved in the identification of victims of human trafficking and in their referral to services. Based on the Plan, a national database is to be established to facilitate counter-trafficking activities.(5) Additionally, in 2012, the Government drafted the National Action Plan for Human Rights. The Plan provides recommendations on child labor coordination between relevant authorities. It also proposes legislative and executive procedures on 21 human rights topics, including children's rights.(12, 50) While both Plans await approval by Parliament, they are already being implemented by government agencies in cooperation with civil society and non-governmental organizations.(3)

The Ministry of Justice, the Ministry of Social Affairs, and the Internal Security Forces, in cooperation with UNICEF, finalized a standard operating procedure (SOP) on child protection, including protection against human trafficking. The SOP defines the role of each of the agencies in implementing the law. The Ministry of Social Affairs is expected to approve the SOP in 2015 for it to become effective.(3)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Lebanon funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Reaching All Children through Education†	Part of the No Lost Generation initiative, a joint effort of the Ministry of Education and Higher Education, United Nations High Commissioner for Refugees (UNHCR), UNICEF, and the World Bank.(3) Addresses needs of Syrian refugee children to increase access to education and provide a protective environment as well as life-skill building opportunities.(51) Enroll up to 200,000 children in first and second school shifts in 2014-2015 (i.e., the school day was divided, with some children attending in the morning and others in the afternoon, to accommodate the large number of students) and increased targets in subsequent years. Aims to provide a productive, safe alternative to child labor.(3)
National Poverty Alleviation Program‡	Funded by the Government, the Italian Foreign Ministry, the World Bank, and the Canadian Embassy, this Ministry of Social Affairs' program pays school tuition and book costs for 74,000 families living in extreme poverty.(12)
Higher Council for Childhood's program to eliminate child labor and street children	Funded by the Arab Council for Children and Development, the program includes training for the media on how to cover child labor cases, a study on street children in collaboration with St. Joseph University, training programs for social workers, and awareness campaigns for the general public.(12)
Education Program for Syrian Refugee Children	The Ministry of Education and Higher Education, and UNHCR support the War Child Holland initiative, which provides education to qualified refugee children in 13 public schools in Beirut and Mount Lebanon. Supports second shift courses and informal educational activities, designed to give students the necessary skills to enroll in public schools.(52)
Global Action Program on Child Labor Issues	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor and forced labor through data collection and research.(53) In 2014, in preparation for a national child labor survey in Lebanon, the ILO finalized the questionnaire and the planning of geographic areas to be covered in the survey.(53)
Child Protection Committee†	Joint program by UNICEF and the Ministry of Social Affairs. Addresses worst forms of child labor interventions, including through counseling, enrolling children in school, and working with employers to decrease working hours for children and improve work conditions.(3) Currently implementing programs for children in armed conflict and refugee children from Syria.(3, 21)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Lebanon.

As shown in Table 8, NGOs and UN agencies are the main providers of children's social protection services, including for child victims of trafficking.(4) The scarcity of shelters for child-trafficking victims results in some children being placed in juvenile detention centers.(21) The lack of shelters and resources to effectively handle child labor and trafficking cases puts children at a heightened risk of further exploitation.

Lebanon lacks programs to address child labor in agriculture, street work, domestic service, and commercial sexual exploitation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Lebanon (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the CRC Optional Protocol on Armed Conflict, which the Government signed in 2002.	2013 – 2014
	Raise the compulsory education age to harmonize it with the minimum age for work.	2010 – 2014
	Ensure that the law does not criminalize child begging.	2011 – 2014
Enforcement	Ensure adequate funding for staff, equipment, and transportation for the Ministry of Labor and the Internal Security Forces as well as training for labor inspectors and judges.	2011 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Track and make publicly available the number of complaints received through the Government's hotlines on child labor and human trafficking.	2014
	Ensure child victims of human trafficking are treated as victims rather than as criminals under the law.	2011 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the Education Sector Development Plan.	2013 – 2014
	Adopt a policy that addresses all relevant worst forms of child labor, such as human trafficking.	2013 – 2014
Social Programs	Ensure that noncitizen children, including refugee and stateless children, have access to free and compulsory primary education.	2010 – 2014
	Assess the impact that the National Poverty Alleviation Program may have on child labor.	2010 – 2014
	Increase the number of shelters for juvenile victims of human trafficking and other worst forms of child labor.	2013 – 2014
	Institute programs to address child labor in agriculture, street work, domestic service, and commercial sexual exploitation.	2013 – 2014

### REFERENCES

- FXB Center at Harvard. *Running out of Time, Survival of Syrian Refugee Children in Lebanon*. Cambridge, Harvard University; Jan 2014. <http://fxb.harvard.edu/wp-content/uploads/sites/5/2014/01/FXB-Center-Syrian-Refugees-in-Lebanon-Released-01-13-13.pdf>.
- ILO. *Rapid Assessment on Child Labour in North Lebanon and Bekaa Governorates*. Geneva; February 23, 2012. <http://www.ilo.org/ippecinfo/product/viewProduct.do?productId=20621>.
- U.S. Embassy- Beirut. *reporting, February 11, 2015*.
- Lewis, C. *A Preliminary Study on Child Trafficking in Lebanon: Patters, perceptions and mechanisms for prevention and protection* Study. Beirut; January 2011.
- Samya Kullab. "Efforts advance in fight against human trafficking" The Daily Star, Beirut, March 21, 2013; Local News. <http://www.dailystar.com.lb/News/Local-News/2013/Mar-21/210953-efforts-advance-in-fight-against-human-trafficking.ashx#axzz2vcY2uTej>.
- U.S. Department of State. "Lebanon," in *Trafficking in Persons Report- 2014*. Washington, DC; June 19, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226760.htm>.
- UNESCO. *Beyond 20/20 Web Data Systems: Table 1: Education Systems*. 2012. <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx?ReportId=163>.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. February 5, 2013. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Osseiran, H. *Action Against Child Labor in Lebanon: A Mapping of Policy and Normative Issues*. Mapping Study. Beirut; 2012. [http://www.ilo.org/public/english/region/arpro/beirut/downloads/events/2012/cl\\_feb\\_2012/osseiran.pdf](http://www.ilo.org/public/english/region/arpro/beirut/downloads/events/2012/cl_feb_2012/osseiran.pdf).
- Stoughton, I. "Solving Lebanon's child labor crisis." The Daily Star, Beirut, October 29, 2013. <http://www.dailystar.com.lb/News/Lebanon-News/2013/Oct-29/236103-solving-lebanons-child-labor-crisis.ashx#axzz2nJqkoTwn>.
- Fisk, R. "The 200,000 Syrian child refugees forced into slave labour in Lebanon." The Independent, London, October 26, 2014. <http://www.independent.co.uk/voices/comment/robert-fisk-the-200000-syrian-child-refugees-forced-into-slave-labour-in-lebanon-9819622.html>.
- U.S. Embassy- Beirut. *reporting, January 23, 2014*.
- Government of Lebanon. *National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016*. Beirut; 2013. [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms\\_229115.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_229115.pdf).
- UNHCR. *The Future of Syria: Refugee Children in Crisis*. Geneva; November 2013. <http://unhcr.org/FutureOfSyria/>.
- Caritas Lebanon Migrants Center. *An Insight into Child Labor among Iraqi Refugees in Lebanon*; 2013. <http://english.caritasmigrant.org.lb/wp-content/uploads/2013/12/Child-Labor-among-Iraqi-Refugees-in-Lebanon.pdf>.
- Manara Network. *A Review of the Implementation of the UN Convention on the Rights of the Child*. Review. Beirut, Save the Children Sweden; August 2011. <http://resourcecentre.savethechildren.se/content/library/documents/country-profile-lebanon-review-implementation-un-convention-rights-child>.
- Shoukeir, F. "Lebanon: Children Labor at Beirut Graveyards." Al-Akhbar Beirut, December 7, 2013. <http://english.al-akhbar.com/node/17843>.
- Aly Sleem. "Child Labor in Lebanon," *Cases*. Lebanon; January 3, 2014; 52 min. 08 sec., youtube video;
- The Guardian. "Syrian Refugee Children in Lebanon Forced to Seek Work." The Guardian, London, June 12, 2014; Global. <http://www.theguardian.com/global-development/2014/jun/12/sp-syrian-refugee-children-in-lebanon-forced-to-seek-work-in-pictures>.
- Meguerditchian, V. "Child beggar networks persist despite crackdown." The Daily Star, Beirut, February 8, 2012. <http://www.dailystar.com.lb/News/Local-News/2012/Feb-08/162564-child-beggar-networks-persist-despite-crackdown.ashx>.
- U.S. Embassy- Beirut. Communication to USDOL official. May 11, 2015.
- UNHCR. *Syria Regional Refugee Response - Lebanon*. Geneva; 2014 December 24,. <http://data.unhcr.org/syrianrefugees/country.php?id=122>.
- Terre des hommes. *The Dom People and their Children in Lebanon*. Beirut; July 2011. <http://www.tdh.ch/en/documents/the-dom-people-and-their-children-in-lebanon>.
- UNHCR. *2014 Syria Regional Response Plan: Lebanon*; 2014. <http://www.unhcr.org/syriarrp6/docs/syria-rp6-lebanon-response-plan.pdf>.
- United National Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 – S/2015/409)*; June 5, 2015. [http://www.un.org/gal/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/gal/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
- U.S. Embassy- Beirut official. Communication to USDOL official. June 10 2015.
- Government of Lebanon. *Law No. 686 on Education*, enacted March 16, 1998. <http://ahdath.justice.gov.lb/law-nearby-education.htm>.
- UNHCR. *2014 Syria Regional Response Plan: Lebanon - Mid Year Update*; 2014. <http://www.unhcr.org/syriarrp6/midyear/docs/syria-rp6-myu-lebanon.pdf>.

29. UNHCR and Reach. *Barriers to education for Syrian refugee children in Lebanon: out of school children profiling report*; November 2014. [https://www.ecoi.net/file\\_upload/1930\\_1416914829\\_reach-lbn-report-syriacrisis-outofschoolchildrenprofiling-nov2014.pdf](https://www.ecoi.net/file_upload/1930_1416914829_reach-lbn-report-syriacrisis-outofschoolchildrenprofiling-nov2014.pdf).
30. Caritas Lebanon Migrants Center. *Left Behind: A Needs Assessment of Iraqi Refugees Present in Lebanon*; 2014. <http://english.caritasmigrant.org.lb/wp-content/uploads/2014/10/Left-Behind-Full.pdf>.
31. Government of Lebanon. *Labor Code (as amended)*, 23 September 1946, enacted July 24, 1996. <http://ahdath.justice.gov.lb/law-nearby-work.htm>.
32. Government of Lebanon. *Decree 8987 on the prohibition of employment of minors under the age of 18 in works that may harm their health, safety or morals*, enacted 2012. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=LBN&p\\_classification=04&p\\_origin=SUBJECT&p\\_whatsnew=201304](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=LBN&p_classification=04&p_origin=SUBJECT&p_whatsnew=201304).
33. Government of Lebanon. *Law on the Punishment for the Crime of Trafficking in Persons*, No. 164, enacted August 24, 2011. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/89807/103253/F1878916208/LBN-2011-L-89807%20%20in%20english.pdf>.
34. Government of Lebanon. *Legislative Decree No. 340 on the Penal Code (as amended)*, enacted March 1, 1943. [www.aproarab.org/Down/Lebanon/22.doc](http://www.aproarab.org/Down/Lebanon/22.doc).
35. Government of Lebanon. *Legislative Decree No. 102 on the National Defense Law (as amended)*, enacted September 16, 1983. <http://www.mod.gov.lb/Cultures/ar-LB/Programs/Laws/Pages/armyihitayat6.aspx>.
36. Government of Lebanon. *Law No. 665* enacted February 4, 2005. <http://www.learmy.gov.lb/en/army/?900#.VKbhrtLF-So>.
37. U.S. Embassy- Beirut. *reporting, February 8, 2013*.
38. ILO Committee of Experts. *Observation concerning Minimum Age Convention, 1973 (No. 138) Lebanon (ratification: 2003) Published: 2014*; accessed November 6, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:20010::>.
39. Government of Lebanon. *Law No. 422 on the Protection of Delinquent and At-Risk Juveniles*, enacted June 6, 2002. [http://bba.org.lb/content/uploads/Institute/141211103338689-loi%20422%20delinquent\\_arabe.pdf](http://bba.org.lb/content/uploads/Institute/141211103338689-loi%20422%20delinquent_arabe.pdf).
40. U.S. Embassy- Beirut. *reporting, December 5, 2014*.
41. U.S. Embassy- Beirut. *reporting, February 25, 2015*.
42. Government of Lebanon, Ministry of Labor. *Unit for the Combat of Child Labour in Lebanon*, Government of Lebanon - Ministry of Labor, [online] [cited June 8, 2015]; <http://www.clu.gov.lb/english/aboutus.php#.VXXwFtLBzGc>.
43. Government of Lebanon. *Decree No. 159-1 of the Minister of Labor, Rules of Procedure for the National Committee for the Combat of Child Labor*, enacted October 29, 2012. [http://www.ilo.org/beirut/projects/WCMS\\_229366/lang-en/index.htm](http://www.ilo.org/beirut/projects/WCMS_229366/lang-en/index.htm).
44. U.S. Embassy- Beirut official. Communication (laws) USDOL official. May 2014.
45. Government of Lebanon. *Child Protection in Emergencies Working Group (CPIEWG) Terms of Reference*. Beirut; 2013. [http://www.google.com/url?sa=t&rc=tj&q=&esrc=s&source=web&cd=3&ved=0CDgQFjAC&url=http%3A%2F%2Fdata.unhcr.org%2Fsyrianrefugees%2Fdownload.php%3Fid%3D4517&ei=UBIMU8LnNsSg0QHmwyGQCw&usq=AfQjCNF7agKn\\_X0kGzTVbl\\_EavTSmbnZuA&sig=2sxy9VlxSJ9uY5Gu7Qn1Cbq8cbvm=bv.61725948.d.dm.Q](http://www.google.com/url?sa=t&rc=tj&q=&esrc=s&source=web&cd=3&ved=0CDgQFjAC&url=http%3A%2F%2Fdata.unhcr.org%2Fsyrianrefugees%2Fdownload.php%3Fid%3D4517&ei=UBIMU8LnNsSg0QHmwyGQCw&usq=AfQjCNF7agKn_X0kGzTVbl_EavTSmbnZuA&sig=2sxy9VlxSJ9uY5Gu7Qn1Cbq8cbvm=bv.61725948.d.dm.Q).
46. Government of Lebanon. *Launch of National Action Plan to Eliminate the Worst Forms of Child Labor in Lebanon by 2016*. Baabda; 2013.
47. The Daily Star. "Sayegh Unveils Five-Point Social Development Strategy" The Daily Star, Beirut, February 26, 2011. <http://www.dailystar.com.lb/News/Local-News/Feb/26/Sayegh-unveils-five-point-social-development-strategy.ashx#axzz1KdYXFALY>.
48. Republic of Lebanon, Ministry of Social Affairs. *The National Social Development Strategy of Lebanon 2011*. National Strategy. Beirut; 2011.
49. El Ghali, H. *Perspectives on Practice and Policy: Success in Increasing Access and Retention in Primary Education in Lebanon*. Beirut, Educate a Child; April 29, 2014. <http://educateachild.org/sites/default/files/attachments/LEBANON.pdf>.
50. Alabaster, O. "Seven years in the making, human rights draft law launched." The Daily Star, Beirut, December 11, 2012. <http://www.dailystar.com.lb/News/Local-News/2012/Dec-11/198012-seven-years-in-the-making-human-rights-draft-law-launched.ashx#axzz2KkgRP3ao>.
51. UNICEF. *No Generation Lost*. Geneva; 2014. [http://www.unicef.org/infobycountry/70207\\_71699.html](http://www.unicef.org/infobycountry/70207_71699.html).
52. War Child. "Newsletter by War Child Holland and Partners in Lebanon." (1) (2014); [http://www.warchildholland.org/sites/default/files/bijlagen/node\\_14/17-2014/wcl\\_961\\_2014\\_1\\_mail.pdf](http://www.warchildholland.org/sites/default/files/bijlagen/node_14/17-2014/wcl_961_2014_1_mail.pdf).
53. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.

# Lesotho

## MODERATE ADVANCEMENT

In 2014, Lesotho made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the National Action Plan for the Elimination of Child Labor (APEC). In addition, the Ministry of Labor and Employment disseminated new guidelines on the protection of herd boys and the protection of children under age 18 from hazardous work. The Government fully funded the Lesotho Child Grant Program and the Orphans and Vulnerable Children Scholarship Program, allocating \$3.6 million and \$2.9 million, respectively, to their 2013 and 2014 budgets. The Government also finalized and publicly launched the National Anti-Trafficking in Persons Strategic Framework and Action Plan. In addition, the government launched the Southern African Development Community (SADC) data collection software. However, children in Lesotho continue to engage in child labor, including in domestic service and in the worst forms of child labor, including in cattle herding. Lesotho law does not prohibit the use of children in illicit activities, and a gap between the compulsory education age and the minimum age for employment that leaves children vulnerable to the worst forms of child labor. A lack of government resources for enforcement and social programs also remains a major challenge to combat child labor in Lesotho.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lesotho are engaged in child labor, including in domestic work. Children are also engaged in the worst forms of child labor, including in cattle herding and commercial sexual exploitation, sometimes as a result of human trafficking.(1-3) Table 1 provides key indicators on children's work and education in Lesotho.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	28.1 (124,632)
Attending School (%)	5-14 yrs.	80.7
Combining Work and School (%)	7-14 yrs.	25.3
Primary Completion Rate (%)		72.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 2, 2000.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Herding animals, including cattle† (1, 6-9)
	Farming,* including planting,* applying pesticides,* and harvesting* (2, 10, 11)
Services	Domestic work* (1, 8, 9, 12)
	Street work,* including vending* (8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation,* sometimes as a result of human trafficking* (3, 6, 8)
	Used in illicit activities,* including burglary* and theft* (8)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.









Lesotho's HIV/AIDS rate of 23.3 percent, the third-highest rate in the world contributes to the situation of approximately 364,000, or 34 percent of children in Lesotho, child orphans.(10, 13, 14, 15) Children, mostly HIV/AIDS orphans driven by poverty, migrate to urban areas to engage in commercial sexual exploitation for survival.(3, 10, 16)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Lesotho has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 124(1) of the Labor Code (1992) (17); Article 228(1) of the Children's Protection and Welfare Act (18)
Minimum Age for Hazardous Work	Yes	18	Article 125(1) of the Labor Code (17); Article 230(1) of the Children's Protection and Welfare Act (18)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 230(3) and 231 of the Children's Protection and Welfare Act (18)
Prohibition of Forced Labor	Yes		Article 9(2) of the Constitution (19); Article 7(1) of the Labor Code (20)
Prohibition of Child Trafficking	Yes		Article 5 of the Anti-Trafficking in Persons Act (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 77 of the Children's Protection and Welfare Act (18); Articles 10–14 of the Sexual Offenses Act (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	No		
Compulsory Education Age	Yes	13	Article 3 of the Education Act (11, 25)
Free Public Education	Yes		Article 3 of the Education Act (11, 25); Section 22(k) of the Children's Protection and Welfare Act (18)

\* No conscription (23)

Lesotho does not have a law that prohibits children from engaging in illicit activities. Moreover, the ILO Committee of Experts noted the Government's pending adoption of a revised Labor Code since 2006 and urged the Government to implement measures to prohibit the use and procuring of children under 18 for illicit activities.(27) In addition, although there are maximum penalties for violations of the Children's Protection and Welfare Act (CPWA), it does not set minimum penalties for employing underage children in night work, industrial undertakings, or hazardous work for first-time offenders.(18)

# Lesotho

## MODERATE ADVANCEMENT

Although the Government of Lesotho does not have a law that specifies the minimum age for voluntary service, the Lesotho Defense Force has a policy prohibiting the recruitment of children under age 18.(28, 29) Education is compulsory in Lesotho through the age of 13, but the minimum age for work is set at 15. This standard makes children at age 14 particularly vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work.(4, 10, 17, 30) Moreover, the ILO Committee of Experts urged the Government to collaborate with the Ministry of Education and Training to ensure that compulsory education is up to the minimum age of employment.(31)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Employment (MOLE)	Enforce child labor laws, including hazardous child labor, and as a part of general labor inspections assess compliance with child labor laws.(1)
National Police, Child and Gender Protection Unit (CGPU)	Investigate child labor violations, and works in conjunction with MOLE to enforce child labor laws, including those related to hazardous and forced child labor, commercial sexual exploitation, and child trafficking.(1)
Public Prosecutor's Office	Prosecute child labor law offenders.(1)
Children's Court	Enforce criminal laws related to the worst forms of child labor.(1)

Labor law enforcement agencies in Lesotho took actions to combat child labor, including its worst forms. However, research found no evidence that criminal law enforcement agencies took such actions.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Employment (MOLE) employed 38 labor inspectors who investigate labor issues, including child labor violations. Funding for inspections was inadequate, and inspectors lacked adequate resources and needed vehicles and telephones to conduct labor investigations to combat and address child labor violations.(9) As of August 2014, inspectors carried out 1,330 labor inspections, an increase from 1,000 inspections in 2013.(9, 32) Inspections were mostly unannounced.(9, 32) The Ministry of Labor and Employment did not report child labor violations or issue citations during the year.(9)

Research found no information on referral mechanisms to receive complaints of violations of child labor laws. The Labor inspectorate does not have the authority to issue penalties for Labor Code violations.(9, 17)

#### *Criminal Law Enforcement*

In 2014, there was no Lesotho Mounted Police Service (LMPS) funding dedicated specifically to the enforcement of child labor laws.(9) The LMPS is responsible for the enforcement of criminal laws pertaining to child labor.(32) According to the Child and Gender Protection Unit (CGPU) of the LMPS, 116 police officers were employed during the year to enforce law nationwide. However, there were no crime related child labor investigations or prosecutions during the year.(32) The CGPU does not have guaranteed funding; rather, it receives funding from the general operations budget of the national police.(1) In June 2014, the Ministry of Home Affairs partnered with UNODC, in conjunction with the IOM and the U.S. Department of Homeland Security, to conduct a train-the-trainers workshop.(34) It was attended by 15 police officials, 15 immigration officials, 2 Home Affairs legal representatives, 4 National Security Services officials, 1 Social Welfare official, 5 prosecutors, and 10 labor officials. The workshop focused on victim identification, protection, and assistance, as well as on the investigation and prosecution of trafficking crimes.(34)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Task Team (NTT)	Implement the National Action Plan on the Elimination of Child Labor (APEC). Led by the MOEL's Child Labor Unit and the NTT (formerly the Program Advisory Committee on Child Labor). Comprises representatives from government ministries, trade unions, NGOs, and international organizations.(1, 16) The NTT was not active during the year.(33)
Multi-Sectoral Committee on Combating Trafficking in Persons (MSC)	Serve as lead body on trafficking in persons and approve legislation and policies to prevent human trafficking. Chaired by the Commissioner of Refugees and the MSC this committee also includes government ministries; local government members; and representatives from NGOs, international organizations, and faith-based organizations.(35)
District Child Protection Teams	Coordinate child protection matters, including child labor, at the district level. Led by the Ministry of Social Development. Comprises representatives from Government, business, NGOs, and community support groups.(1)

Although the Government of Lesotho does not have a formal referral system for children identified during inspections, the CGPU reported that child victims are referred to an appropriate NGO for services; during the year there were no reported violations. (1, 6, 9)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Lesotho has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan for the Elimination of Child Labor (APEC)†	Seeks to ensure that all major interventions regarding child labor are in place while preventing duplication of efforts. Constitutes a strategic program framework based on existing and planned interventions in relevant social and economic sectors, some linked to other program initiatives.(33)
National Anti-Trafficking in Persons Strategic Framework and Action Plan†	Aims to support the national and international obligations and commitments by strengthening approaches to protect children against the worst forms of child labor in support of the vision to “eradicate all forms of trafficking in persons in Lesotho, protect victims of trafficking in persons, arrest and successfully prosecute offenders and put in place preventative measures.”(33)
National Policy on Orphans and Vulnerable Children	Safeguards the rights of orphans and vulnerable children to an education, promotes access to apprenticeships and vocational and life skills of orphans and vulnerable children, and implements child labor prevention programs.(36)
Lesotho United Nations Development Assistance Framework (2013–2017)	Includes strategies to reduce poverty and attain Millennium Development Goals in Lesotho.(37) Framework promotes education for children, supports youth employment, and builds the Government's capacity to provide social welfare services to vulnerable children.(37)
Lesotho: Poverty Reduction Strategy Paper—National Strategic Development Plan (2012/2013–2016/2017)	Addresses prevention measures and child protection services (CGPU/police, social welfare, health, and the justice system) and their capacity to respond adequately to cases of violence, abuse, and exploitation of children, including child labor.(38)
Education Sector Strategy Plan (2005–2015)*	Outlines strategies to improve access, equity, and quality of education, as well as to reduce school fees and provide school meals to vulnerable children.(39)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The Government issued new guidelines for the protection of herd boys and children under age 18 who may be exposed to hazardous work, including applying pesticides and conducting herding activities.(9) Previous guidelines prohibited night work for herders under age 13 and required that herd boys be monitored, clothed, fed, and remunerated.(40) These guidelines also provide protection for children working in agriculture in ploughing, harvesting, and applying pesticides.(40) During the year, the MOLE began holding districtwide meetings that included local chiefs to explain the new guidelines to protect herd boys. The MOL encouraged local chiefs to report complaints about the abuse of herd boys to the MOL and to the police.(9) The Government of Lesotho finalized and publicly launched the National Anti-Trafficking in Persons Strategic Framework and Action Plan. In addition, the Government launched the Southern African Development Community data collection software; although it is unclear if the system will collect data on child labor and enforcement efforts in country.(34)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Lesotho funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor through data collection and research in Lesotho.(41)
Awareness-Raising Campaign on Human Trafficking*	Ministry of Gender and Youth, Sports and Recreation program operated with support from an NGO. Facilitate public awareness raising on human trafficking and gender-based violence in rural communities.(6, 35) Translated the anti-trafficking law into local languages and distributed it at border posts.(35)
Awareness Raising for Herd Boys	Ministry of Gender and Youth, Sports and Recreation program that conducted workshops for herd boys. Workshops provided information on trafficking issues, health, HIV/AIDS, and sexual reproductive health.(6, 35)
Lesotho Child Grants Program*‡	Government program funded also by the EU and UNICEF to provide direct-cash transfers to orphans and vulnerable children to improve their living standards, increase their school enrollment, and improve their nutrition and health. Amount provided to each household increased based on the number of orphans and vulnerable children.(16) Government provided full funding for the program, allocating \$3.6 million in the 2013/2014 budget.(1)
ILO—Decent Work Country Program (2012–2017)	Includes a child labor component to establish a child labor unit within the labor inspectorate in order to address child labor in the informal sector and conduct a national child labor survey. Other objectives include employment creation, social protection coverage for citizens, and social dialogue among the tripartite partners.(10)
OVC Scholarships Program*‡	Government program that pays for the tuition, uniforms, supplies, and boarding fees for OVCs. Provided full funding for the program in the 2013–2014 budget, benefitting 12,873 orphans and vulnerable children in 2014.(1, 33)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Lesotho.

The Government continues to provide free medical services to victims of child labor at government-run hospitals and clinics.(1, 33) The Government also sponsored legal, life skills, and counseling services for crime and trafficking victims; the number of victims that received services is unknown. Despite its pledges, however, the Government failed to provide financial support to NGOs and develop a formal referral system to direct trafficking victims to NGOs; this resulted in one NGO suspending its services.(33)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the elimination of child labor, including its worst forms, in Lesotho (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Adopt laws to prohibit the use of children for illicit activities, including in burglary and gang-related activities.	2009 – 2014
	Establish minimum penalties for those who commit offenses under the Children's Protection Welfare Act.	2011 – 2014
	Legally establish 15 as the age up to which education is compulsory, to match the minimum age for full-time work.	2010 – 2014
Enforcement	Ensure that labor inspections are conducted in all relevant sectors allowed by law to facilitate enforcement of child labor laws.	2014
	Provide adequate funding and training to labor inspectors and criminal investigators to address the worst forms of child labor.	2009 – 2014
	Ensure that the Ministry of Labor and Employment collect data on child labor violations, publish appropriate statistics on investigations, prosecutions, and convictions of child labor and trafficking laws to facilitate enforcement of child labor laws.	2011 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that the NTT fully serves its function to coordinate efforts to combat child labor.	2011 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing youth policies such as the Education Sector Strategy Plan.	2012 – 2014
Social Programs	Assess the impact of existing social programs on the elimination of the worst forms of child labor.	2012 – 2014
	Develop a formal social services referral system for victims of child labor.	2014
	Conduct research to determine where children are engaged in domestic work, commercial sexual exploitation, livestock herding, and street work to inform the development of social programs to address these problems.	2010 – 2014

## REFERENCES

- U.S. Embassy- Maseru. *reporting, January 7, 2014*.
- U.S. Embassy- Maseru. *reporting, January 28, 2011*.
- U. S. Department of State. "Lesotho," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226847.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 4, 2013]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. February 5, 2013. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Lesotho," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220338.pdf>.
- Kimane, I. "Protecting the Rights of Working Children in Lesotho through Legislation," in RECLISA Southern African Regional Child Labour Conference; July 4-6, 2006; Johannesburg; [http://www.ilo.org/ipecinfo/product/download.do;jsessionid=c411972d9cd9668ba02891eda757f441715b6ccdc91b3d8cbaf313d8b8ab6a5\\_e3aTbhulbNmSe3uKbi0?type=document&cid=4210](http://www.ilo.org/ipecinfo/product/download.do;jsessionid=c411972d9cd9668ba02891eda757f441715b6ccdc91b3d8cbaf313d8b8ab6a5_e3aTbhulbNmSe3uKbi0?type=document&cid=4210).
- U.S. Embassy- Maseru. *reporting, January 20, 2012*.
- U.S. Embassy- Maseru. *reporting, January 20, 2015*.
- Government of Lesotho & ILO. *Lesotho Decent Work Country Programme- Phase II 2012 to 2017*. Maseru; 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/lesotho.pdf>.
- U.S. Department of State official. May 20, 2014 May 20, 2014.
- ILO-Committee of Experts. *Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014) Worst Forms of Child Labour Convention, 1999 (No. 182) - Lesotho (Ratification: 2001)*; accessed [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3112797:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112797:NO).
- United Nations. "UNAIDS Report in the Global AIDS Epidemic 2013." (2013); [http://www.unaids.org/en/medial/unaids/contentassets/documents/epidemiology/2013/gr2013/UNAIDS\\_Global\\_Report\\_2013\\_en.pdf](http://www.unaids.org/en/medial/unaids/contentassets/documents/epidemiology/2013/gr2013/UNAIDS_Global_Report_2013_en.pdf).
- UNICEF. *Eastern and Southern Africa Overview* 2013. [http://www.unicef.org/esaro/5482\\_HIV\\_AIDS.html](http://www.unicef.org/esaro/5482_HIV_AIDS.html).
- UNICEF. *Lesotho- Country programme document 2013-2017* 2012 March. <http://www.unicef.org/about/execboard/files/Lesotho-2013-2017-final-approved-English-14Sept2012.pdf>.
- U.S. Embassy- Maseru. *reporting, February 5, 2013*.
- Government of Lesotho. *Labour Code Order. 24*, enacted 1992. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/31536/64865/E92LSO01.htm>.
- Government of Lesotho. *Children's Protection and Welfare Act*, enacted 2011. <http://www.gov.ls/documents/default.php>.
- Government of Lesotho. *The Constitution of Lesotho, (1993)*. Maseru; 1993. [http://library2.parliament.go.th/giventake/content\\_cons/lesotho.pdf](http://library2.parliament.go.th/giventake/content_cons/lesotho.pdf).
- Government of Lesotho. *Labour Code Order. 24*, enacted 1992. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/31536/64865/E92LSO01.htm>.
- Lesotho. *Anti-Trafficking Act 2011*, enacted January 11.
- Lesotho. *Sexual Offences Act 2003*, enacted [http://www.lesotholii.org/files/node/12528/lesotho\\_sexual\\_offences\\_act\\_2003\\_pdf\\_14292.pdf](http://www.lesotholii.org/files/node/12528/lesotho_sexual_offences_act_2003_pdf_14292.pdf).
- Child Soldiers International. "Lesotho," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers* London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- Lesotho. *Lesotho Defence Force Act 1996*, enacted [Source on file].
- Lesotho. *Education Act No. 3 of 2010*, enacted March 15. <http://planipolis.iiep.unesco.org/upload/Lesotho/Lesotho%20EDUCATION%20ACT%202010.pdf>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) Lesotho (ratification: 2001)* Published: 2012; accessed November 7, 2012; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>.
- ILO-Committee of Experts. *Observation (CEACR) - adopted 2013, published 103rd ILC session (2014) Worst Forms of Child Labour Convention, 1999 (No. 182) - Lesotho (Ratification: 2001)*; accessed March 31, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3112797:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112797:NO).
- Lesotho Defense Force Commander. Memo: Prohibition of Child Labor in the Lesotho Defense Force, to U.S. Department of State official. May 9, 2013.
- U.S. Department of State official. email communication to USDOL official. May 21, 2014.
- ILO-Committee of Experts. *Observation (CEACR) - adopted 2013, published 103rd ILC session (2014) Minimum Age Convention, 1973 (No. 138) - Lesotho (Ratification: 2001)*; accessed March 31;
- ILO Committee of Experts. *Observation (CEACR) - adopted 2013, published 103rd ILC session (2014) Minimum Age Convention, 1973 (No. 138) - Lesotho (Ratification: 2001)*; accessed March 31, 2014
- U.S. Embassy- Maseru. *reporting, February 21, 2015*.
- U.S. Embassy- Maseru official. E-mail communication to USDOL official. April 15, 2015.
- U.S. Embassy- Maseru. *reporting, December 5, 2014*.
- U.S. Embassy- Maseru. *reporting, February 14, 2014*.
- Government of Lesotho. *National Policy on Orphans and Vulnerable Children*. Maseru, Department of Social Welfare, Ministry of Health and Social Welfare; 2007. [http://www.africanchildforum.org/ctr/policy%20per%20country/lesotho/lesotho\\_ovc\\_en.pdf](http://www.africanchildforum.org/ctr/policy%20per%20country/lesotho/lesotho_ovc_en.pdf).
- United Nations. *Lesotho United Nations Development Assistance Plan (LUNDAP) 2013–2017* United Nations; 2013. <http://www.undg.org/docs/13056/Lesotho---UNDAP-2013-2017-unsgn-EN.pdf>.
- Government of Lesotho. *National Strategic Development Plan, 2012/13-2016/17*. Maseru; May 2012. [http://planipolis.iiep.unesco.org/upload/Lesotho/Lesotho\\_National\\_Strategic\\_Development\\_Plan\\_2012\\_2017.pdf](http://planipolis.iiep.unesco.org/upload/Lesotho/Lesotho_National_Strategic_Development_Plan_2012_2017.pdf).
- Government of Lesotho. *Education Sector Strategic Plan 2005 to 2015*. Maseru; March 2005. [Source on file].
- Government of Lesotho. *Elimination of Child Labour Project Guidelines for Agriculture Sector with Special Attention to Herdboys*. Maseru; 2013.
- ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Project Summary. Geneva; April 2013.



# Liberia

## MINIMAL ADVANCEMENT

In 2014, Liberia made a minimal advancement in efforts to eliminate the worst forms of child labor. During the last half of 2014, the Government had to redirect most of its resources to address an outbreak of Ebola Virus Disease (EVD). Thousands of children became ill or lost parents during the outbreak and schools were closed from June through the end of the reporting period in December. Despite the EVD outbreak, the Government sponsored trafficking in persons trainings for law enforcement officers and community leaders. The Child Protection Network developed a 6-month strategic plan to respond to vulnerable group of children in post-Ebola Liberia. However, children in Liberia are engaged in child labor, including in agriculture and mining. The Government has yet to pass into law the Decent Work Bill, which prohibits hazardous occupations and activities for children, and child labor law enforcement efforts are still inadequate.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Liberia are engaged in child labor, including in agriculture and mining. (1, 2) On some rubber plantations, children are employed to tap rubber trees, clear brush, and carry buckets. (2) Children also mine natural resources, including alluvial diamonds. (1-3) Table 1 provides key indicators on children's work and education in Liberia.

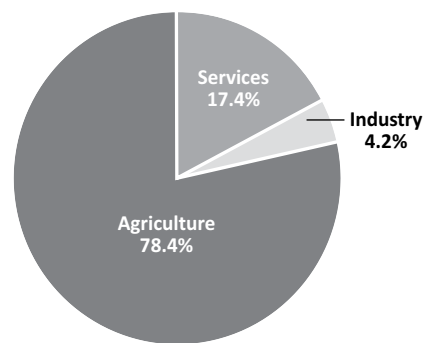
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	16.6 (136,340)
Attending School (%)	5-14 yrs.	75.9
Combining Work and School (%)	7-14 yrs.	14.0
Primary Completion Rate (%)		65.2

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2014. (4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labour Force Survey, 2010. (5)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of rubber (2, 6, 7)
	Farming activities,* including production of cocoa,* coffee,* and cassava* (6-10)
Industry	Mining for diamonds and gold* (1-3, 6, 8, 11)
	Production of charcoal* (7)
	Cutting and crushing stone* (3, 6, 8, 9, 12, 13)
	Construction, including building houses* (3, 14)
Services	Domestic work* (3, 12, 13)
	Working in hotels and restaurants* (9)
	Street work,* including vending* and begging* (3, 7, 12, 14-16)
	Repairing motor vehicles* (9)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
	Used in illicit activities, including selling drugs* (3, 17)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work,* street vending,* farming,* and begging* each as a result of human trafficking (3, 17-21)
	Commercial sexual exploitation,* sometimes as a result of human trafficking* (21)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Children are trafficked within Liberia and are subject to commercial sexual exploitation, domestic work, forced begging, and forced labor in street vending, alluvial diamond mines, and on rubber plantations. Children are also trafficked from Liberia to Cote d’Ivoire, Guinea, Sierra Leone, and Nigeria.(21) Although the Children’s Law provides for free primary education, in practice, many schools charge fees, which may prevent some children from attending school.(7) The limited number of schools in some areas also impedes access to education and increases the risk of children engaging in the worst forms of child labor.(20, 22) Sources indicate that sexual abuse by male teachers in schools may be a barrier to girls’ education.(10, 23, 24) Liberian parents are required by law to register their infants within 14 days of birth.(25) However, fewer than 5 percent of births are registered. Unable to prove citizenship, nonregistered children may have difficulty accessing education as some schools in Liberia require a child’s birth certificate to facilitate enrollment.(26, 27, 28)

In 2014, Liberia suffered from an Ebola Virus Disease (EVD) outbreak that resulted in numerous deaths.(29) To minimize the spread of the EVD, the Government issued policies to reduce person-to-person contact, especially group gatherings.(30) The Government also responded to the EVD outbreak by increasing the number of health screening check points and imposing travel restrictions.(31) The EVD outbreak may have impacted the Government’s ability to address the worst forms of child labor.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Liberia has ratified some key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Section 74 of the Labor Law (13, 32)
Minimum Age for Hazardous Work	Yes	18	Article 7, Section 9.1 of the Children’s Law (12, 33)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 12 of the Constitution (12, 34)
Prohibition of Child Trafficking	Yes		Article 7, Section 8 of the Children’s Law; Section 5 of Act to Ban Trafficking in Persons (33, 35)

# Liberia

## MINIMAL ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3, Section 21 of the Children's Law; Chapter 18, Sections 18.1-18.5 and Chapter 50, Section 50.1 of the Penal Law (33)
Prohibition of Using Children in Illicit Activities	Yes		Chapter 16 of the Penal Law (36)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 3, Section 22 of the Children's Law (33, 37)
Compulsory Education Age	Yes	15	Article 3, Section 9 of the Children's Law; Chapter 4 of the Education Reform Act (8, 33, 38)
Free Public Education	Yes		Article 3, Section 9 of the Children's Law (33)

\*No conscription (37)

Section 74 of the Labor Law minimally penalizes offenders with a fine of 100 Liberian dollars for violating the minimum age provision.(32) In addition, Liberia currently does not have any prohibitions on hazardous work for children. However, the Decent Work Bill, introduced in 2010, is still being reviewed by the House of Representatives and should address hazardous work prohibitions for children.(7, 39)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce labor laws, including child labor laws.(8)
Ministry of Justice's Women and Children Protection Section (WCPS)	Enforce laws relating to violations involving the worst forms of child labor, including human trafficking.(40)
Liberian National Police's Anti-Trafficking Unit	Ensure human trafficking training is integrated into police orientation to train officers on the effective enforcement of anti-human trafficking laws.(27)
Bureau of Immigration and Naturalization (BIN)	Enforce human trafficking laws in external cases.(8)
Liberian Transnational Crime Unit	Coordinate responses to international organized crime, including monitoring and prosecuting criminal violations involving the worst forms of child labor, including human trafficking.(41)

Law enforcement agencies in Liberia took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

The National Commission on Child Labor (NACOMAL) and several ministries, including the Ministry of Labor (MOL), perform child labor investigations. However, the NACOMAL's budget and number of staff devoted solely to child labor issues are inadequate.(42) The MOL employed 54 officials to work on labor issues consisting of 1 inspector general, 14 labor commissioners, and 39 labor inspectors. Inspectors conducted unannounced inspections of construction companies and private businesses.(42)

The labor inspectorate does not have the authority to issue penalties, but rather refers suspected violations to prosecutors. In 2014, no child labor violations were reported but child labor cases are sometimes investigated and prosecuted as child endangerment under the penal code.(42)

#### *Criminal Law Enforcement*

In 2014, the Government of Liberia sponsored trafficking in persons trainings for law enforcement officers and community leaders.(43) All section heads of the Liberian National Police (LNP) received basic training on how to report suspected human

trafficking cases.(21) However, evidence indicates that the number of investigators, investigations, and prosecutions are inadequate. The Women and Children Protection Section (WCPS) employs 210 officers stationed throughout the country. The WCPS and the LNP reported that funding for operations was insufficient during the year.(42) Reports indicate that the LNP lacks vehicles, fuel, a communication mechanism, and investigative equipment to carry out investigations.(44) In addition, research did not find information about the number of inspections conducted, convictions, or implementation of penalties related to the worst forms of child labor in 2014.(42)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Commission on Child Labor (NACOMAL)	Monitor child labor issues and develop child labor policies. Led by the MOL, it comprises of representatives from 16 organizations, including NGOs and international and civil society organizations.(45) Objectives include reforming national child labor laws and creating a national child labor database to assist with conducting surveys to determine the magnitude of the child labor issue in the country.(45)
National Steering Committee (NSC) on Child Labor	Advocate eliminating child labor, especially its worst forms. Chaired by the MOL, it comprises of NACOMAL, government ministries, private sector representatives, and NGOs.(7) Objectives include Liberia's ratification of ILO C. 138.(7) The MOL, in collaboration with the IOM and UNICEF, organized two workshops. The first workshop, held in May, was a 2-day child labor reporting training with a legal analysis component; the second, held in July, was a 5-day strategic planning meeting of the NSC.(42) The NSC met quarterly during the reporting period.(42)
Child Protection Network	Coordinate child protection efforts through monthly meetings to discuss child protection issues, including child labor and human trafficking. Chaired by the Ministry of Gender and Development, is comprises of the MOL, the Ministry of Health and Social Welfare, the WCPS, the National Police, civil society organizations, and several NGOs.(3) Also responsible for coordinating referrals for provision of services to child victims, with support from international and national organizations.(8, 13) In addition, manage seven community child welfare committees in different counties that monitor children's issues at the community level and make referrals to other organizations.(13) During the year, the Child Protection Network developed a 6-month strategic plan to respond to vulnerable groups of children in post-Ebola Liberia.(42)
Anti-Human-Trafficking Task Force	Coordinate anti-human trafficking activities. Chaired by the MOL and includes the Commissioner of BIN, the LNP, and representatives from the Ministries of Justice, Foreign Affairs, and Internal Affairs. (8) During the year, the Government allocated \$151,520 for purchasing supplies and a vehicle, and for anti-human trafficking activities administered through the national coordinating body. The anti-human trafficking activities included trafficking in persons outreach and, training activities for law enforcement officers and community leaders.(10, 44)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Liberia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan for Trafficking in Persons†	Outlines the Government's comprehensive anti-human trafficking efforts, including for child victims.(8) The Government affirmed its commitment to the Anti-Human Trafficking 5-Year National Action Plan and allocated \$152,000 to fund its implementation.(19)
Direct Assistance and Support to Trafficked Victims Standard Operation Procedures	Establishes roles and responsibilities for coordinating government assistance to human trafficking victims.(27)
National Social Welfare Policy	Prioritizes the development of action plans and policies that target children engaged in the worst forms of child labor, including child trafficking.(46)
National Employment Policy*	Aims to provide vocational training for youth.(46)
Rubber Industry Master Plan (2010–2040)*	Prioritizes the development of the rubber industry and includes provisions for improving workers' standard of living, access to credit, and children's access to education.(47)
Education Sector Plan (2010–2020)*	Aims to improve the education infrastructure, as well as the access to and quality of primary education.(48)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Education Sector HIV/AIDS Strategic Plan (2010–2014)*	Aims to provide education to vulnerable children affected by HIV/AIDS.(49)
2030 Vision Policy (2012–2017)*	Outlines the Government of Liberia’s goal to become a middle income country by 2030, by increasing focus on education and livelihoods.(15, 50)
Revised National Youth Policy (2012–2017)*	Outlines the Government of Liberia’s National Youth Policy, which includes employment and education components.(51-53)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In 2014, the Liberian House and Senate passed the Liberia Youth Act, which was formerly a policy called the National Youth Policy. Currently it awaits approval from the President.(52, 53)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Liberia participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Anti-Trafficking Awareness Campaign‡	Government of Liberia MOL program that uses radio and billboard messages to raise public awareness on human trafficking.(10, 27)
Liberia Agriculture Investment Program*	\$175 million multi-donor program that aims to enhance household livelihoods in the agriculture sector by building linkages with markets and improving rural infrastructure, which may have a positive effect on reducing child labor.(54)
Actions to Reduce Child Labor in Areas of Rubber Production (2012–2016)	\$6 million, USDOL-funded, 4-year project implemented by Winrock International to combat child labor in the rubber sector.(17) Aims to withdraw or prevent 10,100 children from engaging in the worst forms of child labor by providing education, as well as livelihoods support to 3,700 vulnerable families. Implemented in collaboration with local rubber companies.(17)
Global Action Program on Child Labor Issues Project (2011–2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor in Liberia. (55)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I & II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity building support for all ECOWAS states.(56)
Social Cash Transfer Program*	EU-funded program that provides regular payments to poor and “labor constrained” households in Bomi County, along with other counties. Labor constrained households include households in which the majority of household members are unable to work for reasons such as disability.(57) Targets 5,000 households, and each beneficiary household receives between \$10 and \$25 per month.(57)
Educating and Protecting Vulnerable Children in Family Settings Project (2010–2014)*	USAID, in partnership with Save the Children Fund UK, aims to enhance the protection systems for vulnerable children especially those who received inadequate prenatal care by providing children with access to primary education and health services and ensuring that social and health services are delivered to children through partnership with civil society and the.(58)
Fast Track Initiative Grant for Basic Education *	\$40 million, World Bank-funded project that aims to improve primary education access and quality.(59, 60)
Feed the Future Project (2011–2015)*	\$75 million, USAID-funded project that aims to improve food security and nutrition among vulnerable populations.(61, 62)
Refugee Camps and Services (2012–2015)*	\$42.5 million, UN High Commissioner for Refugees-funded project that maintains refugee camps and provides essential services to Ivorian refugees, including children.(63, 64)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Liberia.

Although Liberia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.



## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Liberia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2013 – 2014
	Ensure that penalties for violating the employment minimum age requirements are sufficient to deter child labor violations.	2014
	Ensure that hazardous occupations and activities are prohibited for children.	2010 – 2014
Enforcement	Fully fund child labor enforcement mechanisms and prosecution efforts, such as the MOL, the WCPS, and the Anti-Human-Trafficking Task Force, and provide necessary training for such officials to enforce child labor laws.	2010 – 2014
	Publish data on inspections, violations, citations, and penalties assessed for the worst forms of child labor.	2010 – 2014
	Ensure there are an adequate number of labor inspectors to effectively enforce child labor laws.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing education and youth policies.	2010 – 2014
Social Programs	Conduct research to determine the activities carried out by children working in farming and construction to inform policies and programs.	2013 – 2014
	Improve access to education by building additional schools, ensuring children are registered at birth, addressing sexual abuse in schools, and subsidizing the cost of school fees.	2012 – 2014
	Assess and evaluate the impact that existing social programs may have on addressing child labor.	2010 – 2014
	Increase the scope of existing social programs to reach more children at risk of or engaged in the worst forms of child labor.	2009 – 2014

### REFERENCES

- Awoko Organization. "Liberian youths trapped in alluvial mining." awoko.org [online] 2011 [cited November 17, 2014]; <http://www.awoko.org/2011/10/05/liberian-youths-trapped-in-alluvial-mining/>.
- Institute for Human Rights and Business. *Submission to the United Nations Human Rights Council: Universal Periodic Review Session 9: Liberia*. London; April 2010. [www.ihrb.org/pdf/Liberia\\_UPR\\_April2010-IHRB-FINAL.pdf](http://www.ihrb.org/pdf/Liberia_UPR_April2010-IHRB-FINAL.pdf).
- U.S. Embassy- Monrovia. *reporting, February 6, 2013*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 4, 2013] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Labour Force Survey, 2010. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Liberia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/>.
- Winrock International. *Actions to Reduce Child Labor Baseline Survey*. Baseline Report. Little Rock, AR; 2013. [source on file].
- U.S. Embassy- Monrovia. *reporting, January 15, 2014*.
- Liberia Institute of Statistics and Geo-Information Services. *Report on Child Labour in Liberia 2010*. Monrovia; May 2012. [source on file].
- U.S. Embassy- Monrovia official. E-mail communication to USDOL official. March 27, 2015.
- Defense for Children International. *Alternative Report on Liberia*. Monrovia; February 2012. <http://www.crin.org/resources/infodetail.asp?id=27824>.
- U.S. Embassy- Monrovia. *reporting, January 26, 2011*.
- U.S. Embassy- Monrovia. *reporting, January 19, 2012*.
- Amnesty International. *Amnesty International Annual Report 2011- Liberia*. New York; 2011. [http://www.unhcr.org/refworld/publisher/AMNESTY,,LBR\\_4dce155a50.0.html](http://www.unhcr.org/refworld/publisher/AMNESTY,,LBR_4dce155a50.0.html).
- The Analyst. "Fan Milk Management Confirms Child Labour." Monrovia, February 3, 2012. <http://www.analystliberia.com/>.
- The Informer. "Liberia: No Selling, No Eating." Monrovia, July 9, 2012. <http://allafrica.com/stories/201207111287.html?viewall=1>.
- U.S. Embassy- Monrovia official. E-mail communication to USDOL official. March 13, 2012.
- U.S. Department of State. "Liberia," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/>.
- UNICEF. *News note: Liberia launches its situational analysis report on human trafficking*. Monrovia; March 1, 2010. [http://www.unicef.org/media/media\\_52882.html?q=printme](http://www.unicef.org/media/media_52882.html?q=printme).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Liberia (ratification: 2003) Submitted: 2011*; accessed November 17, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
- U.S. Department of State. "Liberia" in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; [http://www.state.gov/j/tip/rls/tiprpt/2014/?utm\\_source=NEW+RESOURCE:+Trafficking+in+Persons+R](http://www.state.gov/j/tip/rls/tiprpt/2014/?utm_source=NEW+RESOURCE:+Trafficking+in+Persons+R).

22. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Concluding Observations: Liberia*. Geneva; September 24, 2012. Report No. CRC/C/LBR/CO/2-4. <http://www.crin.org/resources/infoDetail.asp?ID=29551&flag=legal>.
23. Heritage. "Liberia: Laureate Gbowee Opens Up On 'Sexual Exploitation, Abuse of Girls' Here." Monrovia, April 10, 2012. <http://allafrica.com/stories/201204100376.html?viewall=1>.
24. The New Dawn. "Liberia: Sexual Exploitations Not Only in Schools, Laymah." Monrovia, April 11, 2012. <http://allafrica.com/stories/201204111096.html>.
25. Plan- Promoting child rights to end child poverty. *Universal Birth Registration Bears Fruit in Liberia*. Report. Monrovia; 2014. <https://plan-international.org/where-we-work/africa/liberia/what-we-do/our-successes/universal-birth-registration-bears-fruit-in-liberia-birth-certificates-now-being-issued/>.
26. UNICEF. *Every Child's Birth Right Inequalities and Trends in Birth Registration*. New York 2013. [http://www.unicef.org/mena/MENA-Birth\\_Registration\\_report\\_low\\_res-01.pdf](http://www.unicef.org/mena/MENA-Birth_Registration_report_low_res-01.pdf).
27. U.S. Embassy- Monrovia. *reporting, February 12, 2014*
28. Women's NGO Secretariat of Liberia. *Liberia Country Report, Strengthening the Legal Protection Framework for Girls in India, Bangladesh, Kenya and Liberia* Rome; 2010. [http://www.youthpolicy.org/library/wp-content/uploads/library/2010\\_Liberia\\_Country\\_Report\\_Eng.pdf](http://www.youthpolicy.org/library/wp-content/uploads/library/2010_Liberia_Country_Report_Eng.pdf).
29. U.S. Centers for Disease Control and Prevention. *2014 Ebola Outbreak in West Africa- Case Counts* Report. Washington; 2014 November 18, 2014. <http://www.cdc.gov/vhf/ebola/outbreaks/2014-west-africa/case-counts.html>.
30. U.S. Embassy- Monrovia. *reporting, September 19, 2014*.
31. U.S. Embassy- Monrovia. *memorandum, October 6, 2014*.
32. Government of Liberia. *Labor Law*, Title 18 and 18A, enacted 1956. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=LBR&p\\_classification=01.02&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=LBR&p_classification=01.02&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).
33. Government of Liberia. *Children's Law*, enacted October 13, 2011.
34. Government of Liberia. *Constitution of the Republic of Liberia*, enacted January 6, 1986. <http://www.tcafrica.com/constitution-1986.htm>.
35. Government of Liberia. *An Act to Ban Trafficking in Persons within the Republic of Liberia*, enacted 2005. <https://www.unodc.org/tldb/showDocument.do?documentUId=7975&node=docs&cmd=add&country=LIR>.
36. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Liberia (ratification: 2003)* accessed November 17, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:3139023,102742,Liberia,2013](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3139023,102742,Liberia,2013).
37. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/user\\_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf](http://www.child-soldiers.org/user_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf).
38. Government of Liberia. *Education Reform Act*, enacted 2011.
39. The New Dawn. "Liberia: Defaults in Labor Law, Decent Work Bill." Monrovia, May 23, 2013. <http://allafrica.com/stories/201305230829.html>.
40. U.S. Embassy- Monrovia. *reporting, February 17, 2012*.
41. UNODC. *West and Central Africa: Liberia*. Vienna; 2012. <http://www.unodc.org/westandcentralafrica/en/liberia.html>.
42. U.S. Embassy- Monrovia. *reporting, January 15, 2015*.
43. U.S. Embassy- Monrovia. *reporting, September 10, 2014*
44. U.S. Embassy- Monrovia. *reporting, February 13, 2015*
45. Government of Liberia. *Ministry of Labour; National Commission on Child Labour (NACOMAL); Plan of Action 2007-2016*. Monrovia; 2007.
46. Government of Liberia. *Social Welfare Policy*. Monrovia; 2009. <http://liberiamohsw.org/Policies&Plan.html>.
47. Ministry of Agriculture. *Liberia Rubber Industry Master Plan 2010-2040*. Monrovia, Sustainable Tree Crops Program, International Institute of Tropical Agriculture and USAID; December 3, 2009.
48. Government of Liberia. *Resettlement Policy Framework*. Monrovia; April 2011. [http://www-wds.worldbank.org/external/default/main?pagePK=64193027&piPK=64187937&theSitePK=523679&menuPK=64187510&searchMenuPK=64187511&entityID=000333037\\_20110401024441&cid=3001\\_2](http://www-wds.worldbank.org/external/default/main?pagePK=64193027&piPK=64187937&theSitePK=523679&menuPK=64187510&searchMenuPK=64187511&entityID=000333037_20110401024441&cid=3001_2).
49. Ministry of Education. *National Education Sector HIV & AIDS Strategic Plan 2010-2014*. Monrovia; February 2009. [http://www.ilo.org/aims/legislation/WCMS\\_151221/lang-en/index.htm](http://www.ilo.org/aims/legislation/WCMS_151221/lang-en/index.htm).
50. UN Committee on the Rights of the Child. *Written Replies to List of Issues: Liberia*. Prepared by the Government of Liberia, Consideration of Reports of States Parties. September 5, 2012. <http://www.refworld.org/publisher/CRC,,PHL,,,0.html>.
51. Mohammed A. Nasser, Federation of Liberian Youths. "National Youth Policy (2012 – 2017)," in Annual National Youth Conference; September 18, 2012; Maryland, Sinoe, Nimba, Gbarpolu & Montserrat; [http://www.youthpolicy.org/national/Liberia\\_2012\\_Revised\\_Youth\\_Policy\\_Presentation.pdf](http://www.youthpolicy.org/national/Liberia_2012_Revised_Youth_Policy_Presentation.pdf).
52. Youth Policy Press. "Youth Policy Fact Sheet." youthpolicy.org [online] November 1, 2013 [cited January 17, 2014]; <http://www.youthpolicy.org/factsheets/country/liberia/>.
53. AllAfrica.com. "Liberia: Senate Passed 'The National Youth Act of Liberia 2013'." allAfrica.com [online] October 8, 2014 [cited November 25, 2014]; <http://allafrica.com/stories/201410081467.html>.
54. Government of Liberia. *Liberia Agriculture Investment Program Report*. Monrovia; 2010.
55. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2014.
56. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 3, 2009.
57. UNICEF. *News note: European Union grants 2.4 million Euros to UNICEF in support of the Social Cash Transfer Programme in Liberia*. New York; November 17, 2011. [http://www.unicef.org/infobycountry/media\\_60615.html](http://www.unicef.org/infobycountry/media_60615.html).
58. USAID. *Liberia humanitarian assistance*. [previously online]. Washington, DC; 2012. [http://www.usaid.gov/our\\_work/humanitarian\\_assistance/the\\_funds/dcof/strive\\_liberia.html](http://www.usaid.gov/our_work/humanitarian_assistance/the_funds/dcof/strive_liberia.html) [source on file].
59. World Bank. *Restructuring Paper on a Proposed Project Restructuring of Fast Track Initiative Grant for Basic Education Project Grant*. Washington, DC; September 1, 2010. <http://www-wds.worldbank.org/external/default/main?pagePK=64187835&piPK=64187936&theSitePK=523679&siteName=WDS&menuPK=64187283&callBack=&projectId=P117662&siteName=&menuPK=2864497&callBack=>
60. World Bank. *Implementation Status & Results: Fast Track Initiative Grant for Basic Education*. Washington, DC; March 12, 2011. [http://web.worldbank.org/external/projects/main?menuPK=51447259&pagePK=51351007&piPK=64675967&theSitePK=40941&menuPK=64187510&searchMenuPK=51351202&theSitePK=40941&entityID=0000A8056\\_2011032620023189&searchMenuPK=51351202&theSitePK=40941](http://web.worldbank.org/external/projects/main?menuPK=51447259&pagePK=51351007&piPK=64675967&theSitePK=40941&menuPK=64187510&searchMenuPK=51351202&theSitePK=40941&entityID=0000A8056_2011032620023189&searchMenuPK=51351202&theSitePK=40941).
61. The Inquirer. "Liberia: U.S. Ambassador Outlines Progress to End Hunger." Monrovia, October 3, 2012. <http://allafrica.com/stories/201210031081.html>.
62. USAID. *Liberia FY 2011-2015 Multi-Year Strategy*. Washington, DC; June 29, 2011. <http://www.feedthefuture.gov/sites/default/files/country/strategies/files/LiberiaFTFMulti-YearStrategy.pdf>.
63. UN Security Council. *Twenty-fourth Progress Report of the Secretary-General on the United Nations Mission in Liberia* New York; August 15, 2012. Report No. S/2012/641. <http://www.unhcr.org/refworld/docid/505323b22.html>.
64. UNHCR. *2015 UNHCR country operations profile - Liberia*, [online] [cited January 20, 2015]; <http://www.unhcr.org/pages/49e484936.html>.

In 2014, Macedonia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government instituted legislation to prohibit the use of children in illicit activities and amended the Family Law to facilitate children's removal from situations of exploitative child labor in their homes. Additionally, the Department of Justice set up a fund for the compensation of victims of human trafficking, including child trafficking victims. However, children are engaged in child labor, including in begging and the worst forms of child labor, including in commercial sexual exploitation. The number of day centers and Centers for Social Work (CSWs) remains insufficient to provide shelter and other services to all vulnerable children in need of assistance. In addition, the National Plan of Action on the Rights of the Child and the National Action Plan against Trafficking in Persons and Illegal Migration lack the necessary funding for effective implementation.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Macedonia are engaged in child labor, including in begging.(1-5) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(2, 3, 6) Table 1 provides key indicators on children's work and education in Macedonia.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	18.3 (44,161)
Attending School (%)	5-14 yrs.	86.8
Combining Work and School (%)	7-14 yrs.	19.5
Primary Completion Rate (%)		74.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (9, 10)
Services	Street work, including vending small items, cleaning vehicle windshields,* and begging (1-5)
	Working in commercial car washes* (9, 10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2, 3, 6, 11)
	Forced begging* (2-4, 6)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

The majority of children involved in child labor in Macedonia engage in street work such as begging and vending cigarettes and other small items in open markets, in the streets, and at bars and restaurants.(4) Some children engage in begging to help support their impoverished families, while others are forced to beg. The majority of children involved in street work, including begging and forced begging, are of the Roma ethnicity.(2, 4, 6)

# Macedonia

## MINIMAL ADVANCEMENT




The majority of victims of child trafficking in Macedonia are girls ages 14 to 17 who have been trafficked domestically for commercial sexual exploitation and forced labor in bars and nightclubs.(3, 11, 12) Girls in Eastern and Central Macedonia have been identified as being at particularly high risk for human trafficking.(3) Girls, particularly Roma girls, are also trafficked for forced marriages, which may result in both sexual and labor exploitation.(3, 11, 12)

The Laws on Primary Education and Secondary Education provide for education in Romani, along with the languages of several other ethnic minorities.(2) Some communities with a predominantly Roma population have access to Romani-language kindergarten and primary school classes.(13) However, the Government was unable to fully meet the demand for instruction in Romani due to a shortage of qualified teachers.(2) In addition, some Roma children had difficulty accessing education due to a lack of birth registration, and Roma children are overrepresented in segregated schools for children with intellectual disabilities.(2, 14) However, increased government funding for programs to eliminate barriers to education has produced positive results in raising school attendance rates among Roma children.(2)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Macedonia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 42 of the Constitution; Section 7 of the Labor Relations Act (15, 16)
Minimum Age for Hazardous Work	Yes	18	Sections 63, 66, and 67 of the Labor Relations Act (16)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Rulebook on the minimum occupational safety and health requirements for young workers (17, 18)
Prohibition of Forced Labor	Yes		Article 11 of the Constitution (15)
Prohibition of Child Trafficking	Yes		Articles 418-c and 418-d of the Criminal Code (19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 190, 191, 191-a, 192, 193, 193a, and 193b of the Criminal Code (12, 19)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 62 of the Law on Defense (14, 20, 21)
Compulsory Education Age	Yes	16	Articles 4, 5, 47, and 172 of the Law on Primary Education; Article 3 of the Law on Secondary Education (22-25)
Free Public Education	Yes		Article 44 of the Constitution (15)

\* No conscription (26)

In February 2014, the Government amended the Family Law to allow for revocation of parental rights to protect children from abuse and neglect by their parents. For cases in which the Center for Social Work determines a second offense by a parent who is encouraging their child to beg, or if the child's life is endangered by begging, the Government has the right to remove the child from the home and initiate the procedure to revoke parental rights, as well as to press criminal charges against the parent.(4, 5)

Also in February 2014, the Government amended the Criminal Code to introduce the crime of "prostitution of a child" to facilitate bringing criminal charges in cases of commercial sexual exploitation of children that lack sufficient evidence to prosecute for human trafficking. The Government also enacted an amendment to Article 418-d of the Criminal Code, Trafficking in Children, to update and broaden the language regarding methods of human trafficking and to impose harsher sentences for other crimes involving commercial sexual exploitation of children.(12)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Labor Inspectorate (SLI)	Enforce labor laws, including child labor laws, and transmit cases of suspected criminal law violations to the Public Prosecutor. Inspectors conduct a minimum of 60 inspection visits per month, including both targeted and complaint-based inspections.(27) Formerly a subunit of the Ministry of Labor and Social Policy (MLSP), in June 2014 the SLI became an autonomous agency as part of a larger reform of the inspection services in Macedonia. This reform did not change the function of the SLI.(4, 28)
Department of Social Inclusion within the MLSP	Work with the police to seek out street children in need of assistance and track cases of forced child labor.(3, 28)
Ombudsman's Office	Work with the MLSP's Centers for Social Work (CSWs) to register complaints about hazardous child labor. Includes a special unit for the investigation of violations of child rights.(4)
Centers for Social Work within the MLSP	Work with the Ombudsman's Office to register complaints about hazardous child labor. Investigate children's participation in street work, such as vending and begging.(4) Work with the Ministry of Interior to form mobile teams consisting of one plainclothes officer and one social worker to identify street children and remove them from hazardous situations. In 2014, identified and registered more than 100 street children.(4)
Ministry of Interior (MOI)	Enforce criminal laws, including laws related to hazardous child labor. Investigate cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities through its special police unit for organized crime, corruption, and human trafficking.(4) Work with the CSWs in mobile teams to investigate cases of child labor and forced child labor in street work.(4)
Office of the National Referral Mechanism	Accept reports of potential victims of human trafficking, including children. Alert agencies to investigate the allegations and provide social services for victims.(3, 29) Children found to be victims of child trafficking are removed from the situation, placed in shelters for trafficked children, and given immediate medical and psychological care.(29)
Public Prosecutor's Office	Prosecute possible criminal law violations, including those involving the worst forms of child labor.(30) Has an Organized Crime and Corruption Unit with four prosecutors dedicated to cases of child abuse and worst forms of child labor. The Skopje Basic Prosecutor's Office has eight prosecutors dedicated to child abuse cases.(29)

Law enforcement agencies in Macedonia took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, there were 110 labor inspectors responsible for all labor violations, including child labor. Inspectors did not receive training on the content and enforcement of laws relating to child labor during the reporting period.(4) Ministry of Labor officials report that funding to the State Labor Inspectorate (SLI) is adequate to facilitate the fulfillment of its mandate without impediment.(4)

Labor inspectors carried out both targeted and complaint-based inspections, including unannounced inspections, in all relevant sectors allowed by law. No violations of child labor laws were found.(4) The Ombudsman's Office reported that there were no official complaints of child labor in 2014.(28)



# Macedonia

## MINIMAL ADVANCEMENT

Data from the Ministry of Labor and Social Policy (MLSP) inspections are not regularly shared among offices, as there is no central computerized database.(27)

### *Criminal Law Enforcement*

In 2014, the special police unit of the Ministry of Interior (MOI) had five officers dedicated to investigating crimes involving child trafficking and other criminal worst forms of child labor. The MOI also had 80 officers dedicated to enforcing laws against child abuse and exploitation throughout the country's 38 police districts.(4) Additionally, six mixed mobile teams composed of MLSP social workers and police searched the streets for children begging and for children who might be victims of human trafficking. Five of these mobile teams were established during the reporting period.(3, 13) Investigators did not receive specific training on child labor in 2014.(4)

In 2014, the mobile teams removed 100 children from the street and referred them to day care centers.(4) In addition, the MLSP removed 14 children from their families and initiated 10 procedures for revoking parental rights due to abuse and negligence. These children were placed with foster families or at institutions for homeless children.(4) The police also identified six child trafficking victims. All victims were referred to shelters that provide medical and psychological care for rehabilitation.(4) Charges were pressed against two individuals for child trafficking; the cases are still pending.(4)

The Prosecutors' Office pursued four cases of child trafficking in 2014 and obtained a conviction that resulted in a 13-year sentence.(12) The Prosecutor's Office suffers from underfunding, and the process required to investigate and gather evidence for human trafficking cases can be lengthy and complex.(29) Consequently, although human trafficking cases are given high priority and are tried by the Organized Crime and Corruption Prosecutor's Unit at the main court in Skopje, these cases sometimes remain in the court system for years without conclusion.(4, 29) Information on the number of investigations, prosecutions, convictions, and penalties implemented for criminal acts involving worst forms of child labor other than child trafficking were not available.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Commission for the Protection of the Rights of Children	Coordinate efforts to protect children's rights, including by preventing and eliminating child labor, through the provision of social services.(4) Develop and oversee implementation of the National Plan of Action on the Rights of the Child.(31)
National Coordination Body for Implementation of the Action Plan for Prevention and Countering Sexual Abuse of Children and Pedophilia	Implement the National Action Plan. Led by the MLSP and made up of representatives from relevant ministries and NGOs.(17, 31) Maintains a hotline for reporting sexual abuse of children and children on the street.(17, 29, 32)
National Coordination Body for Protection of Children from Abuse and Neglect	Oversee implementation of the National Action Plan for Prevention and Countering Abuse and Neglect of Children.(33)
National Commission for Trafficking in Persons and Illegal Migration	Coordinate the work of all institutions involved in combating trafficking in persons. Led by the MLSP.(4) In 2014, organized regular meetings to assess human trafficking in Macedonia.(12) Includes the Sub-Committee for the Fight Against Trafficking in Children, which serves as an advisory body to the National Commission on all forms of child trafficking, including child trafficking for labor exploitation.(4, 13)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Macedonia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Action Plan for Children on the Streets (2013–2015)	Aims to combat the harmful effects of street work by providing such children with services, including education.(34) Intends to provide a systemic and holistic response to the issue of children on the streets, with an emphasis on social services, health care, and inclusion in the educational system.(17, 34)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Action Plan against Trafficking in Persons and Illegal Migration (2013–2016)	Focuses on preventing human trafficking by reducing the vulnerability of at-risk populations, reducing the demand for sexual services, improving victim identification, and increasing efforts to combat trafficking in persons for forced begging and labor exploitation.(11) As part of the Plan, in 2014, the Department of Justice set up a fund for the compensation of victims.(4, 11)
National Strategy for the Fight Against Poverty and Social Exclusion (2010–2020)	Addresses children's rights, such as social protection, social inclusion, health, education, and employment.(4) Includes goals of increasing birth registration among Roma and other minorities, expanding patrol services to identify and support street children, and improve the provision of social services for children involved in street work and begging. Implemented by the MLSP.(4, 35)
National Action Plan for Prevention and Countering Abuse and Neglect of Children (2013–2015)*	Aims to provide a safe living environment for children by improving prevention and detection of abuse and neglect of children, as well as by providing treatment and rehabilitation of children who have been victims of abuse and neglect. Outlines a plan for the implementation of these improvements on a national and local level.(28)
National Plan of Action on the Rights of the Child (2012–2015)	Aims to promote equity, inclusion, and efficiency in the provision of services for children, such as health care and education.(36) Includes providing direct assistance to withdraw children from child labor, rehabilitating victims, and providing children with better access to primary education.(37)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The implementation of the National Plan of Action on the Rights of the Child has been slow, with no funds specifically earmarked for its implementation, monitoring, or evaluation.(1, 38) There is also a lack of sufficient Government funding for the National Action Plan against Trafficking in Persons and Illegal Migration, which may hinder its implementation.(11)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Macedonia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Conditional Cash Transfer Program‡	Government program that provides cash assistance to certain Roma students who stay in school and discourages their involvement in street work and begging.(29)
Day Centers‡	MLSP program that operates three government day centers and supports two others operated and partially funded by NGOs. Day centers provide services, including education, healthcare and counseling, to children working in the streets.(2) The Government also supports a small transit center for street children.(39) During 2014, day centers provided services to 100 children.(4)
Center for Victims of Human Trafficking and Transit Center for Foreign Victims of Trafficking‡	Government program that fully funds the Center for Victims of Human Trafficking, a shelter for domestic trafficking victims. MOI funds the provision of basic services to victims, while MLSP supports reintegration of victims with their families. NGOs collaborate in the operation of the shelter.(17, 40) The Government provides partial support to the Transit Center for Foreign Victims of Trafficking, which is operated by NGOs.(40)
Centers for Social Work (CSW)‡	Government program of approximately 30 CSWs that provide services to vulnerable groups, including street children and child victims of human trafficking. Services include counseling, education, and assistance with obtaining registration documents.(4, 12) CSW staff members have been trained on human trafficking issues.(40)
Social Worker/NGO Mobile Teams‡	Government social workers from CSWs and representatives of NGOs work in the field of three major municipalities to detect human trafficking victims and at-risk individuals, including street children. Teams then work to find solutions to address the needs of these vulnerable persons, including providing support to human trafficking victims and their families, and implementing reintegration programs.(17) The Government also funds education seminars for parents on the dangers of allowing children to work and beg on the streets.(29)
Cut the Thread of Labor Exploitation and Trafficking in Children	Government program through which the National Commission for Human Trafficking and NGOs conducted a series of awareness-raising activities on trafficking in persons, as well as a fundraising campaign to assist street children.(3)
Inclusion of Roma Children in Preschool Education‡*	MLSP project implemented in cooperation with the Roma Education Fund and 19 government units. Aims to support the integration of Roma children by increasing the number of Roma children in preschool.(41)
Children-at-risk Breaking the Cycle of Social Exclusion of Children in Macedonia	MLSP and UNICEF-implemented project for improved social protection for street children. Developed standard operating procedures for addressing the needs of street children, and supports the Government's goal of greater inclusion of the Roma population.(42)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Macedonia.

# Macedonia

## MINIMAL ADVANCEMENT

The number of day centers and CSWs is insufficient to reach all vulnerable children in need of assistance. Reimbursement to NGOs that provide services at human trafficking shelters also suffered from delays due to budget constraints at the state level.(3)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Macedonia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits the use of children in illicit activities.	2013 – 2014
Enforcement	Provide training on the worst forms of child labor to labor inspectors and criminal investigators.	2014
	Provide labor inspectors with a system to record data on inspections, including number of inspections, number of violations found, and number of citations issued, and make this data publicly available.	2009 – 2014
	Provide sufficient funding to the Prosecutor’s Office and expedite prosecutions of those responsible for child trafficking.	2013 – 2014
	Make information on the number of investigations, prosecutions, convictions, and penalties implemented for criminal acts involving worst forms of child labor other than child trafficking publicly available.	2014
Government Policies	Integrate child labor elimination and prevention strategies into national policies, including the National Action Plan for Prevention and Countering Abuse and Neglect of Children.	2014
	Provide sufficient funding to implement the National Plan of Action on the Rights of the Child (2006–2015).	2012 – 2014
	Provide sufficient funding to implement the National Action Plan against Trafficking in Persons and Illegal Migration.	2014
Social Programs	Conduct research to determine the activities carried out by children working in farming.	2013 – 2014
	Reduce barriers to education by increasing the number of teachers who can provide education in the Romani language, ensuring that children are able to obtain registration documents, and eliminating the placement of children in school for children with intellectual disabilities on the basis of ethnicity.	2014
	Assess the impact that existing programs may have on child labor.	2013 – 2014
	Increase the number of day centers and CSWs, and strengthen efforts to reimburse NGO service providers at shelters for human trafficking victims, as scheduled.	2009 – 2014

### REFERENCES

- UN Committee on the Rights of the Child. *Consideration of Reports Submitted by State Parties Under Article 44 of the Convention: Concluding Observations: the former Yugoslav Republic of Macedonia*. Geneva; June 11, 2010. Report No. CRC/C/MKD/CO/2. <http://www.crin.org/resources/infodetail.asp?id=22724>.
- U.S. Department of State. “Macedonia,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- U.S. Embassy- Skopje. *reporting, February 18, 2014*.
- U.S. Embassy- Skopje. *reporting, January 15, 2015*.
- Sinisa Jakov Marusic. “Macedonia to Put Child Beggars Into Care.” *balkaninsight.com* [online] March 7, 2014 [cited January 30, 2015]; <http://www.balkaninsight.com/en/article/macedonia-steps-up-protection-of-children>.
- U.S. Department of State. “Macedonia,” in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/j/tip/rls/tiprpt/2013/>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- In the Summer and in the Winter, Cash from Child Labor*, Dnevnik, [online] September 8, 2011 [cited April 3, 2015]; <http://dnevnik.mk/default.asp?ItemID=DC18808D0691914D95FD27F5E21E0918>.
- Parents Turn a Blind Eye*, Dnevnik, [online] September 9, 2011 [cited April 3, 2015]; <http://www.dnevnik.mk/?ItemID=1882ABC60515004DAB6F1F459797D78E>.
- GRETA. *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by “the former Yugoslav Republic of Macedonia”*. Strasbourg, Council of Europe June 17, 2014. [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2014\\_12\\_FGR\\_MKD\\_w\\_cmnts\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2014_12_FGR_MKD_w_cmnts_en.pdf).
- U.S. Embassy- Skopje. *reporting, February 24, 2015*.

13. U.S. Embassy- Skopje. E-mail communication to USDOL official, April 14, 2015.
14. European Roma Rights Center. *Macedonia*. Budapest; 2013 September 23, 2013. <http://www.osce.org/odihr/105348?download=true>.
15. Government of Macedonia. *Constitution of the Republic of Macedonia of 1991*, enacted September 8, 1991. <http://www.sobranie.mk/en/default.asp?ItemID=9F7452BF44EE814B8DB897C1858B71FF>.
16. Government of Macedonia. *Labor Relations Act*, 80/93-2007, enacted December 27, 1993. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/47727/65084/E93MKD02.htm>.
17. Embassy of Macedonia. *Information on child labor abuse in the Republic of Macedonia (2012)* February 1, 2013.
18. Government of Macedonia. *Rulebook on the minimum occupational safety and health requirements for young workers*, enacted October 15, 2012. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93806/109806/F-526659420/MKD-93806.pdf>.
19. Government of Macedonia. *Criminal Code of the Republic of Macedonia of 1996*, enacted November 1, 1996. <http://legislationline.org/documents/action/popup/id/16066/preview>.
20. CIA. *The World Factbook: Macedonia*, CIA, [online] April 11, 2012 [cited April 19, 2012]; <https://www.cia.gov/library/publications/the-world-factbook/geos/mk.html>.
21. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by State Parties Under the Optional Protocol on the involvement of children in armed conflict: Concluding Observations: Macedonia*. Geneva; December 4, 2012. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/484/00/PDF/G1248400.pdf?OpenElement>.
22. UNESCO. *World Data on Education*. Paris, 2011. [http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/The\\_Former\\_Yugoslav\\_Rep\\_of\\_Macedonia.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/The_Former_Yugoslav_Rep_of_Macedonia.pdf).
23. Government of Macedonia. *Law on Primary Education*, Nr. 103/08, enacted 2008. [http://www.edulaws.mk/index.php?option=com\\_content&view=article&id=89:zakon-za-osnovno-obrazovanie&catid=50:zoo&Itemid=186](http://www.edulaws.mk/index.php?option=com_content&view=article&id=89:zakon-za-osnovno-obrazovanie&catid=50:zoo&Itemid=186).
24. Government of Macedonia. *Law on Secondary Education*, Nr. 44/95, enacted 1995. [http://www.sonk.org.mk/documents/Sredno\\_obrazovanie\\_95.pdf](http://www.sonk.org.mk/documents/Sredno_obrazovanie_95.pdf).
25. European Commission. *Compulsory Education in Europe 2014/15*, [online] [cited July 28, 2015]; [http://eacea.ec.europa.eu/education/eurydice/documents/facts\\_and\\_figures/compulsory\\_education\\_EN.pdf](http://eacea.ec.europa.eu/education/eurydice/documents/facts_and_figures/compulsory_education_EN.pdf).
26. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
27. ILO LABADMIN. *Macedonia*, ILO, [online] May 30, 2011 [cited January 27, 2014]; [http://www.ilo.org/labadmin/info/WCMS\\_114938/lang-en/index.htm](http://www.ilo.org/labadmin/info/WCMS_114938/lang-en/index.htm).
28. U.S. Embassy- Skopje. E-mail communication to USDOL official, March 9, 2015.
29. U.S. Embassy- Skopje. *reporting, February 5, 2014*.
30. ILO LABADMIN. *Labour Inspection Sanctions: National Labour Inspection Systems*; 2013. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---lab\\_admin/documents/publication/wcms\\_213143.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_213143.pdf).
31. U.S. Embassy- Skopje. E-mail communication to USDOL official, May 22, 2014.
32. MLSP. *Paedophilia Hotline, Stop Pedophilia Macedonia*, [online] [cited January 28, 2014]; <http://www.stop-pedofilija.org.mk/>.
33. Child Rights International Network. *Macedonia: Government Submits Progress report on UPR Recommendations*, [online] April 2, 2014 [cited January 30, 2015]; <https://www.crin.org/en/library/publications/macedonia-childrens-rights-references-universal-periodic-review-0>.
34. ILO Committee of Experts. *Report on the Application of International Labor Standards 2014, Worst Forms of Child Labour Convention, 1999 (No. 182) (ratification: 2002)*. Geneva; 2014.
35. Government of Macedonia. *Strategy for the Fight against Poverty and Social Inclusion*. 2013 [http://mtsp.gov.mk/WBStorage/Files/revidirana\\_str\\_siromastija\\_eng.docx](http://mtsp.gov.mk/WBStorage/Files/revidirana_str_siromastija_eng.docx).
36. The former Yugoslav Republic of Macedonia. *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*. Human Rights Council: Working Group on the Universal Periodic Review, 2014. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/185/36/PDF/G1318536.pdf?OpenElement>.
37. U.S. Embassy- Skopje. *reporting, February 21, 2013*.
38. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) The former Yugoslav Republic of Macedonia (ratification: 2002) Published: 2013*; accessed April 18, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:20010::>
39. U.S. Department of State. "Macedonia," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
40. U.S. Embassy- Skopje. *reporting, February 25, 2013*.
41. Former Yugoslav Republic of Macedonia. *Universal Periodic Review: Midterm Report of the Republic of Macedonia on Progress in Implementing Recommendations, May 2009 – December 2011*; December 2011. <http://www.crin.org/resources/infodetail.asp?id=28863>.
42. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) The Former Yugoslav Republic of Macedonia (ratification: 2002) Published: 2012*; accessed November 7, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:20010::>

# Madagascar

## SIGNIFICANT ADVANCEMENT

In 2014, Madagascar made a significant advancement in efforts to eliminate the worst forms of child labor. The newly elected Government adopted the Anti-Trafficking in Persons Law, which criminalizes all forms of human trafficking and contains provisions to prevent child trafficking and other worst forms of child labor. The Regional Child Labor Committees in the Sava region organized workshops and conducted activities to raise awareness of child labor in the production of vanilla. The Government also adopted a National Development Plan that includes activities to combat the worst forms of child labor. In addition, the National Police Force's Morals and Minors Brigade investigated an estimated 187 cases of child commercial sexual exploitation and referred them for prosecution. However, children in Madagascar are engaged in child labor, including in agriculture and particularly in the production of vanilla and in the worst forms of child labor, including in mining. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Madagascar are engaged in child labor, including in agriculture and particularly in the production of vanilla.(1-4) Children are also engaged in the worst forms of child labor, including in mining.(4-7) Table 1 provides key indicators on children's work and education in Madagascar.

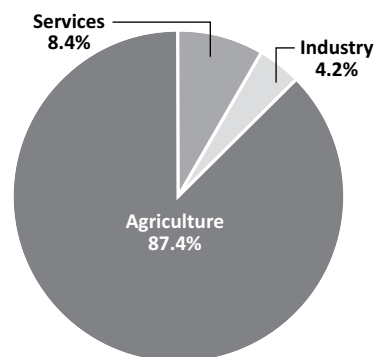
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	22.1 (1,206,992)
Attending School (%)	5-14 yrs.	69.1
Combining Work and School (%)	7-14 yrs.	15.4
Primary Completion Rate (%)		69.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the National Survey of Child Labor (Enquete Nationale sur le Travail des Enfants), 2007.(9)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of tea,* grapes,* wine,* cocoa,* sisal,* copra (dried meat of the coconut),* hemp,* and cotton* (10, 11)
	Production of vanilla, including hand-pollinating flowers, and working in the triage and drying process (1, 2, 10, 12, 13)
	Production of charcoal*(14)
	Fishing* and deep-sea diving,* including for crabs,* sea cucumbers,* shrimp,* and oysters* (3, 4, 7, 15)
	Herding cattle (zebu),* goats,* and sheep* (7, 10)
Industry	Mining† gold,* sapphires, crystal,* quartz,* and tourmaline* and transporting blocks,† stones,† and water at mining sites (3-5, 7, 15-19)
	Quarrying and crushing stone and making gravel*† (5, 10, 15, 18)
	Production of salt* (10, 15)



**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Street work,* including market vending,* transporting goods by rickshaw,* guarding vehicles,* and fetching water for restaurants* (3, 15)
	Working in bars,*† including as waitresses,* maids,* and masseuses*(6, 19-21)
	Domestic work*† (4, 22-24)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* sometimes as a result of human trafficking* (4, 6, 7, 20, 21, 25)
	Forced labor* in mining,* quarrying,* begging,* and domestic work* (5, 6, 10, 18, 26)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Girls are trafficked from Madagascar to the Middle East and China for forced domestic work and commercial sexual exploitation.(6, 20, 27, 28) Informal employment agencies recruit children into domestic work, who are subsequently subjected to forced labor within Madagascar.(6) Human trafficking for the purpose of commercial sexual exploitation occurs in coastal cities, such as Antsiranana, Mahajanga, Nosy Be, Toamasina, and Toliara, as well as in the capital, Antananarivo.(6, 20, 28) Most child sex trafficking occurs with the involvement of family members, but friends, transport operators, tour guides, and hotel workers also facilitate the trafficking of children.(6, 28, 29) Parents may force their children into various forms of commercial sexual exploitation to earn money to support their families, in some cases, directly negotiating prices with clients.(6, 28, 29) Some children are fraudulently recruited for work in the capital as waitresses, maids, and masseuses before being coerced into commercial sexual exploitation.(6) In some cases, the traditional practice of girl markets (*tse nan’ampel*), in which girls are sent to markets to attract a husband and arrange marriages, has led girls into commercial sexual exploitation.(5, 20)




Children in the mining sector suffer from respiratory problems and diseases such as diarrhea and malaria. Children are also at risk of injury from collapsing mines.(5, 7) Children dig pits, up to 15 meters deep, and carry plastic sacks filled with air in order to be able to breathe. Boys as young as age 10 go down the pits to collect dirt that is sifted at nearby rivers.(5) Most of the children involved in gold mining are located in the regions of Anlamanga, Anosy, Ilakaka, and Vakinankaratra.(5, 7, 16, 30)

Children in Madagascar face significant barriers to education, including a lack of school infrastructure (especially in rural areas) and issuance of birth certificates needed for children to officially enroll in school.(5, 28, 31) While the right to free education is enshrined in the Constitution, the Government of Madagascar was unable to fully subsidize students’ school fees, food, and school supplies.(31-33) Families unable to pay these additional costs kept their children at home or sent them to work.(5, 31, 34)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Madagascar has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

# Madagascar

## SIGNIFICANT ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 100 of the Labor Code (35)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code (35)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 101 of the Labor Code; Articles 10 and 16–22 of Decree 2007-563 (19, 35)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Article 15 of Decree 2007-563; Article 8 of Law 2014-040 (19, 35, 36)
Prohibition of Child Trafficking	Yes		Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Article 1 of Law 2014-040 (19, 36, 37)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040 (19, 36, 37)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11 and 14 of Decree 2007-563(19)
Minimum Age for Compulsory Military Recruitment	N/A*†		
Minimum Age for Voluntary Military Service	Yes	18	Article 11 of Ordinance No. 78-002 of 1978 (38)
Compulsory Education Age	Yes	16	Article 24 of the Constitution; Article 39 of Law 2008-011 (39, 40)
Free Public Education	Yes		Article 24 of Constitution (39)

\* No conscription (41)

† No standing military (41)

In December 2014, the Government adopted the Anti-Trafficking in Persons Law, which complements Law 2007-038 Against Trafficking in Persons and Sexual Tourism.(36) The Anti-Trafficking in Persons Law criminalizes all forms of human trafficking, including the trafficking of children, and imposes sufficiently stringent penalties for other forms of forced labor, including commercial sexual exploitation, labor trafficking, forced begging, forced domestic work, and debt bondage.(4, 36, 42) The law also provides for legal protection and social assistance to victims of human trafficking. Children identified as victims of human trafficking receive specialized assistance that address the needs of minors, including education support and family reintegration services.(4, 36, 42)

The law prohibits hazardous occupations and activities for children; however, the law does not prohibit hazardous occupations and activities in all relevant child labor sectors, including agriculture. A more specific list of hazardous child labor activities has been developed, but it was not approved during the reporting period.(4, 43)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Civil Services and Labor's Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE)	Enforce child labor laws and coordinate, communicate, train, engage in research and development; administer, finance, and evaluate all activities in the context of the elimination of child labor.(3, 4, 44, 45)
Ministry of Justice	Enforce all laws pertaining to violence against children, including human trafficking and commercial sexual exploitation.(4, 45)
National Police Force's Morals and Minors Brigade (PMPM)	Investigate criminal cases involving minors, including issues of human trafficking and commercial sexual exploitation.(6, 10, 45)
Department-level courts	Prosecute child labor convictions.(10)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Ministry of Population and Social Affairs	Develop and implement programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor.(10) The Ministry manages more than 450 child protection networks, covering 22 regions throughout the country, to protect children from abuse and exploitation.(6)

Law enforcement agencies in Madagascar took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor had approximately 100 inspectors in the field and 10 in training.(3, 4) Given the prevalence of child labor in the country, the number of labor inspectors is inadequate. Although labor inspectors are generalists, they receive training on child labor and can conduct child labor inspections.(3) The staff of the Ministry of Civil Services and Labor’s Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE) includes three labor inspectors.(46) However, PACTE does not have program funding following budget cuts to the Ministry of Civil Services and Labor, whose total annual funding allocation in 2014 was 0.42 percent of the national budget.(4) Information is unavailable on the number, type, and quality of inspections; on the number of child labor law violations found; and on whether appropriate penalties were applied. Additionally, existing child labor databases managed by PACTE are not functional due to lack of funding.(10, 47) Reports indicate there is a lack of trained staff, equipment, transportation, and funding to conduct effective child labor inspections and legal proceedings.(4, 47)

### *Criminal Law Enforcement*

In 2014, the National Police Force’s Morals and Minors Brigade (PMPM) had a headquarters and 15 regional units across Madagascar, employing a total of 145 agents.(28, 47) The Ministry of Justice trained criminal law enforcement officials on children’s rights, including on a module on human trafficking.(4) The overall budget allocation for the National Police during 2014 was 2.4 percent of the national budget. However, it is unclear what proportion of the budget may have been available to conduct child labor related investigations.(4) In 2014, the PMPM investigated an estimated 187 cases of child commercial sexual exploitation and 53 cases of child labor in domestic work. All these cases were referred for prosecution; however, research did not determine whether these cases led to convictions, or whether appropriate penalties were applied.(48) The PMPM received 815 complaints through the national child protection hotline; however, the number of calls involving child labor is unknown.(48) Reports indicate there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(4, 28)

Research did not find a formal referral mechanism in place between law enforcement agencies and social welfare services; however, victims are generally referred to regional child protection networks managed by the Ministry of Population and Social Affairs, or to NGOs depending on the case and location.(4, 6) From 2013 to 2014, a total of 8,103 child victims of various forms of abuse were referred to the Ministry of Population and Social Affairs’ 450 child protection networks, which provided protection and social services for children; however, the number of victims of the worst forms of child labor is unknown.(6, 47)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee on the Fight Against Child Labor (CNLTE)	Coordinate programs, advise on child labor legislation and regulations, and monitor and pursue the implementation of the National Action Plan to Eliminate the Worst Forms of Child Labor. Led by the Ministry of Civil Services and Labor, with representatives from the Ministries of Education; Health; Energy; Mining; Tourism; Population and Social Affairs; Education; Agriculture, Livestock and Fisheries; Decentralization; Justice and Public Security.(10, 17, 44, 48) In 2014, CNLTE membership was broadened to include representatives from the Ministries of Foreign Affairs; Interior; Communication; Youth and Sports; and Technical Education and Vocational Training.(48)

# Madagascar

## SIGNIFICANT ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Regional Child Labor Committees (CRLTE)	Coordinate, monitor, and evaluate all activities relating to the elimination of child labor at the regional level. The 10 regional committees identify activities to promote the elimination of child labor, as well as compile, analyze, and report the data gathered to the PACTE.(4, 44)
National Child Protection Committee	Guide national child protection policy and programs, and coordinate child protection activities. Chaired by the Minister of Population and Social Affairs and made up of a steering committee and a technical commission of specialists.(10, 20)
Ad Hoc Inter-Ministerial Anti-Trafficking Committee	Coordinate anti-trafficking in persons efforts in Madagascar.(6, 10) Chaired by the Office of the Prime Minister and includes representatives from the Ministries of Foreign Affairs; Civil Services and Labor; Population and Social Affairs; Justice, Interior; Education; and Health.(49)
Commission on Child Policy Reform (CRDE)	Coordinate and review national legislation and programs relating to children's rights.(4) Co-chaired by the Ministry of Justice and the Ministry of Population and Social Affairs, and includes representatives from the Ministries of Education and Public Health.(48) Also includes nongovernmental stakeholders such as NGOs, international organizations, and social partners.(50)
National Independent Commission on Human Rights*	Promote and protect human rights and investigate human rights abuses, including those related to child labor. Chaired by the Office of the Prime Minister and includes representatives from the National Assembly, the Senate, and technical group of human rights specialists.(51)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the National Committee on the Fight Against Child Labor (CNLTE) met throughout the year to advise on child labor legislation and regulations, including working with the Commission on Child Policy Reform to revise the draft list of hazardous child labor activities.(4) Due to lack of funds, however, the CNLTE faced severe limits on its ability to follow the National Action Plan to Eliminate the Worst Forms of Child Labor during the reporting period.(10) The Regional Child Labor Committees (CRLTE) were active to various extents; for example, the Regional Committee in the Sava region organized workshops to raise awareness of child labor issues among vanilla producers, in collaboration with the National Vanilla Platform (PNV).(4) As a result of these workshops, a code of conduct for the vanilla industry to address child labor has been developed, but it was not adopted during the reporting period.(47, 52) The Inter-Ministerial Anti-Trafficking Committee met on an informal basis to coordinate the Government's anti-trafficking efforts; however, the Government did not provide any funding to support the Committee's activities during the reporting period.(6) The National Child Protection Committee met during the year to implement awareness-raising campaigns on child abuse and commercial sexual exploitation.(4)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Madagascar has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2004-2019)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, increasing awareness-raising campaigns, mobilizing funds for social program, and updating databases on child labor.(5, 17, 53)
Education for All Program (2013-2015)	Sets out a comprehensive map to improve the quality of, and access to, basic education and includes child labor concerns. Overseen by the Ministry of Education and supported by international donors.(5, 54)
Provisional Education Plan (2013-2015)	Integrates child labor issues into education policies. Developed by the Ministry of Education.(54)
UNDAF (2012-2014)	Includes strategies, such as promoting school attendance and training judges and police on child labor laws to protect children from human trafficking, commercial sexual exploitation, hazardous labor, and child domestic work.(31)
National Development Plan (2015-2016)†	Aims to promote sustainable development that reaches all regions and promotes social equality through access to quality education, technological innovation, and environmental sustainability. Overseen by the Ministry of Economy and Planning and includes a budget of \$83,000 to specifically combat child labor.(4, 55)

† Policy was approved during the reporting period.

In 2014, the Government drafted a National Action Plan to Fight Against Trafficking in Persons; however it had not been approved by the end of the reporting period.(42, 47) In addition, the Ministry of Tourism promulgated a Code of Conduct to combat child sexual exploitation in the hotel industry.(49, 56)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Madagascar funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Tackling Child Labor Through Education (TACKLE) Project	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states. Aims to strengthen institutional capacity to formulate and implement child labor strategies, including boosting family incomes through the provision of inputs to increase agricultural productivity in Madagascar.(57)
<i>Agir contre le travail domestique des enfants en Afrique et dans les pays de l'Union pour la Méditerranée</i> (2011-2015)	\$1.3 million, Government of France-funded, 3-year project that aims to combat child domestic labor in specific regions. In 2014, the project removed or prevented an estimated 125 children from engaging in domestic work in Amoron'i Mania region, and provided them with professional training and assistance in finding decent work.(4, 58)
<i>Manjary Soa</i> Center‡	Government program that provides support and services to child laborers in Antananarivo, reintegrates children under age 16 into the public education system, and provides tradecraft training to older children. In 2014, the Center removed 35 children from exploitative child labor.(4, 17, 45, 59)
UNICEF Education Support	\$30 million, UNICEF-funded program to support the Government's interim plan on education.(46) Supports data collection, building classrooms, distributing school kits and payments to teachers, training teachers (on how to reduce risk of child labor), and providing emergency response. In 2014, a total of 400 new classrooms were built across the country.(4, 60)
<i>Lutte pour la Protection des Droits des Enfants contre la Violence et les Pires Formes de travail des enfants, victimes de l'exploitation sexuelle des enfants à des fins commerciales</i> (2014-2015)†	\$150,000, UNICEF-funded program that aims to combat the worst forms of child labor, including commercial sexual exploitation, in the regions of Atsimo-Andrefana and Diana.(58)
National Database	UNICEF-funded, national database managed by the Ministry of Population and Social Affairs that gathers data from nine regional child protection networks.(28)
Awareness Raising in Sakaraha‡	Government program that raises awareness about the hazards children face while working in mines by using radio announcements and through talks with the local chief (fokontany).(5)
Public Investment Program for Social Action (PIP)‡	Government program that supports school attendance and training for street children and aims to remove 40 children a year from the worst forms of child labor.(17, 61)
Inclusive Education Support*‡	Government programs to provide back-to-school grants, awareness-raising activities, in-kind support to schools, and access to income-generating activities that target children traditionally excluded from schools.(31)
Center for Socioeconomic Promotion in Ambositra, Rakingaskara*‡	Vocational training in carpentry for young boys sponsored by the Ministry of Population and Social Affairs.(5)
Vocational Training and Agricultural Productivity Improvement Program*	\$35 million, International Fund for Agricultural Development-funded loan and grant program that provides vulnerable groups, including uneducated young people and young women who are heads of households, with professional and vocational training to improve productivity and the quality of agricultural products to increase household incomes. Estimated Government contribution of \$7.9 million.(62, 63)
UN WFP*	UN-implemented program that provides school feeding support.(64)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Madagascar.

Some child labor-related programming was reinstated towards the middle of 2014 after the democratically-elected government took office in January 2014.(10) The Government does not have programs that promote awareness on the traditional practice of *tsenan'ampela*, which in some cases has led girls into commercial sexual exploitation.(20) Research found that basic health and social



# Madagascar

## SIGNIFICANT ADVANCEMENT

services available to victims of the worst forms of child labor are not adequate to meet current needs.<sup>(10)</sup> Although Madagascar has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem fully, particularly in agriculture, commercial sexual exploitation, and mining.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Madagascar (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that law prohibits hazardous occupations and activities in all relevant child labor sectors, including agriculture.	2014
Enforcement	Increase the funding, training and number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2009 – 2014
	Establish a referral mechanism between law enforcement agencies and the Ministry of Population and Social Affairs to ensure victims of child labor receive appropriate social services.	2014
	Collect and make publicly available information on the funding levels for law enforcement agencies, law violations and penalties assessed, as well as number of labor inspections and criminal convictions related to the worst forms of child labor.	2013 – 2014
	Disaggregate complaints made by child protection hotlines by number of children exploited in child labor.	2013 – 2014
	Fully fund existing child labor databases.	2009 – 2014
Coordination	Ensure that the various mechanisms have the appropriate funding to effectively coordinate efforts to address child labor, including its worst forms.	2014
Social Programs	Ensure that social protection systems are properly funded and adequate to meet the needs of victims of the worst forms of child labor.	2014
	Improve access to education, including by providing subsidies for school fees, food, school supplies, and implementing a program to address the lack of school infrastructure and birth registration.	2011 – 2014
	Assess the impact that existing programs may have on child labor.	2010 – 2014
	Expand programs to address child labor in agriculture and the worst forms of child labor in commercial sexual exploitation and mining.	2014
	Increase awareness of the possible use of traditional cultural practices that might lead to commercial sexual exploitation of children.	2013 – 2014

### REFERENCES

- ILO-IPEC. *Etat des Lieux du Travail des Enfants dans la Filiere Vanille dans la Region de la Sava*. Status Report. Antananarivo; November 2011. <http://www.ilo.org/public/french/region/afpro/antananarivo/info/publ/vanisava.htm>.
- McDougall, D. "Bitter Plight of the Vanilla Trade Children." *stopchildlabor.org* [online] March 14, 2010 [cited March 14, 2014]; <http://stopchildlabor.org/?p=2072>.
- U.S. Department of State. "Madagascar," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&clid=220130>.
- U.S. Embassy- Antananarivo. *reporting, January 20, 2015*.
- UN General Assembly Human Rights Council. *Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shabinian - Addendum: Mission to Madagascar (10 to 19 December 2012)*. Geneva; July 24, 2013. Report No. A/HRC/24/43/Add.2. [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session24/Documents/A-HRC-24-43-Add2\\_en.pdf](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session24/Documents/A-HRC-24-43-Add2_en.pdf).
- U.S. Department of State. "Madagascar," in *Trafficking in Persons Report- 2014*. Washington, DC; June, 2014; <http://www.state.gov/documents/organization/226847.pdf>.
- PACT Inc. *Combating Exploitive Child Labor Through Education in Madagascar ("KILONGA")*. Technical Progress Report. Washington, DC; July 02, 2012.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Enquete Nationale sur le Travail des Enfants, 2007. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Antananarivo. *reporting, January 24, 2014*.
- U.S. Embassy- Antananarivo official. E-mail communication to USDOL official. March 24, 2011.

12. “Vanilla to Taste Even Sweeter.” *allafrica.com* [online] November 22, 2012 [cited March 10, 2014]; <http://allafrica.com/stories/201211240310.html>.
13. AFP. “20,000 children work in Madagascar vanilla production.” *moneyweb.co.za* [online] December 4, 2012 [cited March 10, 2014]; <http://www.moneyweb.co.za/moneyweb-africa/20000-children-work-in-madagascar-vanilla-producti>.
14. PACT Inc. *Combating Exploitive Child Labor Through Education in Madagascar (“KILONGA”)*. Technical Progress Report. Washington, DC; September 2011.
15. Zegers, M. *Independent Final Evaluation: Combating Exploitive Child Labor in Madagascar*. Washington, DC; September 15, 2012. [http://www.dol.gov/ilab/projects/sub-saharan\\_africa/Madagascar\\_CECL\\_feval.pdf](http://www.dol.gov/ilab/projects/sub-saharan_africa/Madagascar_CECL_feval.pdf).
16. Integrated Regional Information Networks. “Madagascar: Schoolgirls catch gold fever.” *IRINnews.org* [online] June 9, 2011 [cited March 10, 2014]; <http://www.unhcr.org/refworld/docid/4df1ead22.html>
17. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Madagascar (ratification: 2001) Published: 2013*; accessed February 7, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:1:0::NO::>.
18. “Madagascar Must Combat Poverty to Eradicate Slavery, UN Independent Expert Urges.” *allafrica.com* [online] December 19, 2012 [cited <http://allafrica.com/stories/201212200326.html>].
19. Government of Madagascar. *Decret, no. 2007-563, enacted July 03, 2007*. [http://www.mfptrls.gov.mg/Decret%20travail/DECRET%20n%202007%20-%20563\\_travail%20des%20enfants.pdf](http://www.mfptrls.gov.mg/Decret%20travail/DECRET%20n%202007%20-%20563_travail%20des%20enfants.pdf).
20. UN General Assembly Human Rights Council. *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid-Addendum: Mission to Madagascar*. Geneva; December 23, 2013. Report No. A/HRC/25/48/Add.2. [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC/25/48/Add.2\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC/25/48/Add.2_en.pdf).
21. Razafison, R. “A ruined future: Madagascar robs her children.” *africareview.com* [online] October 16, 2012 [cited March 10, 2014]; <http://www.africareview.com/Special-Reports/Madagascar-and-her-child-labourers-and-prostitutes/-/979182/1534508/-/o8j6jdz/-/index.html>.
22. USDOL official. September 2011.
23. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Madagascar (ratification: 2000) Published: 2012*; accessed March 10, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:1:0::NO::>.
24. ILO-IPEC. *La Problématique du Travail Domestique des Enfants au Centre des Discussions de l'Atelier de Formation et D'échanges des Inspecteurs du Travail de Madagascar*. Antananarivo; November 23, 2011. <http://www.ilo.org/public/french/region/afpro/antananarivo/pdf/forminsp.pdf>.
25. Integrated Regional Information Networks. “Madagascar: Sex for Survival.” *IRINnews.org* [online] August 28, 2012 [cited October 28, 2012]; <http://www.irinnews.org/Report/96193/MADAGASCAR-Sex-for-survival>.
26. Jérôme Ballet, Augendra Bhukuth, Felana Rakotonirinjanahary, and Miantra Rakotonirinjanahary. “Family Rationales Behind Child Begging in Antananarivo.” *Population* 65 (no. 4)(2010); <http://www.cairn.info/revue-population-english-2010-4-page-695.htm>.
27. ILO Committee of Experts. *Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Madagascar (ratification: 1960) Submitted: 2013*; accessed March 10, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:1:0::NO::>.
28. U.S. Embassy- Antananarivo. *reporting, February 14, 2014*.
29. Ross, A. “Madagascar, Where Child Postitution is Common, Cheap and ‘Trivial.’” *minnpost.com* [online] January 31, 2014 [cited April 18, 2014]; <http://www.minnpost.com/global-post/2014/01/madagascar-where-child-prostitution-common-cheap-and-trivial>.
30. PACT Inc. official. E-mail communication to USDOL official. March 16, 2011.
31. D'Aiglepierre, R. *Primary School Exclusion and Ways to Improve Inclusion in Madagascar*. New York, UNICEF; February 2012. [http://www.unicef.org/madagascar/EXCLUSION-INCLUSION\\_ENG.pdf](http://www.unicef.org/madagascar/EXCLUSION-INCLUSION_ENG.pdf).
32. Integrated Regional Information Networks. “Madagascar: No More Free Primary Schooling.” *IRINnews.org* [online] March 18, 2011 [cited March 10, 2014]; <http://www.irinnews.org/report.aspx?ReportId=92235>.
33. Integrated Regional Information Networks. “Madagascar: Donors deliver despite sanctions.” *IRINnews.org* [online] November 30, 2011 [cited March 11, 2014]; <http://www.irinnews.org/report.aspx?ReportID=94351>.
34. Integrated Regional Information Networks. “Madagascar: Sex for School Fees.” *IRINnews.org* [online] August 1, 2011 [cited March 10, 2014]; <http://www.irinnews.org/report.aspx?ReportID=93390>.
35. Government of Madagascar. *Labor Code, no. 2003-044, enacted June 10, 2004*. <http://www.droit-afrique.com/images/textes/Madagascar/Mada%20-%20Code%20du%20travail.pdf>.
36. Government of Madagascar. *La Lutte Contre la Traite des Etres Humains*, enacted December 16, 2014. <http://www.assemblee-nationale.mg/?loi=loi-n2014-040-traite-etres-humains&lang=en>.
37. Government of Madagascar. *Modifying and Completing Some Provisions of the Penal Code on the Fight Against Trafficking in Persons and Sexual Tourism*, No. 2007-038, enacted January 14, 2008.
38. Government of Madagascar. *Extrait de l'Ordonnance n°78-002 du 16 Février 1978 sur les Principes Généraux du Service National*, enacted 1978.
39. Government of Madagascar. *Loi Constitutionnelle, N2007*, enacted April 27, 2007. [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=177213](http://www.wipo.int/wipolex/en/text.jsp?file_id=177213).
40. Government of Madagascar. *Modifiant Certaines Dispositions de la Loi n° 2004-004 du 26 juillet 2004 portant Orientation Générale du Système d'Education*, enacted June 20, 2008. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=fr&p\\_country=MDG&p\\_classification=09&p\\_origin=SUBJECT](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=fr&p_country=MDG&p_classification=09&p_origin=SUBJECT).
41. Child Soldiers International. *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2013. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
42. U.S. Embassy- Antananarivo. *reporting, December 11, 2014*.
43. Government of Madagascar. *Liste Validée des Types de Travail Dangereux à Madagascar (DRAFT)*. Antananarivo; 2013.
44. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Madagascar (ratification: 2001) Published: 2013*; accessed April 18, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:1:0::NO::>.
45. Government of Madagascar official. E-mail communication to USDOL official. January 14, 2015.
46. U.S. Embassy- Antananarivo official. E-mail communication to USDOL official. May 23, 2014.
47. U.S. Embassy- Antananarivo official. E-mail communication to USDOL official. April 09, 2015.
48. U.S. Embassy- Antananarivo. *reporting, February 27, 2015*.
49. Madagascar Embassy- Washington D.C. *reporting, December 12, 2014*.
50. Government of Madagascar. “La Commission de Réforme du Droit des Enfants (CRDE).” 2015 [cited February 10, 2015]; [http://www.justice.gov.mg/?page\\_id=1328](http://www.justice.gov.mg/?page_id=1328).
51. Government of Madagascar. *Portant Institution de la Commission Nationale Indépendante des Droits de l'Homme*, no. 2014-007 enacted December 15, 2014. <http://www.justice.gov.mg/wp-content/uploads/textes/TEXTES2014/L2014-007.pdf>.
52. Regional Child Labor Committee -Sava Region. “Proces Verbal de Validation du Code de Conduite,” June 12, 2014 [cited April 20, 2015];
53. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Madagascar (ratification: 2000) Published: 2013*; accessed February 7, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:1:0::NO::>.
54. ILO-IPEC. *Good Practices in Tackling Child Labour Through Education*. Geneva; 2013. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=22956>.
55. Government of Madagascar. *Plan Nationale de Développement Interimaire*, enacted December 2014.
56. ILO. “Communiqué de Presse:Lutte contre l'Exploitation Sexuelle des Enfants à des fins commerciales (ESEC).” March 04, 2015 2014 [cited <http://www.madagate.com/madagascar-informations-politiques-malagasy-photos-madagascar-a-la-une-de-madagascar/madagate-video-et-affiche/3958-madagascar-bit-non-a-exploitation-sexuelle-des-enfants-a-des-fins-commerciales.pdf>].

# Madagascar

## SIGNIFICANT ADVANCEMENT

57. *Tackling Child Labour through Education in African, Caribbean and the Pacific (ACP) States (TACKLE)*, ILO-IPEC, [online] [cited March 10, 2014]; <http://www.ilo.org/ipec/projects/global/tackle/lang-en/index.htm>.
58. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 09, 2015.
59. *Le Centre Manjary SOA (C.M.S.)*, Government of Madagascar, [online] [cited March 10, 2014]; [http://www.lcte.gov.mg/article.php?id\\_article=9](http://www.lcte.gov.mg/article.php?id_article=9).
60. Hassy, S. "Infrastructure Scolaires- Quatre Cents Salles de Classe Construites avec les Partenaires pour 2014." December 18, 2014 [cited <http://www.education.gov.mg/articles-recents/infrastructures-scolaires-quatrecents-salles-de-classes-construites-avec-les-partenaires-pour-2014/>].
61. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour, 1999 (No. 182) Madagascar (ratification: 2001) Published: 2012*; accessed October 28, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
62. International Fund for Agriculture Development. *Madagascar to Receive US\$35 Million Loan and Grant from IFAD and €14.29 Million Loan from Spanish Trust Fund*. Rome; August 3, 2012. <http://www.ifad.org/media/press/2012/45.htm>.
63. *Madagascar: Vocational Training and Agricultural Productivity Improvement Programme (FORMAPROD)*, International Fund for Agriculture Development, [online] [cited March 10, 2014]; <http://www.ifad.org/operations/pipeline/pf/madagascar.htm>.
64. UN World Food Programme. "Madagascar: WFP Strengthens its Programmes in Madagascar with Support From Switzerland." allafrika.com [online] February 14, 2014 [cited March 10, 2014]; [http://allafrica.com/stories/201402181158.html?aa\\_source=acrdn-f0](http://allafrica.com/stories/201402181158.html?aa_source=acrdn-f0).

In 2014, Malawi made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government continued to support social programs to address child labor, particularly in the tobacco sector, and expanded its social cash transfer program by an additional 34,000 households. It also approved a Child Protection Strategic Plan. However, children in Malawi continue to engage in child labor, including in agriculture and fishing. The Government has not finalized or fully implemented key legislation or policies protecting children from the worst forms of child labor, including the Child Labor Policy and the Child Protection Policy.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Malawi are engaged in child labor, including in agriculture and fishing. (1-3) Table 1 provides key indicators on children's work and education in Malawi.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	20.6 (885,333)
Attending School (%)	5-14 yrs.	81.3
Combining Work and School (%)	7-14 yrs.	22.2
Primary Completion Rate (%)		74.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)  
Source for all other data: Understanding Children's Work Project's analysis of statistics from Integrated Household Survey 3, 2010-2011.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

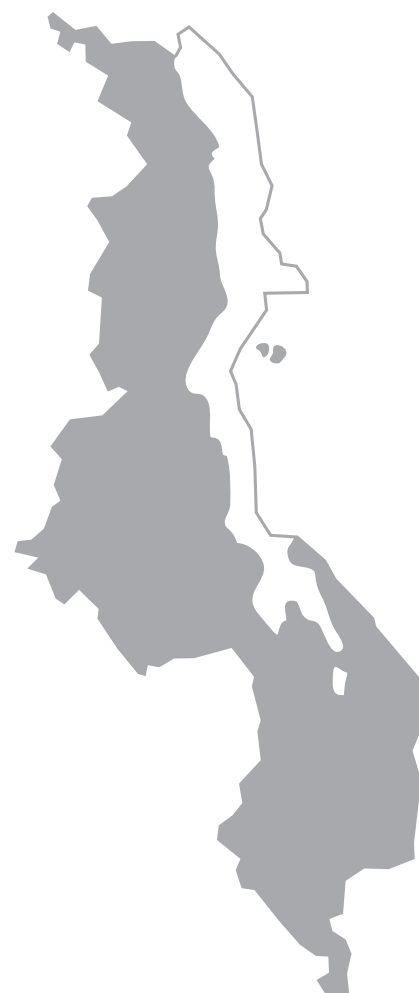
**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting and harvesting tea, cotton,* and sugar* (1, 6, 7)
	Planting and harvesting tobacco,† clearing land, building tobacco-drying sheds, cutting and bundling, weeding and plucking raw tobacco (8-12)
	Catching, processing,† and selling fish* (2, 13, 14)
	Herding livestock* (7, 15, 16)
Industry	Quarrying* and mining*† (3)
	Construction,*† activities unknown (3)
Services	Domestic work in third-party homes (3, 6, 17)
	Ganyu (a form of casual labor) (16, 18)
	Begging† (16, 19, 20)
Categorical Worst Forms of Child Labor‡	Vending and wholesaling (3, 6, 16)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 6, 20)
	Herding goats* and cattle,* farming (predominantly tobacco); fishing; domestic work; and work in restaurants, brothels, and bars as a result of human trafficking (1, 13, 17, 19, 21-23)
	Forced begging (19, 23)
	Use in illicit activities, including crimes (18, 19, 23)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.



# Malawi

## MINIMAL ADVANCEMENT

Children are engaged in hazardous work in the production of tobacco.(3, 19) Children who handle tobacco risk illness from nicotine absorption, including green tobacco sickness.(10, 24) Children are also exposed to pesticides and chemicals.(8, 24) Some children work alongside family members who are tenants on tobacco farms.(16) In this tenancy system, tenants' pay is based on the quantity and quality of tobacco sold to farm owners after the harvest season. Tenants must pay off loans incurred during the growing season, and those who are unable to repay these debts may face debt bondage.(25, 26)

Most human trafficking of children for labor in Malawi is internal.(19) Children, typically boys, are trafficked from southern and central Malawi to tobacco farms in Malawi's northern and central regions.(19) Children are trafficked from Malawi to Tanzania for child labor in fishing.(13, 27) Children who are trafficked may be charged for their transport, food, clothing, and housing; they may also be forced to work in debt bondage without the resources to return home or to provide for themselves.(19)

Limited evidence suggests that girls from rural areas have been promised clothing and lodging from brothel owners, for which they are later coerced to engage in commercial sexual exploitation to pay off their debts.(19)




Although primary education is free, barriers to education include families' inability to pay required school-related expenses such as books and uniforms.(1, 28)

Children with family members with HIV/AIDS may assume responsibility as head of their households, sometimes becoming the primary caretaker for a sick parent and having to work to support their families. These children, especially those who are orphaned, are at increased risk of entering into the worst forms of child labor.(29-31)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Malawi has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Section 21 of the Employment Act No. 6 of 2000 (32)
Minimum Age for Hazardous Work	Yes	16/18	Section 22 of the Employment Act No. 6 of 2000; Section 23 of the Constitution; Section 2 of the Child Care, Protection and Justice Act, 2010 (32-34)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Sections 1-9 and Paragraph 6 Sections 1-6 of the Employment (Prohibition of Hazardous Work for Children) Order, 2012 (35)
Prohibition of Forced Labor	Yes		Section 4 of the Employment Act No. 6 of 2000; Section 27 of the Constitution; Section 82 of the Child Care, Protection and Justice Act, 2010 (32-34)
Prohibition of Child Trafficking	Yes		Sections 140-147 and 257-269 of the Penal Code; Section 79 of the Child Care, Protection and Justice Act, 2010 (34, 36)



**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 137-138, 140, 142, 147, and 155 of the Penal Code; Sections 23 and 84 of Child Care, Protection and Justice Act, 2010 (34, 36)
Prohibition of Using Children in Illicit Activities	Yes		Section 23 of Child Care, Protection and Justice Act, 2010 (34)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 19 of the Defense Force Act (37)
Compulsory Education Age	Yes	18	Paragraph 6 of the Education Act, 2013 (28)
Free Public Education	Yes		Paragraph 6 of the Education Act, 2013 (28)

\* No conscription (37)

While Section 23 of the Constitution states that children under age 16 are entitled to protection from hazardous work, Section 22 of the Employment Act sets the minimum age for hazardous labor at 18.(32, 33, 38, 39) Additionally, the Child Care, Protection and Justice Act defines children as persons 16 and under, and therefore its restriction on hazardous work does not protect children ages 16–18. Consequently, there is some confusion regarding the legal minimum age for hazardous work.(34, 38)

Section 21 of the Employment Act sets the minimum age for employment at 14 in agricultural, industrial, or nonindustrial work.(32) The minimum age is not extended to workers in third-party homes, such as in domestic work, or non-commercial agriculture where children are known to work.(32, 38, 40) Moreover, Section 79 of the Child Care, Protection and Justice Act includes protections for children through age 16 from being trafficked.(34, 41) However, children age 17 are not protected. While the Penal Code prohibits pornography and criminalizes the procurement of prostitution, this provision only applies to girls, and the law does not specifically prohibit the sale of a child into prostitution.(36)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)—Child Labor Unit (CLU)	Monitor and implement child labor law compliance through child labor monitoring visits.(42)
MOL	Perform inspections and investigate all labor complaints, including those related to child labor.(3)
Ministry of Home Affairs	Enforce human trafficking laws and prosecute trafficking in persons.(27)
District Labor Offices	Enforce child labor laws at the district level.(3)
Ministry of Gender, Children, Disability and Social Welfare—Department of Child Development	Provide child protection and development services.(43)
Ministry of Justice and Constitutional Affairs	Prosecute criminal offenders.(44)

Law enforcement agencies in Malawi took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In January 2014, MOL employed 29 DLOs and 120 labor inspectors, 60 of whom are dedicated to monitoring child labor.(3, 20) In 2014, the Child Labor Unit (CLU) had three full-time employees based in Lilongwe.(20, 40) Each of Malawi's administrative districts employed a District Labor Officer (DLO), who was responsible for all labor issues including child labor.(3, 20, 40) MOL was allocated roughly \$1.8 million for recurrent expenses; of this amount, \$24,700 was allocated for the CLU, which was

# Malawi

## MINIMAL ADVANCEMENT

insufficient due to the scale of child labor.(20) District labor offices are directly funded from the Treasury.(3) According to MOL officials, DLOs were limited in their ability to carry out monitoring and reporting due to budget and resource constraints, including a lack of transportation.(3, 20, 40) The Ministry advocated for the CLU to be upgraded from a unit into a child labor department, which would enable it to have staff members focused on children in each of the country's districts.(40)

Approximately two hundred labor inspections were carried out in 2014.(20) Most labor inspections were conducted in response to reported labor law violations.(19) In the agricultural sector, inspectors focused on large, commercial farms due to limited resources.(3) The Government supports a child protection helpline operated by an NGO that handles approximately 5,000 calls per month, and identifies cases of child sexual and labor exploitation. Another child helpline in Kasungu District uses Lilongwe-based government operators.(19) Research did not find information on whether a formal referral mechanism exists between the MOL and the Ministry of Gender, Children, Disability and Social Welfare, or, despite having child protection hotlines, the number of calls related specifically to child labor.

The CLU reported that there were 137 child labor violations in Kasungu District (a tobacco-growing region) in 2014 and 8 in Lilongwe District, but could not give exact figures for the whole country.(20) All of the cases were settled out of court, and the employers paid all wages due, as well as repatriation costs.(20)

### *Criminal Law Enforcement*

Research did not find information regarding the number of investigators responsible for enforcing criminal laws on the worst forms of child labor, the training provided to these investigators, and on the number and quality of investigations. While reports on several human trafficking cases were consolidated, the police did not systematically report child labor cases.(45) The Government operates a referral process to transfer human trafficking victims detained by law enforcement authorities, although services remain limited.(45) The Government operates a social rehabilitation center providing assistance to several child trafficking victims in Lilongwe, however the quality of the facility has been reported to be very poor.(45)

According to the Malawi Police Service's law enforcement data for two of Malawi's 28 districts, 25 trafficking offenders were convicted in 2014; however, it is not clear that all of these cases involved child trafficking victims. Reported penalties for convicted traffickers included fines and prison sentences of up to 36 months.(45) In addition, during 2014, Phalombe District police reported 13 investigations involving 31 suspects and 124 child trafficking victims. In Phalombe, 11 cases resulted in conviction, with sentences ranging from 15 to 36 months' imprisonment with hard labor.(45)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Provide policy guidance to support the elimination of child labor and implementation of the National Action Plan to Combat Child Labor (NAP). Chaired by the Ministry of Agriculture, members include representatives from government ministries, trade unions, employers, development partners, and civil society organizations.(20, 31, 46)
National Technical Working Group on Child Labor and Protection	Oversee child protection issues. Includes representatives from the Government, international organizations, development partners, and NGOs, and is chaired by the Ministry of Gender, Children, Disability, and Social Welfare.(3, 19, 20)
District Child Protection Committees	Coordinate all child protection activities at the district level and improve local coordination on child protection issues. May be combined with a district orphan and vulnerable child committee and a district committee on child rights.(19, 20)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Malawi has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan on Child Labour for Malawi (2010-2016)	Assigns roles and responsibilities for each ministry in charge of implementing child labor policies, provides a comprehensive framework to reduce the worst forms of child labor, and proposes concrete activities to support policies to combat child labor.(29, 47)
Child Protection Strategic Plan†	Outlines the responsibilities of the MOL, Malawi Police Service, and the Ministry of Gender, Children, Disability and Social Welfare to coordinate efforts combatting child labor.(20)
National Youth Policy*	Includes strategies targeting youth ages 14–25, including creating more educational and training opportunities.(3, 48, 49)
UNDAF (2012-2016)	Recognizes child labor as a common constraint to the creation of decent and productive employment. Proposes strategies to address child labor, including enforcement of existing labor laws and enactment of the pending legislation and policies.(50, 51)
Malawi Growth and Development Strategy II (MGDS II) (2011-2016)	Includes strategies to eliminate child labor, such as integrating child labor issues into development initiatives and interventions; highlights that poverty is the root cause of child labor.(3, 50) To ensure consistency across policies the MOL is incorporating child labor into all the sectors of MGDS II.(3, 52)
National Education Sector Plan (2008-2017)*	Provides a framework for quality and relevant education to Malawians, including providing technical and vocational training and education for youth.(53)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was launched during the reporting period.

The National Child Labor Policy, which focuses on the issue of child labor and provides Government, civil society, and other partners with a framework to implement child labor programs and activities, awaits Cabinet approval and is not yet in effect.(3, 20) The Government has not finalized or fully implemented the Child Protection Policy, which outlines the Government's child protection strategy.(20)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Malawi funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Research on Child Labor Measurement and Policy Development (MAP) (2013-2017)	USDOL-funded, research project implemented by ILO in 10 countries, including Malawi, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(54) During the reporting period, the ILO and the MOL prepared for the 2015 execution of the second National Child Labor Survey.(20)
Global Action Program on Child Labor Issues Project (2011-2016)	USDOL-funded project implemented by ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by The Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor through data collection and research in Malawi.(55)
Child Labor Elimination Actions for Real Change (2011-2015)	\$8 million Eliminating Child Labor in Tobacco Growing (ECLT)-funded, 4-year project that contributes to the elimination of hazardous child labor in tobacco-growing areas in Malawi within the context of the Child Labor NAP for Malawi. Targets 10,000 children for prevention from child labor.(3, 20, 56)
Achieving Reduction of Child Labor in Support of Education (2012-2014)	Japan Tobacco International (JTI)-funded, 3-year project that provides strategies to improve livelihoods for families through training in agribusiness and entrepreneurship; raises awareness on child labor; and provides education support.(12, 20)
Program to Reduce WFCL in Tobacco-Growing Communities in Malawi (2011-2015)	Combined \$4.5 million JTI-funded, 4-year project to reduce child labor in tobacco communities in Malawi, Zambia, and Brazil.(57)
Project on Combating Child Labor in the Tobacco Industry	\$3 million JTI-funded project in partnership with UNDP and the African Development Bank that addresses child labor in the tobacco industry through public-private partnerships.(3)

# Malawi

## MINIMAL ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Child Labor Monitoring System (CLMS)‡	MOL system in pilot districts to identify working children and collect data on school attendance and other data points.(20)
National Social Cash Transfer‡	Ministry of Gender, Children, Disability and Social Welfare program that supports low-income families in high-risk districts to enable their children to stay in school.(3, 58, 59) In fiscal year 2014, the Government expanded the program to 304,534 beneficiary households at an annual cost of \$65 million.(60) Research has shown a decrease child labor rates as a result of participation in this program.(61, 62)
Malawi Decent Work Country Program (2011-2016)	Seeks the elimination of the worst forms of child labor and targets youth, women, and people with disabilities for creating more and better employment and income-generating opportunities.(40, 50, 63)
Malawi Social Action Fund III and IV*	MASAF III was a \$51 million World Bank-funded 6-year project, ending in June 2014, that provided loans for community development and social support programs.(64, 65) Succeeded by MASAF IV, a \$32.8 million World Bank-funded 4-year project that provides loans for community development and social support programs including work opportunities, skill-building, and cash transfers, in October 2014.(20)
Anti-Human Trafficking Project	Salvation Army–implemented project that provides shelter, rehabilitation, and training for victims of human trafficking.(19)
Shelter Program‡	Ministry of Gender, Children, Disability and Social Welfare program that provides shelter for children in Lilongwe, and that takes in trafficked and street children.(3)
School Feeding Program*	World Food Program and U.S. Department of Agriculture-funded program provides meals to help keep children in school.(3, 66)
Birth Registration Program*‡	EU- and UNICEF-funded program that ensures nearly all health facilities in Lilongwe register children at birth and supports government electronic storage of birth data collected at the district level. The Government's National Registration Bureau initiated hospital birth registration in Zomba and Mulanje Districts.(19) The U.S. Centers for Disease Control and Prevention (CDC) supported birth registration in Chitipa, Ntcheu, and Blantyre districts.(20)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Malawi.

Although Malawi has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem in all relevant sectors, including agriculture and fishing.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Malawi (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Address the inconsistency in the law for the minimum age for hazardous work in compliance with international standards.	2013–2014
	Ensure that all forms of children's work, including children working in private homes (domestic service) and on noncommercial farms, receive legal protection including a minimum age for work that complies with international standards.	2009–2014
	Ensure that children over age 16 are protected from trafficking in persons.	2013–2014
	Ensure that both boys and girls are protected from all forms of sexual exploitation.	2009–2014
	Ensure legal protection for children working in the tenancy system.	2009–2014
Enforcement	Increase resources to CLU and district labor inspectors to conduct regular child labor inspections.	2009–2014
	Conduct more proactive labor law inspections, in all relevant sectors, establish a referral mechanism for victims from the MOL to the Ministry of Gender, Children, Disability and Social Welfare, and disaggregate child protection hotline calls.	2013–2014
	Make information publicly available on the number of investigators and training, and the number of investigations in addition to consolidated national data on convictions and penalties, for human trafficking of children.	2013–2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into the National Education Sector Plan and National Youth Policy.	2011–2014
	Finalize and implement the National Child Labor and Child Protection policies.	2009–2014
Social Programs	Ensure that additional costs to education and the impact of HIV/AIDS do not serve as barriers to education.	2012–2014
	Assess the impact that existing programs may have on child labor.	2011–2014
	Increase the scope of existing social programs to reach more children at risk of the worst forms of child labor, and develop programs to target children in the fishing and agriculture sectors, specifically.	2011–2014

## REFERENCES

- International Confederation of Free Trade Unions. *Internationally Recognized Core Labour Standards in Malawi: Report for the WTO General Council Review of the Trade Policies of Malawi*. Geneva; June 9 and 11, 2010. [www.icftu.org/www/pdf/corelabourstandards2010malawi.pdf](http://www.icftu.org/www/pdf/corelabourstandards2010malawi.pdf).
- FAO-ILO. *FAO-ILO Good Practice Guide for Addressing Child Labour in Fisheries and Aquaculture: Policy and Practice*. Rome; December 2011. [http://www.fao-ilo.org/fileadmin/user\\_upload/fao\\_ilo/pdf/FAO-ILOGuidelines\\_child\\_labour\\_in\\_fisheries\\_and\\_aquaculture\\_Policy\\_practice\\_Preliminary\\_version.pdf](http://www.fao-ilo.org/fileadmin/user_upload/fao_ilo/pdf/FAO-ILOGuidelines_child_labour_in_fisheries_and_aquaculture_Policy_practice_Preliminary_version.pdf).
- U.S. Embassy- Lilongwe. *reporting, February 28, 2014*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Integrated Household Survey 3, 2010–11. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- U.S. Department of State. “Malawi,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/dl/rls/hrrpt/humanrightsreport/index.htm?year=2013&clid=220132>.
- Government of Malawi. “Outcome Document and Framework for Action,” in Malawi National Conference on Child Labour in Agriculture; September 5–6, 2012; Lilongwe; [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipecc/documents/meetingdocument/wcms\\_190327.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/meetingdocument/wcms_190327.pdf).
- Aljazeera. “Malawi’s Children of Tobacco.” [aljazeera.com](http://www.aljazeera.com/programmes/peopleandpower/2014/01/malawi-children-tobacco-2014114957377398.html) [online] January 16, 2014 [cited March 20, 2014]; <http://www.aljazeera.com/programmes/peopleandpower/2014/01/malawi-children-tobacco-2014114957377398.html>.
- Channel 4. “Tobacco’s Child Workers.” [channel4.com](http://www.channel4.com/programmes/unreported-world/episode-guide/series-2010/episode-4) [online] 2010 [cited August 10, 2012]; <http://www.channel4.com/programmes/unreported-world/episode-guide/series-2010/episode-4>.
- Palitza, K. “Tobacco Poisons Malawi’s Children.” [mg.co.za](http://mg.co.za/article/2011-05-06-tobacco-poisons-malawis-children) [online] May 6, 2011 [cited March 24, 2014]; <http://mg.co.za/article/2011-05-06-tobacco-poisons-malawis-children>.
- Mumba, M. *Tackling Child Labour on Malawi’s Tobacco Farms*. PLAN, [blog] June 6, 2011 [cited March 24, 2014]; <http://plan-international.org/about-plan/resources/blogs/tackling-child-labour-on-malawis-tobacco-farms>.
- Winrock International. *Prevention of Child Labor in Tobacco Farming*, Winrock International, [online] [cited March 18, 2014]; <http://www.winrock.org/project/achieving-reduction-child-labor-support-education>.
- Mhango, H. “Malawi Children Fall Victim to Human Traffickers.” *The Guardian*, New York, July 16, 2012; Global Development. <http://www.theguardian.com/global-development/2012/jul/16/malawi-children-victim-human-traffickers>
- Nina Louise Frankel, Archangel Bakolo. *USDOL-Funded ILO-IPEC, Project Support to National Action Plan to Reduce Child Labour in Malawi, Independent Mid Term Evaluation (draft)*; September 2011. [hardcopy on file].
- Kondwani Chitosi, Malawi News Agency. “63 Per Cent of Households in T/A Chimutu Involved in Child Labour.” [allafrica.com](http://allafrica.com) [online] October 24, 2013 [cited [hardcopy on file]].
- ILO-IPEC, Ministry of Labor. *Child Labor in Kasungu Baseline Survey Report*. Lilongwe; July 2011.
- Kamakanda, G. “Malawi’s Internal Human Trafficking is Higher than That of Transnational.” [allafrica.com](http://allafrica.com) [online] June 19, 2013 [cited March 24, 2014]; <http://allafrica.com/stories/201306191324.html>.
- UNICEF. *Malawi Child Watch: Impact of the Current Socio-Economic Situation on Children and Women in Malawi, March-April, 2013*; June 2013. [http://www.unicef.org/malawi/MLW\\_resources\\_childwatch4.pdf](http://www.unicef.org/malawi/MLW_resources_childwatch4.pdf).
- U.S. Embassy- Lilongwe. *reporting, March 7, 2014*.
- U.S. Embassy- Lilongwe. *reporting, January 26, 2015*.
- Chimungu Phiri, C. “Law Fails to Protect Malawi Children.” [ipsnews.net](http://www.ipsnews.net) [online] October 16, 2012 [cited March 24, 2014]; <http://www.ipsnews.net/2012/10/law-fails-to-protect-malawi-children/>.
- Chirombo, S. “World Vision Advocates for Positive Change on Child Trafficking.” [allafrica.com](http://allafrica.com) [online] November 3, 2013 [cited March 24, 2014]; <http://allafrica.com/stories/201311030162.html>.
- U. S. Department of State. “Malawi,” in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226847.pdf>.
- British American Tobacco. *Transcript*; 2010. [hardcopy on file].
- UN Human Rights Office of the High Commissioner. *Special Rapporteur on the Right to Food Mission to Malawi* July 22, 2013. [http://www.srfood.org/images/stories/pdf/officialreports/20130722\\_Malawi\\_en.pdf](http://www.srfood.org/images/stories/pdf/officialreports/20130722_Malawi_en.pdf).
- ILO Committee of Experts. *Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Malawi (ratification: 1999) Published: 2014*; accessed November 7, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3147017:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3147017:NO).
- U.S. Embassy- Lilongwe. *reporting, February 22, 2013*.
- Government of Malawi. *Education Act*, enacted 2013. [hard copy on file].
- Government of Malawi, ILO. *Statement by the Delegation of Malawi: On Agenda Item 64: Promotion and Protection of the Rights of the Child, at the Third Committee of the 65th Session of the United Nations General Assembly*. Statement by the Delegation of Malawi on Behalf of the African Group. New York; October 25, 2010. <http://www.un.int/wcm/webdav/site/malawi/shared/documents/Right%20to%20education.pdf>.
- ILO-IPEC. *Project of Support to the National Action Plan to Combat Child Labour in Malawi, Final Evaluation*. Geneva; 2013.



31. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999)* Published: 2014; accessed April 17, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>
32. Government of Malawi. *Employment Act No.6*, enacted May 14, 2000. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/58791/65218/E00MWIo1.htm>.
33. Government of Malawi. *Constitution of the Republic of Malawi*, enacted 2004. <http://www.google.com/url?sa=t&rc=j&q=&esrc=s&frm=1&source=web&cd=1&sqi=2&ved=0CCAQFjAA&url=http%3A%2F%2Fwww.icrc.org%2Ffile%2F0%2F4953f2286ef1f7c2c1257129003696f4%2F%24FILE%2FConstitutio%2520Malawi%2520-%2520EN.pdf&ei=gw2WU6fvHuuf7Aasu4GACA&usq=AFOjCNExHLaDYE4n7KJj7AJjMBI-hx-N9g&sig2=EuphO4JiIVR96u75SQ3glw&bvm=bv.68445247.d.ZGU>.
34. Government of Malawi. *Child Care, Protection and Justice Act*, No. 22, enacted July 29, 2010. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90369/104130/F179063148/MW190369.pdf>.
35. Government of Malawi. *Employment Act, Employment (Prohibition of Hazardous Work for Children) Order, 2012*, Cap. 55:02, enacted February 17, 2012. [hardcopy on file].
36. Government of Malawi. *Penal Code*, Chapter 7:01, enacted April 1, 1930. <http://iglhrc.org/sites/default/files/Malawi%20Penal%20Code%207-01.pdf>.
37. Government of Malawi. *Defence Force*, enacted May 14, 2000. <http://www.sdn.org.mw/constitut/chapter16.html>.
38. Sika Mwangonde, M. "National Legislation, Policy, and Strategy on Child Labor in Malawi- Identifying the Gaps," in National Conference in Eliminating Child Labour in Agriculture 2012; Lilongwe; <http://www.eclt.org/site/wp-content/uploads/2012/09/Gaps-in-National-Legislation-Paper1.pdf>.
39. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Malawi (ratification: 1999)* Published: 2014; accessed April 17, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>
40. ECLT Foundation. *Conference Call Notes between Ministry of Labor-Malawi/ USDOL/ECLT*; November 20, 2013.
41. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999)* Published: 2014; accessed April 17, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>
42. U.S. Embassy- Lilongwe. *reporting, January 31, 2013*.
43. Government of Malawi. *Ministry of Gender, Children, Disability, and Social Welfare*, Government of Malawi, [online] [cited February 24, 2015]; <http://www.gender.gov.mw/index.php/result-areas/2013-08-19-11-47-54/department-of-child-development>.
44. Government of Malawi. *Ministry of Justice and Constitutional Affairs*, [online] [cited February 24, 2015]; <http://www.justice.gov.mw/visionmission.html>.
45. U.S. Embassy- Lilongwe. *reporting, March 2, 2015*.
46. Government of Malawi. *The Child Labour National Steering Committee Meeting @ (MIM)* Lilongwe; January 31, 2013. [hardcopy on file].
47. Ministry of Labour. *Child Labour National Action Plan (2010-2016)*. Lilongwe; April 2010. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=14294>.
48. ECLT Foundation. *Response to Request for Information and Invitation to Comment by the Bureau of International Labor Affairs, United States Department of Labor of November 26, 2012*. Submitted in response to USDOL publication, Findings on the Worst Forms of Child Labor, September 30, 2013; August 2013. [hardcopy on file].
49. Ministry of Education, Science, and Technology. *National Youth Policy*. Lilongwe. [http://planipolis.iiep.unesco.org/upload/Youth/Malawi/Malawi\\_youth\\_policy.pdf](http://planipolis.iiep.unesco.org/upload/Youth/Malawi/Malawi_youth_policy.pdf).
50. ILO-IPEC. *Emerging Good Practices of the ILO-IPEC Project "Support the National Action Plan to Combat Child Labour in Malawi" (SNAP Malawi)*. Lilongwe; 2013. [hardcopy on file].
51. UN. *UN Development Assistance Framework*, UN, [online] [cited April 3, 2015]; <http://www.mw.one.un.org/reports-and-publications/page/3/>.
52. International Monetary Fund. *Malawi Growth and Development Strategy II: 2011-2016*. Washington, DC; August 2012. Report No. 12/222. <http://www.imf.org/external/pubs/ft/scr/2012/cr12222.pdf>.
53. Ministry of Education, Science, and Technology. *National Education Sector Plan 2008-2017*. Lilongwe; June 2008. [http://planipolis.iiep.unesco.org/upload/Malawi/Malawi\\_NESP.pdf](http://planipolis.iiep.unesco.org/upload/Malawi/Malawi_NESP.pdf).
54. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP)*. Technical Progress Report. Geneva; April 2014.
55. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2013.
56. ECLT Foundation. *Access to Quality Education Helps Thousands in Ntchisi, Mchinji, and Rhumphi Districts*. , ECLT Foundation, [online] [cited April 3, 2015]; <http://www.eclt.org/project-countries/malawi/malawi-project-objectives-2011-2015/>.
57. ILO-IPEC. *Reducing the Worst Forms of Child Labour in Tobacco-Growing Communities in Brazil, Malawi and Zambia*; March 21, 2014. [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/publication/wcms\\_239413.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/publication/wcms_239413.pdf).
58. UNICEF. *Photo Essay: Social Protection*, UNICEF, [online] [cited February 22, 2014]; <http://www.unicef.org/malawi/7045.html>.
59. UNICEF. *Social Policy, Planning Advocacy and Communication*, UNICEF, [online] [cited February 22, 2014]; [http://www.unicef.org/malawi/policy\\_advocacy\\_communication\\_3979.html](http://www.unicef.org/malawi/policy_advocacy_communication_3979.html).
60. Government of Malawi. *Ministry of Gender, Children, Disability, and Social Welfare - Social Cash Transfer Programme*, Government of Malawi, [online] [cited February 24, 2015]; <http://www.gender.gov.mw/index.php/2013-08-19-17-29-14/social-cash-transfer-programme>.
61. Candace Miller, and Maxton Tsoka. "Cash Transfers and Children's Education and Labour among Malawi's Poor." *Development Policy Review*, 30(no. 4):499-522 (2012); <http://web.b.ebscohost.com/ehost/pdfviewer/pdfviewer?sid=e746eaf5-d32e-40f9-aab1-8418d9e7ac16%40sessionmgr110&vid=0&hid=110>.
62. Malokele Nanivazo. "Social Transfer Programmes and School Enrolment in Malawi: A Micro-simulation." *African Development Review*, 25(no. 4):663-676 (2013); <http://web.b.ebscohost.com/ehost/pdfviewer/pdfviewer?sid=24fa0e9b-5ecf-4bfc-a9bc-7a36853d3a7e%40sessionmgr113&vid=0&hid=110>.
63. ILO. *Malawi Decent Work Country Programme 2011-2016*; January 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/malawi.pdf>.
64. MASAF. *Malawi Social Action Fund*, MASAF, [online ] [cited February 19, 2014]; <http://masaf.org/about/masaf3.htm>
65. World Bank Projects Database. *Malawi Third Social Action Fund (MASAF 3) APL II (LDF Mechanism)*; accessed April 16, 2014; <http://www.worldbank.org/projects/P110446/malawi-third-social-action-fund-masaf-3-apl-ii-ldf-mechanism?lang=en>.
66. World Food Programme. *Promoting Sustainable School Meals*, WFP, [online] January 21, 2013 [cited April 16, 2014]; <http://www.wfp.org/node/3513/3882/380235>.

*In 2014, Maldives made a minimal advancement in efforts to eliminate the worst forms of child labor. The Family and Child Protection Unit established four new “safe homes” to provide short-term protection for women and children. Anti-trafficking units, consisting of 10 officers dedicated to investigating human trafficking, were created in the Maldives Police Service (MPS) and the Department of Immigration and Emigration (DIE). The Government also continued to fund and participate in programs to improve access to education. Although research is limited, there is evidence that children in Maldives are engaged in the worst forms of child labor in commercial sexual exploitation sometimes as a result of human trafficking. The Government has not determined specific hazardous occupations or activities that are prohibited for children and the compulsory education age of 13 leaves children ages 13 to 15 vulnerable to the worst forms of child labor.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Maldives are engaged in the worst forms of child labor in commercial sexual exploitation sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children’s work and education in Maldives. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.9 (2,364)
Attending School (%)	5-14 yrs.	79.5
Combining Work and School (%)	7-14 yrs.	4.0
Primary Completion Rate (%)		Unavailable

Source for primary completion rate: Data from 2009, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey, 2009.(6)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Fishing,* activities unknown (7)
Services	Domestic work* (3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* sometimes as a result of human trafficking* (1-4)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

There is a lack of current data on child labor in Maldives and a national survey on child labor has not been conducted. Some girls from Bangladesh and Maldives are trafficked for commercial sexual exploitation to Malé, the capital, but evidence of the problem is limited.(1, 2, 8, 9) The Maldives Human Rights Commission is assessing the scope of the trafficking in persons problem in the country, but its findings have not yet been published.(10, 11)







## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Maldives has ratified most key international conventions concerning child labor (Table 3).

# Maldives

## MINIMAL ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Section 6 of the Employment Act; Sections 26 and 27 of the Law on the Protection of the Rights of Children (12, 13)
Minimum Age for Hazardous Work	Yes	18	Section 7 of the Employment Act; Sections 26 and 27 of the Law on the Protection of the Rights of Children (12, 13)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 25 of the Constitution; Section 3 of the Employment Act (12, 14)
Prohibition of Child Trafficking	Yes		Sections 12–15 of the Prevention of Human Trafficking Act (15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 17, 18, and 19 of the Special Provisions Act to Deal with Child Sex Abuse Offenders; Ministry of Justice Circular on the Penalty for Fornication and Sexual Offenders (8, 16)
Prohibition of Using Children in Illicit Activities	Yes		Section 133 of the Drugs Act (17)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Law on the Protection of the Rights of Children (11)
Compulsory Education Age	Yes	13	Legislation title unknown (18)
Free Public Education	Yes		Article 36 of the Constitution (14)

\* No conscription (19)

While the legal framework prohibits the employment of children in work that may be detrimental to their health and safety, the Government has not determined specific hazardous occupations and/or activities that are prohibited for children.<sup>(2)</sup> While the Drugs Act prohibits the use of a child in drug trafficking, research found no evidence that the use of children in illicit activities, in general, is prohibited.<sup>(17)</sup> The law making education compulsory only until the age of 13 leaves children ages 13 to 15 vulnerable to the worst forms of child labor because they are not required to be in school, yet they are not permitted to work.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Labor Relations Authority (LRA), Ministry of Economic Development (MED)	Enforce the child labor provisions of the Employment Act. Assess minor fines and make recommendations to the Minister of Human Resources on additional fines or other actions to penalize violators.(9)
Family and Child Protection Unit, Maldives Police Service (MPS)	Investigate complaints of child labor and commercial sexual exploitation. Refer cases to the Prosecutor General's Office for prosecution.(2, 9)
Prosecutor General's Office	Prosecute crimes, including those involving the worst forms of child labor.(9)
Family Child Protection Services (FCPS), Ministry of Law and Gender (MLG)	Receive referrals of children who have been exploited, including in child prostitution, and provide care for such victims.(9)
Department of Immigration and Emigration (DIE)	Maintain a blacklist of employers who violate any provision of the Employment Act; prohibit blacklisted employers from hiring new workers until violations are corrected. Identify victims of trafficking in coordination with the MPS.(9)
Anti-Trafficking Units, MPS and the DIE	Investigate human trafficking-related offences and enforce laws prohibiting trafficking in persons.(20)

Research found no evidence that labor law enforcement agencies in Maldives took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Labor Relations Authority (LRA) employed nine labor officers and four investigation officers to inspect for any violations of the Employment Act. The LRA officers carried out 120 inspections and did not detect any child labor law violations.(21) Labor inspectors did not receive any training during the reporting period.(21)

### *Criminal Law Enforcement*

In 2014, the anti-trafficking units in the Maldives Police Service consisted of seven officers, including three female officers.(20, 21) The Family and Child Protection Unit employed 25 officers to process child abuse cases in Malé, as well as an unknown number of officers in police stations throughout the country's many islands. The Prosecutor General's Office employed 45 prosecutors for all areas of its work, across the country.(9) Investigators do not have sufficient funding and resources, such as office facilities and transportation.(9) Police and other officials do not have adequate training on procedures for identifying trafficking victims and providing referrals for protective services, including for children.(1) Information is not available on the number of investigations, prosecutions, and convictions of crimes involving the worst forms of child labor for the reporting period.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established a committee to coordinate actions regarding human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Anti-Human Trafficking Steering Committee	Coordinate counter-trafficking activities and implement the country's Anti-Trafficking National Action Plan under MED leadership.(9, 22) Members include the MPS, the Supreme Court, the People's Parliament ( <i>Majlis</i> ), the Attorney General's Office, the Prosecutor General's Office, the Human Rights Commission, the Ministry of Foreign Affairs, the Ministry of Home Affairs, the DIE, the Customs Service, the Ministry of Islamic Affairs, and the NGO Advocating the Rights of Children.(8, 15)

In early 2014, the Anti-Human Trafficking Steering Committee met a number of times to finalize National Guidelines and draft the standard operating procedures for assisting trafficking victims.(8)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Maldives has established policies related to child labor, including its worst forms (Table 7).

# Maldives

## MINIMAL ADVANCEMENT

**Table 7. Policies Related to Child Labor**

Policy	Description
Anti-Trafficking National Action Plan (2013–2014)	Sets out the Government’s goals to combat human trafficking, including to enact legislation prohibiting trafficking, strengthen interagency coordination, raise awareness, build capacity, improve border control, and expand international cooperation.(8)
UNDP Country Program for the Maldives (2011–2015)*	Aims to support ILO in developing a Decent Work framework to address youth unemployment. Aims to promote equitable access to justice and rule of law by increasing the capacity of the Prosecutor General’s Office, including training on human rights issues.(23)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Although the Government of Maldives has adopted the Anti-Trafficking National Action Plan, research found no evidence of a policy to address child labor, including its worst forms.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Maldives funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
FCPS Shelters and Rehabilitation Centers*	MLG-operated centers on many of the country’s islands provide services such as temporary shelter, vocational training, and rehabilitation and counseling for children in need, which could include children rescued from abusive work situations.(4, 10, 24) The FCPS established four new “safe homes” in early 2014 to provide short-term protection for women and children.(9)
Trafficking in Persons Victims Shelter	IOM-funded, Government-operated shelter on Villingili Island dedicated to trafficking victims.(8)
Blue Ribbon Campaign Against Human Trafficking‡	Government campaign, implemented by the Ministry of Foreign Affairs, that aims to raise awareness of human trafficking in Maldives among students and the business community.(25)
Child Help Line‡	Government-maintained hotline used to report cases of child abuse and general issues that children face.(26)
UNICEF Country Program*	UNICEF program that works with the Government to monitor schools to ensure that authorities and communities maintain safe and sanitary learning environments for children.(27) Works to build the capacity of the FCPS staff to protect children from violence and abuse. Advocates for increased protections for children who are victims and witnesses of crimes.(27)
Enhancing Education Development Project*‡	World Bank and Government of Maldives project that aims to strengthen access to and the quality of primary and secondary school education in Maldives. Five-year project funded with approximately \$10 million from the World Bank and \$1 million from the Government of Maldives.(28)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is partially funded by the Government of Maldives.

Social workers employed by Ministry of Law and Gender are in need of additional training.(9) Existing social programs do not specifically address the worst forms of child labor in the commercial sexual exploitation of children.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Maldives (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Determine specific hazardous occupations and/or activities that are prohibited for children.	2009 – 2014
	Prohibit the use of children in all illicit activities.	2013 – 2014
	Raise the compulsory education age to 16, the minimum age for work.	2011 – 2014



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the labor inspectorate receives training on child labor issues.	2009 – 2014
	Make information on investigations, prosecutions, and convictions of crimes involving the worst forms of child labor publicly available.	2013 – 2014
	Provide sufficient funding and training to the police and prosecutors to ensure that investigators have the resources necessary to enforce laws on the worst forms of child labor.	2013 – 2014
Coordination	Establish a coordination mechanism to combat child labor.	2009 – 2014
Government Policies	Integrate child labor elimination and preventions strategies into the UNDP Country Program for Maldives.	2014
	Adopt a policy to address child labor, including its worst forms.	2014
Social Programs	Conduct a national child labor survey.	2014
	Conduct and publish research on commercial sexual exploitation and trafficking of children.	2009 – 2014
	Assess the impact that Maldives' child protection and education programs may have on child labor.	2013 – 2014
	Provide additional training to MLG social workers.	2013 – 2014
	Implement programs to address the worst forms of child labor in commercial sexual exploitation.	2009 – 2014

## REFERENCES

- U.S. Department of State. "Maldives," in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- U.S. Department of State. "Maldives," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Human Rights Commission Maldives. *Submission to the Universal Periodic Review of the Maldives, April-May 2015*; September 2014. <http://www.asiapacificforum.net/members/associate-members/republic-of-the-maldives/downloads/reports-to-un-committees/submission-to-upr-september-2014>.
- UN Committee on the Rights of the Child. *Consideration of Reports of States Parties Under Article 44 of the Convention: Summary Record: The Maldives*. Geneva; February 26, 2010. Report No. CRC/C/SR.1390. <http://tb.ohchr.org/default.aspx?country=mv>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2009 Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Maldives," in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; [http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic\\_load\\_id=186470](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186470).
- U.S. Embassy- Colombo. *reporting, March 17, 2014*.
- U.S. Embassy- Colombo. *reporting, March 20, 2014*.
- U.S. Embassy- Colombo. *reporting, January 27, 2012*.
- U.S. Embassy- Colombo official. E-mail communication to USDOL official. June 10, 2014.
- Government of the Maldives. *Employment Act (unofficial translation)*, enacted October 13, 2008. <http://agoffice.gov.mv/pdf/employmentAct.pdf>.
- Government of the Maldives. *Law on the Protection of the Rights of Children, 9/91*, enacted 1991. [http://www.law.yale.edu/rcw/rcw/jurisdictions/assoc/maldives/Maldives\\_Prot\\_Child\\_Eng.pdf](http://www.law.yale.edu/rcw/rcw/jurisdictions/assoc/maldives/Maldives_Prot_Child_Eng.pdf).
- Government of the Maldives. *Constitution of the Republic of Maldives*, enacted 2008. <http://www.maldivesinfo.gov.mv/home/upload/downloads/Compilation.pdf>.
- Government of the Maldives. *Prevention of Human Trafficking Act*, Law No: 12/2014, enacted December 8, 2013.
- Government of the Maldives. *Special Provisions Act to Deal with Child Sexual Abuse Offenders*, enacted 2009.
- Government of the Maldives. *Drugs Act*, enacted 1991. <http://www.drugcourt.gov.mv/documents/laws/17-2011-Drug%20Act-Translation.pdf>.
- UNESCO. *UIS Compulsory Education Data*. Paris; 2012.
- Child Soldiers International. *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012. [www.child-soldiers.org](http://www.child-soldiers.org).
- U.S. Embassy- Colombo. *reporting, March 19, 2015*.
- U.S. Embassy- Colombo official. E-mail communication to USDOL official. March 18, 2015.
- U.S. Department of State. "Maldives," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210740.pdf>.
- United Nations Development Program. *Country Programme for Maldives (2011-2015)*. New York. <http://asia-pacific.undp.org/content/dam/rbap/docs/programme-documents/MV-CP-2011-2015.pdf>.
- U.S. Embassy- Colombo. *reporting, March 13, 2013*.
- Ministry of Foreign Affairs. *Maldives steps up anti-trafficking efforts: Launches The Blue Ribbon Campaign*, Republic of Maldives, [cited December 22 2014]; <http://www.foreign.gov.mv/new/tpl/news/article/464/>.
- U.S. Embassy- Colombo. *reporting, February 3, 2011*.
- UNICEF. *Country programme, 2011-2015*. New York; October 19, 2010. [http://www.unicef.org/maldives/Country\\_programme\\_2011-15.pdf](http://www.unicef.org/maldives/Country_programme_2011-15.pdf).
- World Bank. *The Maldives: World Bank Group Country Program Snapshot*. Washington, DC; September 2013. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/10/09/000356161\\_20131009154440/Rendered/PDF/817140WP00MalD0Box0379842B00PUBLIC0.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/10/09/000356161_20131009154440/Rendered/PDF/817140WP00MalD0Box0379842B00PUBLIC0.pdf).

# Mali

## MODERATE ADVANCEMENT

*In 2014, Mali made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Policy for Child Promotion and Protection, which aims to strengthen national policies and programs to protect children from violence, human trafficking, and exploitative work. The Government also participated in several programs to combat the worst forms of child labor and assist vulnerable households. In northern Mali, the Government made progress in providing access to education by returning 83 percent of children to school and reopening 74 percent of schools for the 2013/2014 academic year. However, children in Mali are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in gold mining. Children were also abducted and forcibly recruited by armed rebel and extremist Islamic militia groups and some of these children were detained and charged with crimes for their association with these groups. Laws relating to the worst forms of child labor do not provide adequate coverage and gaps in enforcement have left children unprotected.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mali are engaged in child labor, including in agriculture.(1-4) Children are also engaged in the worst forms of child labor, including in gold mining.(2, 4-7) Children were also abducted and forcibly recruited for use in armed conflict in northern Mali by armed rebels and extremist Islamic militia groups.(4, 8-13) Table 1 provides key indicators on children’s work and education in Mali.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	25.1 (1,216,300)
Attending School (%)	5-14 yrs.	46.0
Combining Work and School (%)	7-14 yrs.	13.4
Primary Completion Rate (%)		58.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(14)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey, 2012-2013.(15)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Seeding,† weeding,† plowing,† harvesting,† transporting,† and applying chemical fertilizers,† particularly in the production of rice and cotton (1, 3, 4, 16)
	Raising livestock,* including oxen,* and small ruminants* (3, 4, 7, 17)
	Capturing and processing fish* (4, 7, 18)
Industry	Gold mining,† including digging shafts,† extracting ore from underground tunnels,† crushing ore,† and amalgamating ore with mercury† (2, 4-6, 16, 19-21)
	Assembling fishing canoes*† (7, 18)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Domestic work* (2, 16, 22, 23)
	Begging*† (2, 16, 24)
Categorical Worst Forms of Child Labor‡	Mining, domestic work,* begging,* commerce,* and farming,* including in the production of rice, each as a result of human trafficking (2, 16, 22, 24-28)
	Commercial sexual exploitation,* sometimes as a result of human trafficking* (2, 4, 16, 29-32)
	Used in armed conflict as a result of forced recruitment by armed rebel and extremist Islamic militia groups* (8-12)
	Forced labor in the production of salt* and agriculture* (2, 4, 16, 18)
	Forced begging by Koranic teachers* (3, 4, 16, 25)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children, especially of the Bellah community (also known as black Tuaregs, who were former slaves), are subject to hereditary slavery in northern Mali.(2, 16, 26) In addition, children, particularly those of the Songhai ethnicity, work in debt bondage in the northern salt mines of Taoudenni.(2, 16) Boys, placed in the care of Koranic teachers for the purpose of education, are forced by their teachers to beg on the street or to work in fields; they must then surrender the money they have earned to their teachers.(2, 4, 25, 33) Other Koranic teachers force the boys to perform agricultural labor on their land.(3, 4, 25)

The Government engaged in peace negotiations with the armed groups of northern Mali after signing a ceasefire agreement in May 2014.(8, 34-36) Despite this progress, intermittent fighting and violence continued throughout 2014, resulting in the killing and displacement of children.(8, 12, 13, 36-38) Children were also abducted; forcibly recruited; and trained by armed rebel and extremist Islamic militia groups, including the National Movement for the Liberation of Azawad (MNLA), the High Council for the Unity of Azawad (HCUA), the Arab Movement of Azawad (MAA), the Allies Tuareg Self-Defense Group (GATIA), al-Qaeda in the Islamic Maghreb (AQIM), Ansar al-Dine, and the Movement for Unity and Jihad in West Africa (MUJAO) in northern Mali.(8-13) Former child combatants who were reunited with their families suffered from psychological trauma and physical ailments.(38, 39) Reports also indicate that in 2014, children have been kept in state-owned adult prisons and charged with committing terrorism against the Government due to their past involvement with extremist groups during the 2012-2013 armed conflict.(8, 12, 13, 38, 40)

In northern Mali, the Government made progress in providing access to education by returning 83 percent of children to school and reopening 74 percent of schools for the 2013/2014 academic year.(8, 39, 41) However, educational infrastructure is still damaged as a result of the conflict; many teachers and students remain displaced; some teachers in insecure areas feel it is unsafe to return to school; and schools in some areas have not paid teachers.(8, 39, 41-43)

The Constitution provides free and compulsory education.(2, 44) However, parents are expected to pay school fees for registration, uniforms, books, and materials. These expenses may deter families from sending their children to school.(2) In addition, evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment and the rape of students by teachers, prevent some children from remaining in school.(45, 46) Due to societal discrimination at the local level, some Arab, Peul, and Bellah children are denied access to school based on their ethnicity.(2, 47)



## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mali has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article L. 187 of the Labor Code (48)
Minimum Age for Hazardous Work	Yes	18	Hazardous Occupation List; Article 189.14 of the Labor Code (48, 49)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Hazardous Occupation List; Article 189 of the Labor Code (48, 49)
Prohibition of Forced Labor	Yes		Article L.6 of the Labor Code (48)
Prohibition of Child Trafficking	Yes		Article 244 of the Penal Code; Article 7 of the Trafficking in Persons Law (50, 51)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 228 of the Penal Code (50)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 17 of the Child Protection Code; Articles 31.23 and 31.31 of the Penal Code (44, 50)
Minimum Age for Voluntary Military Service	Yes	18	Article 17 of the Child Protection Code; Articles 31.23 and 31.31 of the Penal Code (44, 52)
Compulsory Education Age	Yes	16	Articles 26 and 34 of the Law of Education 99-046 (53)
Free Public Education	Yes		Article 18 of the Constitution (54)

Malian law is not completely consistent with international standards regarding child labor. For example, article 189.35 of the Labor Code allows children under the minimum age to work with the approval of the Minister of Labor.(48, 55) In addition, children working in the informal sector, including in non-contractual agricultural and domestic work, do not benefit from the same protections under the Labor Code as children working in the formal sector.(56)

Although Mali’s Hazardous Occupations List prohibits activities for children under age 18, Decree 96-178 from June 1996, which is still in force, permits children ages 16 to 17 to perform certain hazardous activities. The decree conflicts with the protections provided in the Hazardous Occupations List, leaving the possibility for children to work in hazardous activities.(49, 55)

The Child Protection Code provides protection for children under age 18, while the Penal Code establishes criminal penalties for several of the worst forms of child labor.(44, 50) For example, articles 50 and 58 of the Child Protection Code identify begging as a form of economic exploitation of children, while article 183 of the Penal Code provides for punishment for engaging a child in begging. However, the Penal Code does not provide penalties for some of the prohibitions enumerated in the Child Protection Code.(44, 50) For example, although article 17 of the Child Protection Code prohibits children from participating in armed conflicts or joining the armed forces, articles 31.23 and 31.31 of the Penal Code only provide penalties for those recruiting and enlisting children under age 15.(44, 50) Moreover, although article 18 of the Child Protection Code prohibits the use of children in organized crime, no law prohibits the use of a child for other illicit activities.(28, 33, 44)

Article 228 of the Penal Code prohibits the moral corruption of children; however, this prohibition only applies to children under age 13.(50) Article 225 of the Penal Code forbids third-party involvement in prostitution (pimping) and the sexual slavery of

children; however, the law that prohibits these acts is only applicable to girls.(50) Furthermore, since provisions of the Penal Code only apply to cases of pimping, those soliciting or purchasing sex from minors are not punishable under this law. Article 57 of the Child Protection Code explicitly broadens the definition of sexual exploitation, including prostitution, to encompass both girls and boys.(44, 50) However, there are no penalties prescribed by this Code.(50)

Although the Penal Code bans slavery, no penalties are outlined for this offense.(4, 50) Forced labor is prohibited under the Labor Code; however, the punishment for forced labor is only a fine and/or imprisonment for 15 days to 6 months.(48) Although the exploitation of children, including slavery and commercial sexual exploitation is prohibited by article 7 of the Trafficking in Persons Law, it is unclear if these acts are prohibited as standalone offenses, outside of the context of human trafficking.(51)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Youth, Labor, Employment, and Professional Training/ National Directorate of Labor	Enforce child labor laws, investigate complaints, and perform unannounced labor inspections.(2, 4, 30)
Ministry of Justice	Initiate and coordinate the implementation of child labor laws, together with the Ministries of Internal Security, Defense, Territorial Administration, and the Promotion of Children.(4, 57)
Morals Brigade of the National Police	Enforce laws relating to human trafficking and the commercial sexual exploitation of children. Housed under the Ministry of Internal Security.(4, 30)
Judicial Police	Enforce laws relating to the use of children in illicit activities. Housed under the Ministry of Internal Security.(30)
Ministry for the Promotion of Women, Children, and the Family	Develop and implement programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor.(4, 58)

Areas of northern Mali were under rebel control through early 2014, before the Government assumed control as a result of the May 2014 ceasefire agreement.(34, 35) During that time, the Government of Mali was unable to enforce laws in the northern, rebel-controlled areas.(59-61) Criminal law enforcement agencies in Mali took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions.

#### *Labor Law Enforcement*

In 2014, the National Directorate of Labor employed 54 labor inspectors. Given the prevalence of child labor in the country, the number of labor inspectors is inadequate.(4, 30) Labor inspectors did not receive training on child labor issues during 2014.(62) In addition to inspection duties, inspectors provide dispute settlement and conciliation. These additional responsibilities detract from labor inspectors' abilities to complete workplace inspections.(63) The additional responsibilities also make it difficult for the small number of labor inspectors to enforce child labor laws effectively.(48, 55) None of the labor inspectors specialize in child labor. However, one person in each region is designated as the point of contact for the National Unit to Fight Against Child Labor.(4) Research shows that, despite decentralization efforts, funds are rarely allocated to regional offices.(4) Information on the number, type and quality of inspections and child labor law violations found, and whether appropriate penalties were applied is unavailable. Labor inspections typically are limited to large firms in the formal employment sector. The majority of children work outside the formal sector, including in agriculture.(4) Research did not find a referral mechanism between the National Directorate of Labor and the Ministry for the Promotion of Women, Children, and the Family to ensure victims of child labor receive appropriate social services. Reports indicate there is a lack of trained staff, equipment, transportation, and funding to conduct effective child labor inspections and legal proceedings.(4)



### *Criminal Law Enforcement*

In 2014, the Morals Brigade employed 28 staff, including two captains and nine investigators.<sup>(4)</sup> Given the prevalence of child labor in the country, the number of criminal law enforcement agents is inadequate. Morals Brigade officers did not receive training on the worst forms of child labor in 2014.<sup>(4)</sup> Although the Morals Brigade was created to handle criminal affairs involving children, the main police force has no explicit obligation to turn children’s cases over to the Morals Brigade. As a result, many children’s issues are handled by members of the general police force who may not have received special training on children’s affairs.<sup>(64)</sup> In 2014, the Morals Brigade received 120 liters of fuel every three months and a budget of \$1,200.<sup>(4)</sup> Provisions were insufficient. For example, the 120 liters of fuel typically covered two months of transportation.<sup>(4)</sup>

In 2014, the Morals Brigade did not report cases involving child labor, although it investigated 114 cases of child related offenses, including 51 cases of child sexual exploitation.<sup>(4)</sup> The Morals Brigade generally conduct inspections based on complaints received; however, investigators also conducted unannounced inspections in bars and brothels. The Morals Brigade rescued three children who were victims of forced labor perpetrated by Koranic teachers.<sup>(4)</sup> However, information on the number of arrests, convictions and penalties assessed during the reporting period is unavailable. In addition, the Trafficking in Person’s Law, adopted in 2012, has yet to be distributed to judges to ensure their knowledge of the law.<sup>(65)</sup> Reports indicate that, because of the political instability hindering law and judicial enforcement in northern Mali, the prevalence of hereditary slavery has worsened since the conflict began.<sup>(66)</sup>

Mali maintains an informal system through which the police transfers children to NGOs and records such transfers. However, Mali does not have a formal method for transferring vulnerable children who are detained by the police and the Morals Brigade to NGOs.<sup>(16, 67)</sup> The Ministry for the Promotion of Women, Children, and the Family participates in a network of NGOs and of UN bodies that coordinate to provide care specifically to human trafficking victims. Organizations within the network provide transportation, food, housing, counseling, training, repatriation, and reintegration services.<sup>(68)</sup> In 2014, three children linked to extremist Islamic militia groups were rescued by international forces and placed in a UNICEF-supported center for care.<sup>(4, 57)</sup> However, some children in the shelter are facing charges for rebellion, criminal association, threatening state security, and conspiring against the state.<sup>(69)</sup> In addition, as of January 2014, nine children remained in detention. Some children were detained with adults.<sup>(70-72)</sup> Evidence does not reveal any efforts made by the Government of Mali to prosecute offenders of or enforce laws relating to the use of child soldiers.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Unit to Fight Against Child Labor (CNLTE)	Coordinate Mali’s efforts to eliminate child labor, especially its worst forms . <sup>(73, 74)</sup> The Committee is chaired by the Ministry of Labor and includes representatives from the Ministries of Economy and Finances; for the Promotion of Women, Children, and Family Affairs; of Education; of Public Works; and of Employment and Professional Training. <sup>(73, 75)</sup>
National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices	Coordinate government efforts to combat human trafficking. Has 43 members, comprising various government agencies, civil society groups, and NGOs. <sup>(16, 30, 76)</sup>
Inter-Ministerial Committee to Prevent Grave Violations Against Children.	Conduct awareness-raising campaigns to prevent the recruitment and use of children in armed conflict. Conduct joint missions with international partners to determine the presence of children in armed conflict. <sup>(77)</sup>

In 2014, the National Unit to Fight Against Child Labor (CNLTE), in collaboration with international partners, organized a training on child labor with local NGOs in Mopti.<sup>(4)</sup> CNLTE member agencies under the National Plan to Combat Child Labor (NAP) held regular meetings. However, the effectiveness of such mechanism was hampered by budget constraints.<sup>(4)</sup> Additionally, although the CNLTE is the official coordinating body for child labor issues, complex divisions and lack of coordination between government structures complicated the efforts to address child labor. Currently, the Ministry of Justice; the Ministry for the Promotion of Women, Children, and the Family; the Ministry of Internal Security; and the Ministry of Labor share this

responsibility.(30, 78) The National Coordinating Committee for the Fight against Trafficking in Persons and Associated Practices met throughout the year to draft a national strategy to combat trafficking in persons.(65) There is no evidence that the Inter-Ministerial Committee to Prevent Grave Violations Against Children conducted meetings, took action to implement awareness-raising campaigns, or conducted joint missions to determine the presence of child labor in self-defense militias during the reporting period.(57)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Mali has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan to Combat Child Labor (NAP) (2011-2021)	Aims to eradicate the worst forms of child labor by 2015, and all exploitative child labor by 2020.(18, 24, 79) Calls for improving the judicial framework; increasing awareness on child labor; withdrawing children from the worst forms of child labor; providing these children with appropriate remediation services; and improving the livelihoods of families.(18) Falls under the direction of the National Unit to Fight Against Child Labor and is to be implemented in conjunction with 14 other ministries, including the Ministries of Education; Agriculture; Mining; Justice; and for the Promotion Women, Children, and the Family.(18)
National Policy for Child Promotion and Protection (2015-2019)†	Aims to enhance the legal framework to protect children from violence, human trafficking, and exploitative work.(80, 81) The National Policy is overseen by the Ministry for the Promotion of Women, Children, and the Family and includes a National Action Plan that will be implemented in 2015.(80, 82)
PRSP (2012-2017)*	Provides a framework for Mali's growth and poverty reduction agenda.(83) Aims to improve access to and the quality of education; increase food security; increase employment opportunities for youth; and increase protection for and programs to assist women, children, and vulnerable groups. Contains specific plans to develop an emergency plan for children involved in armed conflict.(83)
Inter-Ministerial Circular*	Provides a framework for the Government of Mali on the prevention, protection, and reintegration of children in armed conflict.(77, 84)
Protocol on the Release and Transfer of Children Associated with Armed Groups and Armed Forces*	A UN-signed protocol agreement that highlights the responsibility of the Government of Mali to transfer children associated with armed groups to either the Social Services Department or to UNICEF.(30, 85)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Although the National Plan to Combat Child Labor was launched in 2011, there is no evidence that implementation of the plan has begun.(4) The Inter-Ministerial Circular (Circular) references article 28 of the Penal Code, which states that penalties prescribed by the Penal Code are not applicable to crimes committed out of self-defense or under a force that could not be resisted. The Circular states that article 28 of the Penal Code is applicable to children involved in armed conflict. (50, 86). However, the Circular does not define the age range of children it covers. Given the discrepancy between the Penal Code and the Child Code regarding the definition of children involved in armed conflict, the lack of a defined age range in this Circular may leave children ages 16-17 unprotected.(86) The Circular calls on families, local authorities, and child protection agencies to work together to ensure children withdrawn from armed forces are disarmed, demobilized, and reintegrated or placed in another location of their choosing.(86) However, these efforts are insufficient to fully address the scope of the problem. The Government of Mali also drafted a National Strategy to Combat Trafficking in Persons; however, it was not approved during the reporting period.(65)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Mali funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Back to School Campaign*	\$4 million, UNICEF-implemented project to return children and teachers to school following the 2012-2013 violence. Supports 500,000 students and 9,000 teachers with school kits and teacher training as they return to school.(87-89)
Out of School Youth Program (2010-2015)	\$30 million, USAID-funded, 5-year project implemented by the Education Development Center.(90) Provides education and technical and work readiness training to approximately 10,000 out-of-school youth (ages 14–25). Aims to improve youth employment prospects and currently operates in Kayes, Sikasso, and Timbuktu regions. Implemented in partnership with the private sector and the Ministries of Youth, Education, and Employment.(87, 91)
Action Plan for the Prevention, the Retrieval from, and the Social and Professional Reinsertion of Thousands of Children at Risk or Victims of the Worst Forms of Labor in Small Artisanal Mining in the Sikasso Region	\$120,000, 2-year, ILO-implemented project to partially implement one of six components of Mali’s NAP. Targeted child labor in artisanal gold mining in the Sikasso region.(57)
Support Program to Expand the Observation and Monitoring of the Work and Trafficking System of Children in the Sikasso Region of Mali‡	\$120,000, 2-year, ILO-implemented project that provides support to the CNLTE to implement a Child Labor Monitoring System in the districts of Bougouni, Kolondieba, and Sikasso. These funds complement the \$150,000 provided by the Government of Mali for this purpose.(57)
Global Action Program on Child Labor Issues (2011-2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and forced labor in Mali.(92) During 2014, three workshops were held to train agricultural extension services on child labor.(92)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I and II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity building support for all ECOWAS states.(93, 94)
Tackling Child Labor through Education (TACKLE) Project	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states.(92) Aims to improve country-level child labor and education legal framework, strengthen institutional capacity to formulate, and implement child labor strategies and programs to combat child labor in Mali.(92)
Combating Child Labor through Skills Training for Older Children (2014-2015)†	Government of Netherlands-funded, 1-year, \$2.6 million project to combat child labor by improving access to education. The project includes a component on design of skills and livelihoods training programs for out-of-school youth.(95)
Prevention and Elimination of Child Labor in West Africa (2009-2014)	Government of Spain-funded, 5-year, \$5.4 million project to combat child labor by strengthening national public sector institutions, private, and civil society organizations.(95)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Mali.

Although Mali participates in some programs to reduce the worst forms of child labor, these programs are insufficient to fully address the scope of the problem, especially in artisanal gold mining. In addition, Mali does not fund or participate in programs to address child labor in domestic work, fishing, forced begging, commercial sexual exploitation, slavery, or debt bondage.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mali (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law does not allow children under the minimum age to work outside of light work.	2013 – 2014
	Ensure that the law's minimum age provisions and protections apply to children in unpaid, temporary, or noncontract work.	2010 – 2014
	Ensure that the decree that permits certain hazardous activities for children ages 16 and 17 align with the Hazardous Occupations List.	2009 – 2014
	Enact laws to provide penalties for violations of the worst forms of child labor, including for all children under age 18 who are involved in armed conflict, and to ensure that the use, procurement, or offering of a child for prostitution and moral corruption is prohibited for both girls and boys.	2009 – 2014
	Create meaningful penalties against slavery and forced labor to deter law violations.	2009 – 2014
	Ensure the law prohibits the worst forms of child labor, including slavery and commercial sexual exploitation, in all instances, including outside of the context of human trafficking.	2009 – 2014
Enforcement	Ensure that law enforcement agencies, including regional offices, have adequate training and resources to conduct inspections and investigations.	2012 – 2014
	Increase the number of labor inspectors and Morals Brigade officers responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2012 – 2014
	Take measures to enforce laws relating to child labor effectively, particularly in northern Mali.	2013 – 2014
	Collect and make public information on the number, type, and quality of labor inspections; law violations and penalties assessed, as well as criminal prosecutions and convictions related to the worst forms of child labor.	2010 – 2014
	Establish a referral mechanism between the National Directorate of Labor and the Ministry for the Promotion of Women, Children, and the Family to ensure victims of child labor receive appropriate social services.	2014
	Ensure that a formal mechanism is established to transfer vulnerable children who are detained by the police and the Morals Brigade to appropriate services.	2011 – 2014
	Enforce laws relating to child soldiers, including the prosecution of offenders; and enforce laws relating to slavery, including hereditary slavery.	2012 – 2014
	Implement the provisions of the Inter-Ministerial Circular and the UN-signed Protocol which requires that children in detention for their association with armed groups be handed over to the Social Services Department or to UN child protection actors to provide appropriate reintegration and social protection services to these children.	2013 – 2014
	Distribute the Trafficking in Persons Law to judges so they are aware of the requirements of the law.	2013 – 2014
Coordination	Streamline coordination across agencies, including by ensuring coordination between the CNLTE and other overlapping agencies.	2010 – 2014
	Ensure CNLTE has appropriate funding to implement the National Plan to Combat Child Labor.	2012 – 2014
	Ensure the Inter-Ministerial Committee to Prevent Grave Violations Against Children meets regularly and takes action to fulfill its mission.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014
	Take measures to implement the National Plan to Combat Child Labor.	2012 – 2014
	Define the age of children protected by the Inter-Ministerial Circular on the Prevention, Protection, and Reintegration of Children in Armed Conflict and ensure the defined age range complies with international standards.	2013 – 2014
Social Programs	Take measures to ensure safety of children and teachers in schools, and to make sure all children have access to education, no matter their ethnicity.	2010 – 2014
	Improve access to education by establishing and implementing a program to address the lack of teachers and schools, and subsidizing or defraying the cost of school fees and supplies.	2010 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Expand existing programs to fully address child labor, especially in artisanal gold mining.	2014
	Institute programs to address child labor in domestic work, informal sector, fishing, forced begging, commercial sexual exploitation, slavery, and debt bondage.	2009 – 2014
	Expand and improve programs targeting children in armed conflict, including programs targeting the disarmament, demobilization, and reintegration of child soldiers.	2012 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2013 – 2014

## REFERENCES

- World Vision. "Forced and Child Labour in the Cotton Industry- Fact Sheet." campaign.worldvision.com.au [online] 2013 [cited December 1, 2014]; <http://campaign.worldvision.com.au/wp-content/uploads/2013/04/Forced-and-child-labour-in-the-cotton-industry-fact-sheet.pdf>.
- U.S. Department of State. "Mali," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Ministere de l'Agriculture, and Institut d'Economie Rurale. *Le Travail des Enfants dans l'Agriculture au Mali: Etude de Cas dans les Filieres Riz et Coton*. Bamako; December, 2011. [http://www.fao-ilo.org/fileadmin/user\\_upload/fao\\_ilo/pdf/Final\\_Rep\\_Child\\_Labour\\_MALI.pdf](http://www.fao-ilo.org/fileadmin/user_upload/fao_ilo/pdf/Final_Rep_Child_Labour_MALI.pdf).
- U.S. Embassy- Bamako. *reporting, January 22, 2015*.
- Human Rights Watch. *A Poisonous Mix: Child Labor, Mercury, and Artisanal Gold Mining in Mali*. Geneva; December, 2011. [http://www.hrw.org/sites/default/files/reports/mali1211\\_forinsertWebUpload\\_0.pdf](http://www.hrw.org/sites/default/files/reports/mali1211_forinsertWebUpload_0.pdf).
- Human Rights Watch. "Recommendations on the Worst Forms of Child Labor in Small-Scale Gold Mining for OECD Conference on Due Diligence." hrw.org [online] November 12, 2013 [cited November 28, 2013]; <http://www.hrw.org/news/2013/11/12/recommendations-worst-forms-child-labor-small-scale-gold-mining-oecd-conference-due>.
- UCW. *The Twin Challenges of Child Labour and Educational Marginalisation in the ECOWAS Region: An Overview*. Report. Rome July 1, 2014. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=25517>.
- United Nations Security Council. *Report of the Secretary-General on the situation in Mali* September 22, 2014 [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2014/692](http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/692).
- Radio Adrar. "Mali Ansar al-Din Movement Reportedly Trains Child Soldiers in Abeibara, Tinassako To Lay Mines." November 14, 2014 [cited December 15, 2014];
- Radio Hanna. "Mali Jihadist Set up Child Soldier Training Camps in Kidal." November 21, 2014 [cited December 15, 2014];
- Al Jazeera. "Children 'killed and snatched by Mali rebels'." aljazeera.com [online] November 23, 2014 [cited 12/15/2014]; <http://www.aljazeera.com/news/africa/2014/11/2014112305920327329.html>.
- United Nations. *Monitoring and Reporting Mechanism (MRM) of grave violations against children in situations of armed conflict* April- June 2014, .
- UN Security Council. *Report of the Secretary-General on Children and armed conflict*. New York; 2015.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2012-2013, Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Mali," in *Trafficking in Persons Report-2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226847.pdf>.
- FAO. *Children's Work in the Livestock Sector: Herding and Beyond*. Rome; 2013. <http://www.fao.org/docrep/017/i3098e/i3098e.pdf>.
- Government of Mali. *Plan d'Action National pour l'Elimination du Travail des Enfants au Mali*. Bamako; 2010.
- Hilson, G. "Family Hardship and Cultural Values: Child Labor in Malian Small-Scale Gold Mining Communities." *World Development*, 40(no. 8)(2012);
- Kippenberg, J. "New UNICEF Guidelines on Children Will Fall Flat Without Backing from Business." guardian.co.uk [online] March 12, 2012 [cited January 29, 2013]; <http://www.guardian.co.uk/global-development/poverty-matters/2012/mar/12/unicef-guidelines-children-needs-business-backing>.
- DanWatch. *Child mined gold in your gadgets? Child labour in Ghana and Mali and sourcing policies of IT brands*. Copenhagen; 2013. [http://www.danwatch.dk/sites/default/files/child\\_labour\\_in\\_ghana\\_and\\_mali\\_english\\_final.pdf](http://www.danwatch.dk/sites/default/files/child_labour_in_ghana_and_mali_english_final.pdf).
- Srikanthan, S. "Out of School and at Risk: The Drought's Hidden Impact on Mali's Children." huffingtonpost.com [online] June 7, 2012 [cited January 8, 2013]; [http://www.huffingtonpost.com/sanj-srikanthan/out-of-school-and-at-risk\\_b\\_1653865.html](http://www.huffingtonpost.com/sanj-srikanthan/out-of-school-and-at-risk_b_1653865.html).
- ILO. *Fixing the Future of Mali's Child Workers*; June 7, 2010. [http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS\\_141287/lang-en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_141287/lang-en/index.htm).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mali (ratification: 2000) Submitted: 2012*; accessed April 3, 2013; <http://www.ilo.org/ilolex/english/ilolex.htm>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mali (ratification: 2000) Published: 2010*; accessed April 3, 2013; <http://www.ilo.org/ilolex/>.
- Hicks, C. "Families in Mali splintered by slavery as culture and conflict converge." The Guardian, London, April 3, 2013. <http://www.theguardian.com/global-development/2013/apr/03/families-mali-slavery-culture-conflict>.
- American Bar Association. *Malian Program to Combat Descent-Based Slavery Gains Momentum*. Washington, DC; December, 2011 [http://www.americanbar.org/advocacy/rule\\_of\\_law/where\\_we\\_work/africa/mali/news/news\\_mali\\_program\\_to\\_combat\\_descent\\_based\\_slavery\\_1211.html](http://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/mali/news/news_mali_program_to_combat_descent_based_slavery_1211.html).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mali (ratification: 2000) Submitted: 2010*; accessed April 3, 2013; <http://www.ilo.org/ilolex/english/ilolex.htm>.
- L'Indicateur du Renouveau. "Mali : Les vacances boostent le travail des enfants." malijet.com [online] June 19, 2013 [cited November 28, 2013]; [http://www.malijet.com/la\\_societe\\_malienne\\_aujourd'hui/education\\_et\\_formation\\_au\\_mali/74472-mali-les-vacances-boostent-le-travail-des-enfants.html](http://www.malijet.com/la_societe_malienne_aujourd'hui/education_et_formation_au_mali/74472-mali-les-vacances-boostent-le-travail-des-enfants.html).
- U.S. Embassy- Bamako. *reporting, January 17, 2014*.
- Remane, K. "Preventing teenage prostitution in Mali." SwissInfo.ch [online] January 16, 2011 [cited December 23, 2012]; [http://www.swissinfo.ch/eng/politics/Preventing\\_teenage\\_prostitution\\_in\\_Mali.html?cid=31211214](http://www.swissinfo.ch/eng/politics/Preventing_teenage_prostitution_in_Mali.html?cid=31211214).
- Akor, O. "Nigeria; Thousands of Sex Slaves Still Held in Mali." Daily Trust, Abuja, November 18, 2011. <http://allafrica.com/stories/201111180725.html>.



33. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mali (ratification: 2000) Published: 2012*; accessed February 7, 2013; <http://www.ilo.org/ilolex/>.
34. BBC News. "Mali Tuareg rebels agree to ceasefire in Kidal talks." [bbc.co.uk \[online\] May 24, 2014 \[cited December 05, 2014 \]](http://www.bbc.co.uk/news/world-africa-27549296); <http://www.bbc.co.uk/news/world-africa-27549296>
35. UN Security Council. "Ceasefire Agreement between Mali Government, Armed Groups Opens 'Narrow Window of Opportunity' for Peace, Under-Secretary-General Tells Security Council." [un.org \[online\] June 18, 2014 \[cited December 04, 2014\]](http://www.un.org/press/en/2014/sc11443.doc.htm); <http://www.un.org/press/en/2014/sc11443.doc.htm>.
36. Reuters. "Mali rebels start third round of peace talks." November 20, 2014 2014 [cited December 03, 2014 ]
37. Reuters. "Suspected Islamist fighters in Mali kill two children, abduct 10." [trust.org \[online\] November 22 2014 2014 \[cited December 05, 2014\]](http://www.trust.org/item/20141122223840-0955t/); <http://www.trust.org/item/20141122223840-0955t/>.
38. IDMC. "Mali-Ongoing pursuit of durable solutions." [internal-displacement.org \[online\] May 19, 2014 \[cited December 03, 2014\]](http://www.internal-displacement.org/assets/library/Africa/Mali/pdf/201405-af-mali-overview-en.pdf); <http://www.internal-displacement.org/assets/library/Africa/Mali/pdf/201405-af-mali-overview-en.pdf>.
39. OCHA. "Mali: Education on the path to recovery." [unocha.org \[online\] May 15, 2014 2014 \[cited December 04, 2014\]](http://www.unocha.org/top-stories/all-stories/mali-education-path-recovery); <http://www.unocha.org/top-stories/all-stories/mali-education-path-recovery>.
40. United Nations Security Council. *Report of the Secretary-General on the situation in Mali* March 28, 2014 [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2014/229](http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/229).
41. Krystle van Hoof. "Mali: WFP Helps Get Children Back To School After Conflict." World Food Programme, June 21, 2014 2014. <https://www.wfp.org/stories/mali-%E2%80%93-feeding-children-removing-barriers-education-0>.
42. UN News. "Mali: Joint UN-Government Mission Finds Schools in Northern Mali Barely Functioning." [allAfrica.com \[online\] November 19, 2013 \[cited January 23, 2014\]](http://allafrica.com/stories/201311200534.html); <http://allafrica.com/stories/201311200534.html>.
43. Villarreral, R. "Mali's Schools Crumbling Amid Conflict In The North." [ibtimes.com \[online\] February 23, 2013 \[cited January 24, 2014\]](http://www.ibtimes.com/malis-schools-crumbling-amid-conflict-north-1101687); <http://www.ibtimes.com/malis-schools-crumbling-amid-conflict-north-1101687>.
44. Government of Mali. *Code de protection de l'enfant*, Loi N° 02-062/P-RM, enacted June 5, 2002. <http://www.justicemali.org/doc107.htm>.
45. UNICEF, Plan International, ActOnaid, and Save the Children Sweden. *Too Often in Silence: A Report on School-Based Violence in West and Central Africa*. New York; March 2010. [http://www.unicef.org/wcaro/VAC\\_Report\\_english.pdf](http://www.unicef.org/wcaro/VAC_Report_english.pdf).
46. Save the Children, and Plan. *La violence faite aux enfants en milieu scolaire au Mali*. New York; August 2010. <http://www.offebenin.org/documents/rapport-la-violence-faite-aux-enfants-en-milieu-scolaire-au-mali.pdf>.
47. FGM. "Country Profile- FGM in Mali." September 2014 [cited April 30, 2015]; [http://www.28toomany.org/media/uploads/mali\\_final.pdf](http://www.28toomany.org/media/uploads/mali_final.pdf).
48. Government of Mali. *Code du Travail*, Loi no 92-020, enacted September 23, 1992. <http://www.ilo.org/dyn/travail/docs/1328/Mali%20-%20Code%20du%20Travail.pdf>.
49. Government of Mali, Ministry of Labor Civil Service and State Reform. *Arrete no. 9-0151-MTFPRE/DG du 4 fevrier 2009 completant la liste des travaux dangereux interdits aux enfants de moins de 18 ans*, enacted February 4, 2009.
50. Government of Mali. *Code penal*, Loi N° 01-079, enacted August 20, 2001. <http://www.justicemali.org/code%20penal.pdf>.
51. Government of Mali. *Projet de loi relatif a la lutte contre la traite des personnes et les pratiques assimilées*, Depot N°20 10 1 51 I 4L, enacted 2012.
52. Child Soldiers International. "Louder than words: An agenda for action to end state use of child soldiers," in. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
53. Government of Mali. *Portant loi d'orientation sur l'éducation*, Loi 99 – 046, enacted December 29, 1999. <http://www.ilo.org/dyn/natlex/docs/ELECTRONI C/97009/114926/F-568307560/MLI-97009.pdf>.
54. Government of Mali. *The Constitution of the Republic of Mali*, enacted 1992. <http://unpan1.un.org/intradoc/groups/public/documents/cafrad/unpan002746.pdf>.
55. ILO Committee of Experts. *Observation concerning Minimum Age Convention, 1973 (No. 138) Mali (ratification: 2002) Submitted: 2012*; accessed April 3, 2013; <http://www.ilo.org/ilolex/>.
56. Comite Africain d'Experts sur les Droits et le Bien-Etre de l'Enfant. *Recommandations et Observations Adresses au Gouvernement du Mali par le Comite Africain d'Experts sur les Droits et le Bien etre de l'Enfant sur le Rapport Initial de la mise en Oeuvre de la Charte Africaine sur les Droits et du Bien etre de l'Enfant*. Addis Ababa; April 3, 2013. [http://www.crin.org/docs/Mali\\_COs.doc](http://www.crin.org/docs/Mali_COs.doc).
57. U.S. Embassy- Bamako official. E-mail communication to USDOL official. March 13, 2014.
58. U.S. Embassy- Bamako. *reporting, February 3, 2010*.
59. Reuters. "UN says Mali Still Precarious, Future Peacekeepers Need Equipment." [voanews.com \[online\] June 9, 2013 \[cited June 11, 2013\]](http://www.voanews.com/content/un-says-mali-still-precarious-future-peacekeepers-need-equipment/1678206.html); <http://www.voanews.com/content/un-says-mali-still-precarious-future-peacekeepers-need-equipment/1678206.html>.
60. UN News. "Despite recent progress, urgent challenges remain to restore stability in Mali – UN envoy." [un.org \[previously online\] 2013 \[cited March 12, 2014\]](http://www.un.org/apps/news/story.asp?StoryID=46271&Cr=+mali+&Cr1#UyBh61QpDvY); <http://www.un.org/apps/news/story.asp?StoryID=46271&Cr=+mali+&Cr1#UyBh61QpDvY> [source on file].
61. BBC News. "Mali Profile." [bbc.co.uk \[online\] December 27, 2013 \[cited January 1, 2014\]](http://www.bbc.co.uk/news/world-africa-13881978); <http://www.bbc.co.uk/news/world-africa-13881978>.
62. U.S. Embassy- Bamako official. E-mail communication to USDOL official. March 30, 2015.
63. ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Mali (ratification: 2009) Published: 2010*; accessed January 30, 2013; <http://www.ilo.org/ilolex/>.
64. Kinderrechte Afrika e.V. (KiRA). *Mali: Analyse et Commentaires de la Legislation Applicable aux Enfants, Contrevenants, en Danger ou Victims d'Infractions*. Bamako, CRIN; January 21, 2011. <http://www.crin.org/resources/infodetail.asp?id=23903>.
65. U.S. Embassy- Bamako. *reporting, February 13, 2015*.
66. Mark Tran. "Mali Conflict puts Freedom of 'Slave Descendants' in Peril." [online] October 23, 2012 [cited December 20, 2012]; <http://www.guardian.co.uk/global-development/2012/oct/23/mali-conflict-freedom-slave-descendants-peril>.
67. U.S. Embassy- Bamako official. E-mail communication to USDOL official. May 22, 2012.
68. U.S. Embassy- Bamako. *reporting, February 14, 2014*.
69. Integrated Regional Information Networks. "Mali takes baby steps toward protecting former child soldiers." IRINnews.org [online] October 11, 2013 [cited January 1, 2014]; <http://www.irinnews.org/printreport.asp?reportid=98922>.
70. UN Security Council. *Report of the Secretary-General on the situation in Mali*. New York; January 2, 2014. [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2014\\_1.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2014_1.pdf).
71. Amnesty International. *Children in Mali Forced to be Soldiers, Now Being Held with Adults and Tortured*. London; June 14, 2013. <http://www.amnestyusa.org/news/press-releases/children-in-mali-forced-to-be-soldiers-now-being-held-with-adults-and-tortured>.
72. UN Security Council. *Report of the Secretary-General on the situation in Mali*. New York; October 1, 2013. [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2013\\_582.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_582.pdf).
73. Government of Mali. *Fixant l'Organisation et les Modalities de Fonctionnement de la Cellule Nationale de Lutte Contre le Travail des Enfants*, Decret No. 10-474/P-RM, enacted September 20, 2010.
74. ILO-IPEC. *Final Technical Progress Report: Support for the Preparation of the Mali Time-Bound Programme*. Geneva; 2010.
75. Government of Mali. *Portant Creation de la Cellule Nationale de Lutte Contre le Travail des Enfants*, Ordonnance No. 10 036/ P-RM, enacted August 5, 2010.
76. U.S. Embassy- Bamako. *reporting, February 5, 2010*.
77. United Nations. *Report of the Secretary General for Children in Armed Conflict, Sixty-Seventh Session*. New York; May 15, 2013. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/67/845](http://www.un.org/ga/search/view_doc.asp?symbol=A/67/845).
78. U.S. Embassy- Bamako. *reporting, February 1, 2012*.
79. Human Rights Watch. "Mali: Enforce New Plan to Curb Child Labor." [hrw.org \[online\] June 15, 2011 \[cited April 3, 2013\]](http://www.hrw.org/news/2011/06/15/mali-enforce-new-plan-curb-child-labor); <http://www.hrw.org/news/2011/06/15/mali-enforce-new-plan-curb-child-labor>.
80. Government of Mali. *National Policy for Child Promotion and Protection (2015-2019)*. Bamako, July, 2014.

81. Terre des Hommes. "Mali: Protecting children on the move." [online] September 26, 2014 [cited <http://www.tdh.ch/en/news/mali-protecting-children-on-the-move>].
82. AfricaTime.com. "Communiqué du conseil des ministres du mercredi 16 juillet 2014." February 09, 2015 [cited February 09, 2015 ]; <http://fr.africaitime.com/mali/communiqués/communiqué-du-conseil-des-ministres-du-mercredi-16-juillet-2014>.
83. International Development Association, and IMF. *The Republic of Mali Joint IDA-IMF Staff Advisory Note on the Growth and Poverty Reduction Strategy Paper 2012-2017*. Washington, DC; 2012. <http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/04/25/00035616120130425121752/Rendered/PDF/768310PRSP0P11040Box374388B00UO090.pdf>.
84. UN Security Council. *Report of the Secretary-General on children and armed conflict in Mali*. New York; April 14, 2014. [http://watchlist.org/wordpress/wp-content/uploads/Mali-Adopted-Conclusion\\_S2014\\_267.pdf](http://watchlist.org/wordpress/wp-content/uploads/Mali-Adopted-Conclusion_S2014_267.pdf).
85. UNICEF. "Annual Report 2013 – Mali." unicef.org [online] 2013 [cited January 8, 2014]; [http://www.unicef.org/about/annualreport/files/Mali\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Mali_COAR_2013.pdf).
86. Republique du Mali. *Circulaire Interministérielle Relative à la Prévention, la Protection, et le Retour en Famille des Enfants associe aux Forces et Groupes Armés*. Bamako; 2013.
87. USAID official. E-mail communication to USDOL official. February 11, 2014.
88. UNICEF. "ECHO and UNICEF join forces for crisis affected children to go back to school." UNICEF.org [online] January 15, 2014 [cited February 5, 2014 ]; [http://www.unicef.org/infobycountry/media\\_71777.html](http://www.unicef.org/infobycountry/media_71777.html).
89. UNICEF. "A National Back to School Appeal in Mali Brings Children Hope." October 21, 2013 [cited [http://www.unicef.org/mali/media\\_centre\\_7740.html](http://www.unicef.org/mali/media_centre_7740.html)].
90. USAID Mali. "USAID Education Program." usaid.gov [online] June, 2014 [cited December 16, 2014]; <http://www.usaid.gov/sites/default/files/documents/2155/Education%20Mali%20Fact%20Sheet%202006.2014.pdf>.
91. EDC. *Mali Support to Youth Entrepreneurs Project, PAJE-Nièta*, IDD, [online] [cited August 14, 2014]; <http://idd.edc.org/projects/mali-support-youth-entrepreneurs-project-paje-ni%C3%A8ta>.
92. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
93. USDOL. *Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Washington, DC; 2009.
94. USDOL. *Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS II*. Project Document. Washington, DC; 2010.
95. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 09, 2015.

*In 2014, Mauritania made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Roadmap for the Eradication of the Vestiges of Slavery based upon UN recommendations that raises awareness of slavery practices and implements programs that provide former slaves with access to education and livelihood opportunities. The Government also continued to operate regional centers that provide food, shelter, education, and training to children withdrawn from child labor. Further, the Government participated in two new programs to combat the worst forms of child labor. However, children in Mauritania are engaged in child labor, including in agriculture and herding, and in the worst forms of child labor, including in indentured and hereditary servitude. Mauritania's legal framework does not prohibit hazardous occupations and activities in all relevant child labor sectors, including agriculture; and does not prohibit the use of children in illicit activities. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. Additionally, the Government continued to detain anti-slavery protestors.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritania are engaged in child labor, including in agriculture and herding.(1-3) Children are also engaged in the worst forms of child labor, including in indentured and hereditary servitude.(3-5) Table 1 provides key indicators on children's work and education in Mauritania.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	18.2 (172,936)
Attending School (%)	5-14 yrs.	48.6
Combining Work and School (%)	7-14 yrs.	10.8
Primary Completion Rate (%)		68.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2007.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of beans,* rice,* millet,* sorghum,* and vegetables* (1, 8-12)
	Herding and caring for cattle, goats, sheep,*and camels* (1-3, 13, 14)
	Capturing and processing fish* (1-3, 9-12, 15-17)
Industry	Crushing gravel* for construction sites (1, 3, 18)
	Domestic work† (2, 3, 9, 10, 13, 19-21)
Services	Work as car mechanics* and painters* (9, 11, 12, 15, 17)
	Garbage scavenging* (9, 11, 12, 15)

# Mauritania

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Street work,* including as market vendors,* shoe shiners,* beggars,†* and in the transportation sector* (2, 3, 11, 15, 16, 18, 22)
	Forced begging, as a result of criminal gang recruitment and by Koranic teachers (1, 3, 4, 11, 12, 18, 21, 23)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* sometimes as a result of human trafficking* (3, 4, 9, 10, 15)
	Used in illicit activities, including selling drugs* (1, 9, 11, 16, 24)
	Indentured and hereditary servitude (4, 5, 14, 24-26)
	Forced labor in domestic work and camel jockeying* each sometimes as a result of human trafficking* (2-4, 9, 27)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children in Mauritania continue to be exploited in hereditary servitude, as slaves, and endure slave-like practices in remote areas of the country.(3-5, 14, 21, 24-26) Some children are born into slavery, while others are forced to work the land and turn over what they produce to their master in order to remain on the land.(1, 28, 29) Some child slaves herd animals, such as cattle and goats, and perform domestic labor.(1, 3, 4, 14, 28) Those who attempt to escape could be killed.(14, 24) Some former slaves (commonly descendants of slaves) continue to endure slave-like practices, including working for their former masters in exchange for food, money, and lodging.(1, 5)

In Mauritania, it is a traditional practice to send children to Koranic teachers to receive an education. However, some Koranic teachers (*marabouts*) force their students (*talibés*) to beg for more than 12 hours a day without adequate food or shelter.(1, 3, 4, 21, 23)




Although the Constitution guarantees free compulsory primary education, in practice, this provision is not enforced effectively, as many children do not attend school.(1, 30-32) The lack of school infrastructure and limited availability of teachers impede access to education, which may increase the vulnerability of children to the worst forms of child labor. In addition, many children in Mauritania are not registered at birth.(29, 32-36) Unable to prove citizenship, unregistered children may have difficulty accessing services such as education.(4, 36-38)

In 2014, Mauritania hosted approximately 54,700 Malian refugees.(39) Refugee children may have difficulty accessing education, which could put them at increased risk of engaging in the worst forms of child labor.(40, 41) The Ministry of Social Affairs, Childhood, and the Family (MASEF), in collaboration with the UN Children’s Fund, continued work on their study, “Child Trafficking and the Worst Forms of Labor in Mauritania,” but it has yet to publish the results.(3)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mauritania has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 153 of the Labor Code 2004-017 (42)
Minimum Age for Hazardous Work	Yes	18	Article 247 of the Labor Code 2004-017 (42)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 2 of Law No. 1797; Article 42 of the Penal Protection Code for Children(43, 44)
Prohibition of Forced Labor	Yes		Article 1 of Law 2007-048; Article 4 of Law 025/2003; Article 1 of Law 2013-011 (45-47)
Prohibition of Child Trafficking	Yes		Articles 1 and 3 of Law 025/2003 (46)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 24, 25, and 26 of the Penal Protection Code for Children (Ordinance 2005-015) (33, 44)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 7 of Law 62132/1962(48, 49)
Compulsory Education Age	Yes	14	Article 1 of Law 2001-054 (30, 31)
Free Public Education	Yes		Article 1 of Law 2001-054 (30)

\* No conscription (49)

Mauritanian law is not completely consistent with international standards regarding child labor. Although Law No. 1797 prohibits the employment of children in domestic work and the Penal Protection Code for Children prohibits employing and provoking children to beg, the law does not prohibit hazardous occupations and activities in all relevant child labor sectors, including agriculture.(43, 44, 50) Children working in unpaid, temporary, or non-contractual work do not have the same protections under child labor laws and regulations as children working in contractual employment.(8, 42, 51)

The Government has no law that prohibits the use of children for illicit activities, such as selling drugs.(24, 34, 52) In 2011, the Government, in partnership with local NGOs, UNICEF, and Terre des Hommes, drafted a law against the worst forms of child labor, which includes a more specific list of hazardous occupations and activities prohibited for children; however, the Government has not enacted this legislation. (3, 53, 54)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor's Labor and Inspection Office	Receive and investigate labor complaints.(55)
Ministry of Social Affairs, Childhood, and the Family's (MASEF) Office of Childhood	Develop and implement programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor. Manages the Centers for the Protection and Social Integration of Children in Difficult Situations(CPISE).(55)
Ministry of Justice's Direction of the Judiciary for Protection of Children	Coordinate child protection issues and oversee tribunals that sentence child offenders and the work of the Special Brigade for Minors.(50)
National Commission for Human Rights	Advocate for the eradication of slavery and receive complaints and conduct investigations on human rights violations, including the worst forms of child labor.(12)
Ministry of the Interior's Special Brigade for Minors	Investigate crimes against children, including human trafficking, and monitor religious schools, or mahadras, to ensure that children are not forced to beg on behalf of their teachers. Operates in Nouakchott.(23, 50)
National Police	Investigate crimes against children.(50)
National Agency for the Fight against the Vestiges of Slavery, Integration, and the Fight against Poverty (Tadamoun)	Develop and implement programs to tackle poverty, promote the integration of refugees, and rehabilitate former slaves.(4, 5, 50, 56-58) File complaints on behalf of citizens who accuse their employers of practicing slavery and bring cases of alleged slavery to the authorities for investigation.(59, 60)



# Mauritania

## MODERATE ADVANCEMENT

Law enforcement agencies in Mauritania took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

During the reporting period, the Ministry of Labor's Labor and Inspection Office employed 72 labor inspectors in 13 regional offices.(61) While none of the labor inspectors specialize in child labor, 17 inspectors received training on child labor issues.(3, 32, 62) The Government budgeted \$33,300 to MASEF's Office of Childhood, and \$33,300 to the Ministry of Labor's Labor and Inspection Office to support activities to end child labor.(3) The inspectorate does not initiate routine or targeted inspections based on analysis of compliance data or patterns of complaints. Information is unavailable on the number and quality of inspections, notification system for inspections, number of child labor law violations found, number of citations issued, and whether appropriate penalties were applied.(3)

### *Criminal Law Enforcement*

During the reporting period, the Special Brigade for Minors employed 10 officers.(3) Given the prevalence of child labor in the country, the number of officers is inadequate. Research did not uncover whether they were provided with training on child labor issues. In collaboration with NGOs, the Special Brigade for Minors handled 4,167 criminal cases involving the worst form of child labor.(63) Research did not uncover information about the number of prosecutions, convictions, or whether appropriate penalties were applied related to the criminal enforcement of labor laws. Research found that the police generally lacked resources, which stymied investigation of cases, including those involving the worst forms of child labor.(32, 62)

Research did not find a formal referral mechanism in place between law enforcement agencies and social welfare services; however, victims are generally referred to MASEF's Centers for the Protection and Social Integration of Children in Difficult Situations or to NGOs depending on the case and location.(3)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Child Trafficking, Smuggling, and Labor Group	Coordinate child labor and child trafficking efforts. Composed of MASEF's Office of Childhood; the Ministry of Justice's Office of Child Judiciary Protection; the Ministry of Interior; the National Commission on Human Rights, Humanitarian Action, and Civil Society; NGOs; and international organizations.(55, 64)
National Council for Children	Coordinate and monitor government efforts on child protection and development.(53) Chaired by the Office of the Prime Minister and comprised of officials from MASEF, the Ministries of Justice, Health, Education, and Social Security. Also includes nongovernmental stakeholders such as NGOs, international organizations, and social partners.(65)

The Child Trafficking, Smuggling, and Labor Group and the National Council for Children were inactive during the reporting period and did not receive any funding.(3, 53, 66)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Mauritania has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan to Combat the Vestiges of Slavery	Aims to prevent slavery through improvements in education, health, and by providing victims with income-generating activities. Falls under the direction of the National Agency for the Fight against the Vestiges of Slavery, Integration, and the Fight against Poverty (Tadamoun).(3, 67)
Roadmap for the Eradication of the Vestiges of Slavery†	Calls for an awareness-raising campaign on slavery, the revision of slavery laws and policies, implementation of programs that provide former slaves with access to education and livelihood opportunities, and assistance to former slaves who wish to return to their home countries.(68-70) Based on 29 of 42 recommendations made by the UN's Special Rapporteur on contemporary forms of slavery after an official mission to Mauritania.(28, 67-69)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Decent Work Country Program (2012-2015)	Acknowledges that child labor is a problem in Mauritania and calls for research and training for labor inspectors, judges, and other stakeholders on child labor issues.(71)
Strategic Framework to Fight Poverty (2011-2015)	Seeks to eliminate the worst forms of child labor, provide quality education to vulnerable children, and protect the rights of children.(72)
National Strategy for the Protection of Children in Mauritania and Action Plan (2010-2014)*	Aims to increase access to social services for vulnerable children and establish a system to coordinate, monitor, and evaluate service provision for children.(3, 73, 74)
PRSP II (2011-2015)	Seeks to eliminate child labor and includes plans to increase access to quality education for all children.(3, 75, 76)
UNDAF (2012-2016)	Promotes improved access to education for vulnerable children and aims to build the capacity of the Government to address child labor.(77)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In 2014, the National Agency for the Fight against the Vestiges of Slavery, Integration, and the Fight against Poverty (Tadamoun) implemented the National Plan to Combat the Vestiges of Slavery in 2014, however, the effectiveness of such policy was hampered by budget constraints.(67) Although the Government of Mauritania has policies to address slavery, research found no evidence of a policy to combat other worst forms of child labor.(32, 53, 78). Moreover, the Government's detention of anti-slavery protestors in 2014 and the lack of recent data on slavery hampers its ability to address this issue comprehensively by developing effective policies.(3, 24, 78-80)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Mauritania funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Program to Eradicate the Effects of Slavery†	Government program that supports the reintegration and rehabilitation of former slaves.(4)
Centers for the Protection and Social Integration of Children in Difficult Situations (CPISE)‡	Government program that provides food, shelter, education, and vocational training to vulnerable children, many of whom are talibés. In 2014, the Government opened a new CPISE in Nouakchott and operates five other CPISEs in Kiffa, Rosso, Nouadhibou, and the El Mina and Dar-Naim regions of Nouakchott.(3, 55) The Centers served 321 children during the reporting period.(4)
Child Protection Training Center‡	Government program that provides training on child protection to local organizations, including child labor, in the town of Selibaby.(64)
Protection of Mauritanian Children Against Violence, Exploitation, Discrimination, Abuse, and Neglect (VEDAN) (2014-2016)†	Approximately \$1.9 million program launched by the European Union and UNICEF, in partnership with MASEF, to combat child exploitation, including the worst forms of child labor. The project will operate in 10 regional provinces.(67)
UNODC Impact Program*	EU-funded, government program that aims to assist West and North African States in implementing the Migrant Smuggling Protocol by strengthening criminal justice systems through improved legislative frameworks, stronger government capacity, improved data collection and analysis techniques, and awareness raising.(81, 82)
Poverty Reduction Project*	Approximately \$38.4 million, UN International Fund for Agricultural Development-funded project in Aftout South and Karakoro.(83) Targets 21,000 households and aims to assist rural communities through the provision of loans and grants to improve livelihoods, economic opportunities, and food security.(84)
Refugee Assistance Programs‡	MASEF's Office of Childhood programs that raises awareness among NGOs operating in the M'Bera refugee camp on ways to address child exploitation.(33)
Youth Employment Programs*‡	Ministry of Labor program, with support from the ILO, that trains job counselors on how to assist youth in finding decent work.(85)

# Mauritania

## MODERATE ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Child Camel Jockeys Program†‡	\$139,000, government program co-funded with the United Arab Emirates (UAE) that supports the reintegration and rehabilitation of Mauritanian children that were trafficked to the UAE to work as camel jockeys. The program served 400 child trafficking victims during the reporting period.(3)

\*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Mauritania.

Although Mauritania has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially in agriculture, herding, domestic work, as well as children in hereditary and indentured servitude.(64) Research could not find out whether Tadamoun funded any social programs in 2014 aimed specifically at combating child labor.(50) Moreover, as recently as September 2014, some government officials did not acknowledge that slavery continues despite its prohibition.(86) The UN reports that more needs to be done to address the problem of slavery in Mauritania, and the UN Special Rapporteur on contemporary forms of slavery suggested that the Government increase funding for social programs for former slaves and carry out a campaign to raise awareness of the national laws on slavery.(60)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mauritania (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law prohibits hazardous occupations and activities in all relevant child labor sectors, including agriculture.	2009 – 2014
	Ensure that the law's minimum age provisions and protections apply to children in unpaid, temporary, or noncontract work.	2012 – 2014
	Ensure the law specifically prohibits the use of children in illicit activities.	2009 – 2014
	Adopt the law on prohibiting the worst forms of child labor.	2012 – 2014
Enforcement	Increase the number of training, resources, criminal investigators, and labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2010 – 2014
	Strengthen the inspection system by initiating routine or targeted inspections, rather than performing inspections solely based on complaints received.	2014
	Collect and make public information on number, type, and quality of labor inspections; number of child labor law violations, citations, and penalties assessed; as well as criminal prosecutions and convictions related to the worst forms of child labor.	2011 – 2014
	Effectively enforce compulsory education legal provisions.	2010 – 2014
Coordination	Establish a referral mechanism between the law enforcement agencies and MASEF to ensure victims of child labor receive appropriate social services.	2014
	Ensure the Child Trafficking, Smuggling, and Labor Group and the National Council for Children are active and receive adequate funding to fulfill their mission.	2014
Government Policies	Adopt a more comprehensive policy that addresses all relevant worst forms of child labor.	2013 – 2014
	Integrate child labor elimination and prevention strategies into existing policies.	2009 – 2014
	Ensure appropriate funding exists to effectively implement the National Plan to Combat the Vestiges of Slavery.	2014
	Take steps to ensure anti-slavery protestors' rights of freedom of expression and peaceful assembly.	2011 – 2014
Social Programs	Collect data on slavery to develop effective policies that identify and protect children at risk.	2010 – 2014
	Ensure that all children have access to education, including refugees, by registering children at birth, and establishing and implementing a program to address the lack of teachers and schools.	2011 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, domestic work, and other sectors in which children work, as well as children in hereditary and indentured servitude.	2009 – 2014
	Make publicly available the study on child trafficking and the worst forms of child labor in Mauritania.	2012 – 2014
	Implement a continuous, awareness-raising program on worst forms of child labor laws and for government officials on slavery.	2012 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2011 – 2014

## REFERENCES

- U.S. Department of State. "Mauritania," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220348.pdf>.
- Confédération Générale des Travailleurs de Mauritanie official. Interview with USDOL consultant. March 5, 2012.
- U.S. Embassy- Nouakchott. *reporting, January 9, 2015*.
- US Department of State. "Mauritania" in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226847.pdf>.
- Walk Free Foundation. *The Global Slavery Index 2013*. Dalkeith, Western Australia; 2013. <http://www.globalslaveryindex.org/>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2007. Analysis received January, 16 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Nouakchott. *reporting, January 23, 2012*.
- Association des Femmes Chefs de Manège official. Interview with USDOL consultant. February 27, 2012.
- Mauritanian Association for Human Rights official. Interview with USDOL consultant. February 29, 2013.
- Ministry of Social Affairs Childhood and the Family official. Interview with USDOL consultant. March 1, 2012.
- National Commission for Human Rights official. Interview with USDOL consultant. March 4, 2012.
- Ministère des Affaires Sociales de l'enfance et de la Famille, UNICEF. *Etude sur le Trafic, la Traite et les Pires Formes de Travail des Enfants en Mauritanie: Rapport Final*. Nouakchott; January 10, 2010. [source on file].
- SOS-Esclaves official. Interview with USDOL consultant. February 29, 2012.
- Ministry of Justice official. Interview with USDOL consultant. March 6, 2012.
- UNICEF official. Interview with USDOL consultant. March 7, 2012.
- Mariem Diallo Institute official. Interview with USDOL consultant. March 14, 2012.
- IRIN. "GUINEA-MAURITANIA: Worst forms of child labour still widespread" IRINnews.org [online] October 10, 2011 [cited November 8, 2014]; <http://www.irinnews.org/printreport.aspx?reportid=93921>.
- Terre Des Hommes. "Mauritania: The Fight Against Child Domestic Labour." *allafrica.com* [online] August 28, 2013 [cited January 17, 2014]; <http://allafrica.com/stories/201308290756.html>.
- Xinhua. "Mauritanie : Près de 600 filles mineures domestique victimes de violence en 2013 à Nouakchott." *afriqinfos.com* [online] July 2, 2013 [cited January 17, 2014]; <http://www.afriqinfos.com/articles/2013/7/2/mauritanie-pres-filles-mineures-domestique-victimes-violence-2013-nouakchott-225945.asp>.
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labor, 1999 (No. 182) Mauritania (ratification: 2001) Published: 2014*; accessed November 8, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO Committee of Experts. *Observation concerning Minimum Age Convention, 1973 (No. 138) Mauritania (ratification: 2001) Submitted: 2012*; accessed January 16, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labor, 1999 (No. 182) Mauritania (ratification: 2001) Published: 2012*; accessed November 7, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- International Trade Union Confederation. *Report for the WTO General Council Review of the Trade Policies of Mauritania and Guinea*. Washington, DC; 2011. [http://www.ituc-csi.org/IMG/pdf/Guinea\\_Mauritania\\_final.pdf](http://www.ituc-csi.org/IMG/pdf/Guinea_Mauritania_final.pdf).
- Hazelton, L. "Secret Slaves of Mauritania: Mother and Daughter Were Beaten and Raped." *dailymail.co.uk* [online] March 28, 2012 [cited January 21, 2014]; <http://www.dailymail.co.uk/news/article-2121062/Secret-slaves-Mauritania-Mother-daughter-beaten-raped.html>.
- Integrated Regional Information Networks. "Mauritania: anti-slavery law still tough to enforce." *IRINnews.org* [online] December 11, 2012 [cited January 21, 2014]; <http://www.irinnews.org/report/97016/MAURITANIA-Anti-slavery-law-still-tough-to-enforce>.
- Lillie, M. *Camel Jockeys in the UAE*, Human Trafficking Search, [blog] September 16, 2013 [cited January 12, 2015]; <http://humantraffickingsearch.net/wp/camel-jockeys-in-the-uae/>.
- UN Human Rights Council. *Report of the Special Rapporteur on Contemporary Forms of Slavery, including its Causes and Consequences, Gulnara Shahinian: Mission to Mauritania*. New York; August 24, 2010. Report No. A/HRC/15/20/Add.2. [http://www2.ohchr.org/english/issues/slavery/rapporteur/docs/A.HRC.15.20.Add.2\\_en.pdf](http://www2.ohchr.org/english/issues/slavery/rapporteur/docs/A.HRC.15.20.Add.2_en.pdf).
- U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. March 14, 2012.
- Government of Mauritania. *Loi n° 2001-054 du portant obligation de l'enseignement*, enacted July 19, 2001. [source on file].
- UNESCO. "Table 4: Access to Primary Education," in *EFA Global Monitoring Report: Youth and Skills- Putting Education to Work*. Paris; October 16, 2012; <http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2012-skills/>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labor, 1999 (No. 182) Mauritania (ratification: 2001) Published: 2014*; accessed November 8, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. March 9, 2011.
- ILO Committee of Experts. *Individual Direct Request Worst Forms of Child Labor, 1999 (No. 182) Mauritania (ratification: 2001) Published: 2012*; accessed November 7, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Mauritania (ratification: 2001) Published: 2014*; accessed November 8, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- UNICEF. *The State of the World's Children 2012: Children in an Urban World*. New York; February 2012. [http://www.childinfo.org/files/SOWC\\_2012\\_MainReport\\_EN.pdf](http://www.childinfo.org/files/SOWC_2012_MainReport_EN.pdf).
- Carol Watson, Ould Brahim Ould Jiddou Fah. *Etude Sur La Protection Sociale En Mauritanie: Analyse de la situation et Recommendations Operationnelles*. New York, UNICEF; March, 2010. <http://www.unicef.org/socialpolicy/files/PROTECTION SOCIALE EN MAURITANIE - RAPPORT FINAL.pdf>.



# Mauritania

## MODERATE ADVANCEMENT

38. Mutuma Ruteere. *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*, June 3, 2014. <http://reliefweb.int/report/mauritania/report-special-rapporteur-contemporary-forms-racism-racial-discrimination>.
39. GIEWS Country Brief. *Mauritania* November 11, 2014. <http://reliefweb.int/report/mauritania/giews-country-brief-mauritania-11-november-2014>.
40. Anthea Moore, Brahim Ould Isselmou. "In a refugee camp, getting more children in school and more schools for children." unicef.org [online] May 20, 2013 [cited January 17, 2014]; [http://www.unicef.org/infobycountry/mauritania\\_69292.html](http://www.unicef.org/infobycountry/mauritania_69292.html).
41. Sikiti da Silva, I. "Far from Home, Malian Refugees Strive to Rebuild Their Lives." ipsnews.net [online] April 11, 2013 [cited January 17, 2014]; <http://www.ipsnews.net/2013/04/far-from-home-malian-refugees-strive-to-rebuild-their-lives/>.
42. Government of Mauritania. *Code du travail. Loi No. 2004-017*, enacted July 2004. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=MRT&p\\_classification=01.02&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=MRT&p_classification=01.02&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).
43. Government of Mauritania. *Arrete No. 1797*, enacted 1965.
44. Government of Mauritania. *Ordonnance 2005-015 portant protection penale de l'enfant*, enacted December 5, 2005. [source on file].
45. Government of Mauritania. *Loi n° 2007- 048 portant incrimination de l'esclavage et réprimant les pratiques esclavagistes*, enacted December 17, 2007. <http://appablog.wordpress.com/2008/01/24/mauritanie-texte-de-la-loi-anti-esclavagiste-adoptee-par-les-deputes-mauritaniens/>.
46. Government of Mauritania. *Loi n° 025/2003 portant repression de la traite des personnes*, enacted 2003. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_sortby=SORTBY\\_DATE&p\\_country=MRT&p\\_country\\_all=any=ALL&p\\_keyword\\_all=any=ALL&p\\_start=1&p\\_increment=50](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_sortby=SORTBY_DATE&p_country=MRT&p_country_all=any=ALL&p_keyword_all=any=ALL&p_start=1&p_increment=50).
47. Government of Mauritania. *Law 2013-011*, enacted January 2013.
48. Armee Nationale Mauritanienne. *Loi N°62132 du 29 Juin 1962*, [cited December 19, 2014] <http://www.armee.mr/fr/index.php/2012-06-05-11-02-06>.
49. Child Soldiers International. *Louder than words - An agenda for action to end state use of child soldiers.*; 2012. file:///C:/Users/solorio-luis-p/Downloads/louderthanwordsseptember20124903558%20(2).pdf.
50. U.S. Embassy- Nouakchott. *reporting, February 6, 2014*.
51. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Mauritania (ratification: 2001) Published: 2012*; accessed November 7, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
52. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labor, 1999 (No. 182) Mauritania (ratification: 2001) Submitted: 2010*; accessed July 18, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
53. Terre Des Hommes. "Child Labor in Mauritania." [in print.] January 14, 2015 [cited February 13, 2015];
54. Government of Mauritania. *Child Labor Law. Draft*. [source on file].
55. U.S. Embassy- Nouakchott. *reporting, January 20, 2014*.
56. Boilil, TO. "Agence Nationale pour l'éradication des séquelles de l'esclavage, l'insertion et la lutte contre la pauvreté 'Tadamoun': Une solution qui arrive à point nommé." cridem.org [online] May 6, 2013 [cited January 17, 2014]; [http://www.cridem.org/C\\_Info.php?article=642569](http://www.cridem.org/C_Info.php?article=642569).
57. U.S. Embassy- Nouakchott. *reporting, March 25, 2013*.
58. U.S. Embassy- Nouakchott. *reporting, July 8, 2013*.
59. U.S. Embassy- Nouakchott. *reporting, May 8, 2013*.
60. Gulnara Shahinian. *Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences*, UN Human Rights Council; August 26, 2014 <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/147/10/PDF/G1414710.pdf?OpenElement>.
61. U.S. Embassy- Nouakchott. *reporting, June 09, 2015*.
62. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Mauritania (ratification: 1963) Published: 2012*; accessed November 7, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
63. U.S. Embassy- Nouakchott. *reporting, February 17, 2015*.
64. U.S. Embassy- Nouakchott. *reporting, February 4, 2013*.
65. United Nations Committee on the Rights of the Child. *Written replies by the Government of Mauritania to the list of issues prepared by the committee on the rights of the child in connection with the consideration of the second periodic report of Mauritania* April 22, 2009.
66. U.S. Embassy- Nouakchott. *reporting, January 15, 2015*.
67. U.S. Embassy- Nouakchott official. E-mail communication to USDOL official. April 9, 2015.
68. UN Office of the High Commissioner for Human Rights. "A turning point in the fight against slavery in Mauritania" - UN expert greets adoption of road map, UN, [online] [cited March 20, 2014]; <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14335&LangID=E>.
69. Government of Mauritania. *Communication Relative a la Feuille de Route Pour la Lutte Contre les Sequelles de l'Esclavage*. Nouakchott; 2014.
70. Middle East Online. "Mauritania agrees to adopt roadmap to eradicate slavery." middle-east-online.com [online] February 28, 2014 [cited December 22, 2014]; <http://www.middle-east-online.com/english/?id=64541>.
71. Government of Mauritania. *Programme Pays de Promotion du Travail Decent en Mauritanie 2012-2015*. Nouakchott, International Labour Organization. <http://www.ilo.org/public/english/bureau/program/dwcp/download/mauritanie.pdf>.
72. Government of Mauritania. *Cadre Stratégique de Lutte contre la Pauvreté: Plan d'action 2011-2015*. Nouakchott. [http://www.pnud.mr/publication/CSLPIII\\_volume2.pdf](http://www.pnud.mr/publication/CSLPIII_volume2.pdf).
73. Government of Mauritania. *Les reponses du Gouvernement mauritanien au questionnaire concernant les personnes handicapées, l'application effective de la Declaration de Durban et du Programme d'Action ainsi que les informations concernant les enfants travaillant ou vivant la rue*. Geneva; February 9, 2012. Report No. MISRIM/GE/F027/12. [source on file].
74. Government of Mauritania. *Strategie Nationale de Protection des Enfants en Mauritanie et Plan d'Action 2009-2013* Nouakchott; August 13, 2009. [source on file].
75. IMF. *Islamic Republic of Mauritania: Poverty Reduction Strategy Paper* Washington, DC; August 2011. <http://www.imf.org/external/pubs/ft/scr/2011/cr11252.pdf>.
76. IMF. *Islamic Republic of Mauritania: Poverty Reduction Strategy Paper*. Washington, DC; July, 2013. <http://www.imf.org/external/pubs/cat/longres.aspx?sk=40729.0>.
77. United Nations. *Plan d'action de l'UNDAF 2012- 2016*. Nouakchott; February, 2012. <http://www.undg.org/index.cfm?P=234&f=M>.
78. ILO Committee of Experts. *Observation concerning Forced Labour Convention, 1930 (No. 29) Mauritania (ratification: 1961) Submitted: 2013*; accessed January 16, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
79. Chatelot, C. "In Mauritania, The Fight To Abolish Slavery Runs Into Radical Islamism." worldcrunch.com [online] June 9, 2012 [cited January 21, 2014]; <http://www.worldcrunch.com/mauritania-fight-abolish-slavery-runs-radical-islamism/world-affairs/in-mauritania-the-fight-to-abolish-slavery-runs-into-radical-islamism/c1s5542/>.
80. Amnesty International. "Mauritania must end clamp down on anti-slavery activists." amnesty.org [online] November 12, 2014 [cited December 12, 2014]; <http://www.amnesty.org/en/news/mauritania-must-end-clamp-down-anti-slavery-activists-2014-11-12>
81. UNODC. *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union*. Vienna; January 2011. <http://migrantsatsea.wordpress.com/2011/05/31/unodc-report-the-role-of-organized-crime-in-the-smuggling-of-migrants-from-west-africa-to-the-eu/>.
82. UNODC. *IMPACT Program*, UNODC, [online] 2012 [cited January 21, 2014]; <http://www.unodc.org/unodc/en/human-trafficking/2008/impact-programme.html>.
83. IFAD. *Ongoing Operations*, IFAD, [online] [cited January 21, 2014]; <http://operations.ifad.org/web/ifad/operations/country/projects/tags/mauritania>.
84. IFAD. *Poverty Reduction Project in Aftout South and Karakoro – Phase II (PASK II)*, IFAD, [online] [cited January 21, 2014]; <http://operations.ifad.org/web/ifad/operations/country/project/tags/mauritania/1577/project%20overview>.
85. Gueye, B. "Mauritania to boost youth employment." magharebia.com [online] June 28, 2013 [cited February 26, 2014]; [http://magharebia.com/en\\_GB/articles/awi/features/2013/06/28/feature-02](http://magharebia.com/en_GB/articles/awi/features/2013/06/28/feature-02).
86. Okeowo, A. "Freedom Fighter" *The New Yorker*, (2014); <http://www.newyorker.com/magazine/2014/09/08/freedom-fighter>.



*In 2014, Mauritius made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government funded and participated in several programs to combat the worst forms of child labor and assist vulnerable households. The Government also operated drop-in centers to provide services to children formerly engaged in commercial sexual exploitation. However, children in Mauritius are engaged in the worst forms of child labor, including in commercial sexual exploitation. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. The Government does not currently ensure that victims of commercial sexual exploitation have access to comprehensive, quality services.*

Agalega Islands, Cargados Carajos Shoals, and Rodrigues are not shown.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritius are engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in Mauritius. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		99.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Producing* and harvesting* vegetables (3, 6-9)
	Feeding livestock* (9)
	Fishing,* including diving,* and casting nets* and traps* (6, 10)
Industry	Work in masonry* and apparel shops* (6, 7)
Services	Domestic work* (3, 6)
	Street work, including vending,* begging,* and carrying* goods in public markets (3, 6-8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (1-3, 7, 8, 11)
	Used in illicit activities, including selling drugs* (6)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children in Mauritius are lured into commercial sexual exploitation by their peers, family members, or through false offers of other employment.(2, 3) As Mauritius has never conducted a national child labor survey, there is limited information about the prevalence of child labor in the country.

# Mauritius




## MINIMAL ADVANCEMENT

Limited evidence suggests that incidences of physical and psychological abuse, including corporal punishment of students by teachers, prevent some children from attending school, increasing their risk of becoming victims of commercial sexual exploitation. (1, 11-13)

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mauritius has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Section 6 of the Employment Rights Act (14)
Minimum Age for Hazardous Work	Yes	18	Article 12 of the Employment Rights Act (14)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section 8 of the Occupational Safety and Health Act (15)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution (16)
Prohibition of Child Trafficking	Yes		Article 11 of the Combating Trafficking in Persons Act (17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 14 of the Child Protection Act; Article 253 of the Criminal Code (18, 19)
Prohibition of Using Children in Illicit Activities	Yes		Article 16 of the Child Protection Act (18)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	16	Article 37.2 of the Education Act (20)
Free Public Education	Yes		Article 35 of the Education Act (20)

\* No conscription (21)

† No standing military (21)

The Government of Mauritius continues to work on a comprehensive bill designed to harmonize the existing legal framework related to children's rights and to make sure it is consistent with the Convention on the Rights of the Child. (3, 11, 22)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Inspection and Enforcement Division of the Ministry of Labor, Industrial Relations, and Employment (MOLIRE)	Enforce all labor laws, including those related to child labor.(7, 23)
Office of the Ombudsperson for Children	Investigate any suspected or reported case of child labor or violation of a child's rights. Promote compliance with the Convention on the Rights of the Child.(11, 24)
Police Brigade for the Protection of Minors (Minors' Brigade)	Investigate reports of child or forced labor, or in conjunction with routine police patrols.(1, 11) Patrol areas such as arcades, bus terminals, and other areas in which youth are vulnerable to involvement in commercial sexual exploitation.(1, 23) Maintain a database of all trafficking incidents of children and refer all cases of commercial sexual exploitation to the Child Development Unit (CDU).(3)
Ministry of Gender Equality, Child Development and Family Welfare (MOGE) CDU	Enforce legislation related to children, as well as implement policies and programs related to child development.(11, 25) Receive tips on all forms of child abuse, including commercial sexual exploitation and child trafficking.(2, 23) Provide follow-up assistance to victims.(1, 11) Assign child welfare officers to accompany victims as they receive immediate medical care and work, in conjunction with the police if an official statement is needed.(2) Develop a central database and standard operating procedures for sharing information and taking action to address child labor.(3, 22)

Law enforcement agencies in Mauritius took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor, Industrial Relations, and Employment (MOLIRE) employed 45 labor inspectors.(9, 25) MOLIRE inspectors did not receive training on child labor during the reporting period.(10) They conducted 840 labor inspections and found one child labor violation, which was transferred to judicial authorities.(9) Information is unavailable on the type and notification system for inspections, the number of citations, or whether appropriate penalties were applied. MOLIRE works closely with the Ministry of Gender Equality, Child Development and Family Welfare (MOGE) and the Police Brigade for the Protection of Minors (Minors' Brigade) to ensure that victims of the worst forms of child labor receive appropriate protection and social services.(9)

### *Criminal Law Enforcement*

During the reporting period, the Minors' Brigade employed 41 officers.(9) It carried out a public awareness campaign at schools and community centers on child abuse, including commercial sexual exploitation.(2) Minors' Brigade officers received training on human trafficking and commercial sexual exploitation. A referral mechanism exists between the Minors' Brigade and MOGE to provide social services and assistance to victims of child abuse, including commercial sexual exploitation and child trafficking.(11) Research could not uncover the number of investigations, prosecutions, convictions, and sentences imposed on crimes related to the worst forms of child labor. The Minors' Brigade, in cooperation with the Child Development Unit (CDU), manages the "119" and "113" hotlines to receive complaints about situations requiring child protection.(3, 11) However, the number of calls received related to the worst forms of child labor is unavailable.

Research revealed that criminal law enforcement agencies lacked staff, transportation, and other necessities to properly enforce criminal laws related to the worst forms of child labor.(2, 3) Research found that the Government has decreased its efforts to enforce anti-trafficking law and there is a lack of understanding of anti-trafficking in persons among government officials.(2, 26)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Child Protection Committee (NCPC)	Coordinate, monitor, and evaluate activities on children's rights and welfare, including efforts to combat the worst forms of child labor. Chaired by MOGE and comprising representatives from more than 10 government ministries.(11) Also known as the Working Together Committee and includes a subcommittee that coordinates efforts to combat commercial sexual exploitation.(22, 27).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
National Children's Council (NCC)	Serve as the executive of child protection programs and focus on child protection issues in the country as an independent, para-governmental entity under the auspices of MOGE.(1, 11)

In 2014, significant overlap continues to exist among the committees involved in child protection issues. The roles of the National Child Protection Committee (NCPC) and the National Children's Council (NCC) are unclear in coordinating efforts to combat the worst forms of child labor.(11)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Mauritius has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Protocol of Assistance to Victims of Sexual Abuse	Lays out procedures for police and other officials to follow when handling sexual abuse cases, including commercial sexual exploitation.(11, 28)
Child Safety Online Action Plan	Prevents sexual exploitation of children on the Internet by strengthening the legal framework and raising awareness among parents and children.(11, 23)
National Policy Paper on the Family*	Supports child welfare through holistic support for families, including job training for parents.(11, 29)
Education and Human Resources Strategy Plan*	Improves equity of access to primary, secondary, and technical/vocational education, among other goals.(30)
UNDP Country Program for Mauritius*	Improves access to education for vulnerable children by reducing inequality.(31)

\*Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In 2014, the Government of Mauritius started drafting a National Child Protection Strategy and Action Plan that will strengthen national policies and programs to protect children from violence, human trafficking, and exploitative work; however, it has not yet been adopted.(3) Although the Government has adopted the Protocol of Assistance to Victims of Sexual Abuse, research found no evidence of a policy on other worst forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Mauritius funded programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Income Support Program*‡	Government program that provides money for 8,000 vulnerable families living below the Poverty Intervention Line. In 2014, the budget for this program was \$33 million.(25)
Social Aid Program*‡	Government program that provides assistance to 20,000 families.(11, 25)
Education Priority Zones (ZEP) *‡	Government program that combats social inequalities by providing equal opportunities to all primary school children throughout the country. Has been shown to reduce school dropout rates through enhanced community participation in education.(11, 27, 30) In 2014, the Government provided increased funding for low-performing schools.(25)
Child Mentoring Scheme*‡	Government program that provides one-on-one counseling to at-risk children through a government-selected mentor.(27, 32)
Summer and Winter School Program*‡	Government program that provides summer and winter schooling to enhance the successful transition of students from primary to secondary school.(23, 27)
Second Chance Program*‡	Government program to educate and provide vocational training and life skills to those who dropped out after age 16.(27)
Awareness-Raising Programs in Schools, Community Centers, and in the Media on Commercial Sexual Exploitation‡	Government program to educate the public on preventing sexual abuse and exploitation of children.(1, 2, 27)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Workshops on Commercial Sexual Exploitation‡	Government workshops to raise awareness of commercial sexual exploitation with vulnerable groups.(1, 33)
Drop-in Centers‡	Government program that provides counseling and referrals to victims of sexual abuse, including commercial sexual exploitation and human trafficking.(3, 7)
Shelters and Institutional Care*‡	Government program that provides shelter and institutional care to victims who are referred to government or NGO shelters.(1, 7, 34)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Mauritius.

The Government's institutional care facilities for victims of commercial sexual exploitation and other abuses are overcrowded, and service providers are overtaxed and lack appropriate training. These institutions do not have appropriate standards of care, leading to inadequate service provision.(1) In addition, child victims of commercial sexual exploitation are sometimes placed by court order in residential centers for youth on probation. Children placed in such facilities may not receive appropriate treatment.(1) In addition, the Government of Mauritius does not fund or participate in programs to address child labor in agriculture, domestic work, or street work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mauritius (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of training, human resources, and funding of agencies responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2011 – 2014
	Collect and make publicly available information on the type and notification system for labor inspections and the number of citations and penalties assessed, as well as the number of criminal investigations, prosecutions, convictions, and sentences related to the worst forms of child labor.	2014
	Collect and make publicly available information on the number of calls received on child protection hotlines and disaggregate such complaints.	2014
	Strengthen efforts to enforce anti-trafficking law and increase anti-trafficking in persons training for government officials.	2010 – 2014
Coordination	Streamline coordination across agencies, including by ensuring effective coordination between the NCPC and the NCC.	2012 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2010 – 2014
	Adopt a more comprehensive policy that addresses the worst forms of child labor.	2014
Social Programs	Conduct research to determine the prevalence of child labor in Mauritius to inform policies and programs.	2013 – 2014
	Expand the scope of programs to address the worst forms of child labor, including in domestic work, agriculture, and street work.	2014
	Take measures to ensure children's safety in schools.	2014
	Assess the impact that existing programs may have on addressing child labor, including in commercial sexual exploitation.	2009 – 2014
	Ensure that victims of commercial sexual exploitation have access to comprehensive, quality services; and refrain from placing victims in facilities designed for youth on probation.	2010 – 2014



### REFERENCES

1. United Nations Human Rights Council. *Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, Najat Maalla M'jid*. New York; November 9, 2011. Report No. A/HRC/19/63/Add.1. <http://www.ohchr.org/Documents/Issues/Children/SR/A.HRC.19.63.Add.1.pdf>.
2. U.S. Department of State. "Mauritius," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
3. U.S. Embassy- Port Louis. *reporting, January 15, 2015*.
4. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
5. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
6. NGO Safire. "Study on street children in Mauritius " Mauritius February 2012 [cited [http://safire-ngo.org/assets/pdf/thematic/Report\\_on\\_Street\\_Children.pdf](http://safire-ngo.org/assets/pdf/thematic/Report_on_Street_Children.pdf)].
7. U.S. Department of State. "Mauritius," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
8. Otieno, J. "Child labour in Africa: A worrying spike in numbers." *africareview.com* [online] August 7, 2013 [cited <http://www.africareview.com/Special-Reports/Child-labour-spike-worrying-in-Africa/-/979182/1940132/-/view/printVersion/-/g9yi8iz/-/index.html>].
9. U.S. Embassy- Port Louis. *reporting, February 25, 2015*.
10. U.S. Embassy- Port Louis official. E-mail communication to USDOL official. April 08, 2015.
11. UN Committee on the Rights of the Child. *Periodic Reports of States Parties due in 2011: Mauritius*. Prepared by the Government of Mauritius, Article 44 of the Convention on the Rights of the Child. October 28, 2013. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/478/85/PDF/G1347885.pdf?OpenElement>.
12. Buglow, Y. "Violence and antisocial behaviour in schools – How big is the problem?" October 19, 2012 [cited January 27, 2015]; <http://www.defimedia.info/news-sunday/society/item/20583-violence-and-anti-social-behaviour-in-schools-%E2%80%93-how-big-problem?.html>.
13. Pelerins, A. "Children of Mauritius: Realizing Children's Rights in Mauritius." *humanium.org* [online] October 23, 2012 [cited January 27, 2015]; <http://www.humanium.org/en/mauritius/>.
14. Government of Mauritius. *Employment Rights Act*, Act No. 33 of 2008, enacted September 19, 2008. [source on file].
15. Government of Mauritius. *The Occupational Safety and Health Act*, Act No. 28 of 2005, enacted October 28, 2005. [source on file].
16. Government of Mauritius. *Constitution of the Republic of Mauritius*, enacted March 12, 1968. [http://www.gov.mu/portal/site/AssemblySite/menuitem.ec3d58b2c32c60451251701065c521ca/?content\\_id=03654555fc808010VgnVCM100000ca6a12acRCRD#pro](http://www.gov.mu/portal/site/AssemblySite/menuitem.ec3d58b2c32c60451251701065c521ca/?content_id=03654555fc808010VgnVCM100000ca6a12acRCRD#pro).
17. Government of Mauritius. *The Combating of Trafficking in Persons Act 2009*, Act No. 2 of 2009, enacted May 8, 2009. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_126787.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126787.pdf).
18. Government of Mauritius. *Child Protection Act*, Act No. 30 of 1994, enacted April 1, 1995. [source on file].
19. Government of Mauritius. *Criminal Code*, enacted December 29, 1838 [source on file].
20. Government of Mauritius. *Education Act*, enacted December 28, 1957. [source on file].
21. Child Soldiers International. *Louder than words: An Agenda for Action to End State Use of Child Soldiers*. London; 2013. [http://www.child-soldiers.org/global-report\\_reader.php?id=562](http://www.child-soldiers.org/global-report_reader.php?id=562).
22. Government of Mauritius. *Comments*. Submitted in response to U.S. Department of Labor publication "Findings on the Worst Forms of Child Labor, September 30, 2013". Port Louis; January 11, 2013. [source on file].
23. U.S. Embassy- Port Louis. *reporting, January 29, 2013*.
24. Government of Mauritius. *The Ombudsperson for Children Act*, Act no. 41 of 2003, enacted November 20, 2003. [source on file].
25. U.S. Embassy- Port Louis. *reporting, January 16, 2014*.
26. U.S. Embassy- Port Louis. *reporting, February 19, 2013*.
27. Mauritius Ministry of Labour, Industrial Relations and Employment. *Updated Report Following the 2010 US Report-Findings on the Worst Forms of Child Labour*, July 19, 2012. [source on file].
28. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Mauritius (ratification: 2000) Published: 2008*; accessed February 20, 2013; <http://www.ilo.org/dyn/normlex/en>.
29. Government of Mauritius. *National Policy Paper on the Family*. Port Louis; 2010. [source on file].
30. Government of Mauritius. *Education and Human Resources Strategy Plan 2008-2020*. Port Louis; October 2009. [source on file].
31. UNDP. *Country Programme Document for the Republic of Mauritius (2013-2016)*. New York; June 25, 2013. <http://www.undp.org/content/dam/rba/docs/Programme%20Documents/Mauritius%20CPD%202013-2016%20%28en%29.pdf>.
32. U.S. Embassy- Port Louis. *reporting, January 20, 2012*.
33. Government of Mauritius. *Written communication*. Submitted in response to U.S. Department of Labor Federal Register Notice "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Port Louis; January 19, 2010. [source on file].
34. U.S. Embassy- Port Louis. *reporting, February 18, 2010*.

In 2014, Moldova made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government updated its list of hazardous occupations and activities prohibited for children and raised the compulsory education age to 18. The Government also took action to improve its policy framework by passing the sixth consecutive National Plan for Preventing and Combatting Human Trafficking, which develops a guide for improving prevention efforts, referral mechanisms, and support services for child victims of human trafficking. The Government also launched a new hotline to provide information and register complaints for children experiencing violence, neglect or exploitation, including exploitation through child labor. However, children in Moldova are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Funding for the State Labor Inspectorate (SLI) was not sufficient and the Inspectorate's efforts to enforce child labor laws were hindered by barriers to conducting unannounced inspections. While the Government provides some financial support to programs addressing child labor, including human trafficking, most major child labor programs have been donor funded. These programs do not appear to be sustainable without outside financial assistance.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Moldova are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor in commercial sexual exploitation sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Moldova.

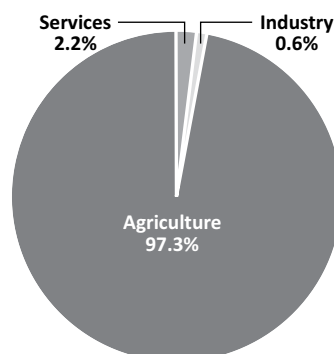
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	24.3 (102,105)
Attending School (%)	5-14 yrs.	92.1
Combining Work and School (%)	7-14 yrs.	29.0
Primary Completion Rate (%)		89.6

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from LFS-SIMPOC Survey, 2009.(7)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

# Moldova

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including raising crops* and farm animals* (2, 3, 5)
Industry	Construction,* activities unknown (1, 2, 5)
Services	Street work,* activities unknown (8)
	Wholesale and retail trade,* activities unknown (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation and forced begging each sometimes as a result of human trafficking (3-5, 9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Child trafficking continues to be a concern in Moldova. Both boys and girls are trafficked for commercial sexual exploitation within the country through brothels, saunas, and massage parlors, whereas girls are also trafficked for commercial sexual exploitation transnationally.(5, 10)




The latest national study on the situation of children in need and those whose parents work abroad, conducted in 2012, reveals that 105,270 (approximately 15 percent) of children have one or both parents working abroad.(1, 3) Children left behind by migrant parents, especially those who are institutionalized in orphanages or in boarding schools, may be particularly vulnerable to child labor and human trafficking.(5, 11-13)

Although the Education Code provides for free and compulsory education until age 18, parents are sometimes asked to pay informal fees for supplies and textbooks. Education-related costs and lack of transportation to school make it challenging for Roma children, in particular, to access education.(5, 12, 14-16)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Moldova has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 46 of the Labor Code of the Republic of Moldova (17)
Minimum Age for Hazardous Work	Yes	18	Article 255 of the Labor Code of the Republic of Moldova (17)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Government Decision No. 541 List of Jobs with Difficult, Harmful and/or Dangerous Working Conditions Prohibited for Children Under Age 18; The Collective Convention on Elimination of Worst Forms of Child Labor; Articles 103, 105, and 255-256 of the Labor Code; Article 58 of the Contravention Code of the Republic of Moldova (17-20)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Forced Labor	Yes		Article 44 of the Constitution of the Republic of Moldova; Article 6 of the Law on Children's Rights; Article 168 of the Criminal Code; Article 7 of the Labor Code; The Collective Convention on Elimination of Worst Forms of Child Labor (17, 18, 21-23)
Prohibition of Child Trafficking	Yes		Articles 165 and 206 of the Criminal Code of the Republic of Moldova; Article 1 of the Law on Preventing and Combatting Trafficking in Human Beings; The Collective Convention on Elimination of Worst Forms of Child Labor (18, 22, 24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 206 and 208 of the Criminal Code of the Republic of Moldova; Article 6 of the Law on Children's Rights; The Collective Convention on Elimination of Worst Forms of Child Labor (18, 22, 23)
Prohibition of Using Children in Illicit Activities	Yes		Article 208 of the Criminal Code of the Republic of Moldova; The Collective Convention on Elimination of Worst Forms of Child Labor (18, 22, 25)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 28 of Law No. 1245-XV on the Preparation of Citizens for Homeland Defense (26, 27)
Minimum Age for Voluntary Military Service	Yes	18	Article 12 of Law No. 162-XVI on the Status of Military Personnel (26, 28)
Compulsory Education Age	Yes	18	Article 13 of the Education Code (29)
Free Public Education	Yes		Article 9 of the Education Code (29)

In 2014, the Government adopted Decision No. 541 to update and improve its list of hazardous work activities prohibited for children. The new list includes an extensive number of occupations and working conditions considered harmful for children in over 30 categories.(19, 30, 31) It also includes provisions regulating the weight limits for lifting and moving heavy loads.(19, 30, 31)

During the reporting period, the Government adopted a new Education Code that increases the compulsory education age from 16 to 18. The Ministry of Education also issued a decision that prohibits students from working in agriculture during the school year.(30, 31)

In January 2014, the Law on the Special Protection of Children at Risk and Children Separated From Their Parents entered into effect. Through Decision No. 270, the Government adopted procedures for interagency cooperation on the identification, evaluation, assistance, monitoring, and registering of vulnerable children, including victims of exploitation and human trafficking. (30-33)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Labor Inspectorate (SLI) within the Ministry of Labor, Social Protection, and Family (MLSPF)	Enforce all labor laws, including child labor laws. Investigate cases with possible labor law violations, including those that relate to children.(3, 30) Manage the National Referral System (NRS) and lead victim rehabilitation efforts.(13)
Multidisciplinary Teams	Act on a local level to identify children involved in the worst forms of child labor, provide better alternatives to child laborers, continue to monitor the living conditions of identified children, and use the collected information for policy development. In 2014, the teams were extended to every district in the country.(3, 30, 31)
Ministry of Internal Affairs (MOIA)	Enforce criminal laws against child trafficking and sexual exploitation. Have officers dedicated to child protection and child labor.(3)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
The Center for Combating Trafficking in Persons (CCTIP), subdivision of MOIA	Lead criminal investigations and arrest the perpetrators involved in trafficking of persons, including trafficking of children.(3) In 2014, CCTIP was reorganized into three investigative sections specializing in combating trafficking in persons for the purpose of sexual exploitation; labor exploitation and begging; and child trafficking for the removal of organs, tissues, and cells. (13, 30)
Service for Information and Security (SIS)	Enforce criminal laws against child trafficking and sexual exploitation through cooperation and exchanging information with CCTIP.(3)
Prosecutor General's Office (PGO)	Conduct and oversee criminal investigations of cases, including the worst forms of child labor exploitation; prosecute cases of worst forms of child labor in court and at the Supreme Court of Justice; and represent the rights of child victims in cases when their civil rights are violated.(32) Employ seven prosecutors to deal with trafficking in persons cases as well as trafficking of children cases.(30) Composed of 36 prosecutorial offices throughout the country, which have prosecutors specialized in handling of child trafficking cases.(3, 32)
The National Council for the Protection of Child Rights within the National Commission for Consultation and Collective Bargaining	Inform and provide consultation to members of the National Commission for Consultation and Collective Bargaining's members about the worst forms of child labor and protecting child rights. (1)
The Parliamentary Ombudsman	Promote the UN CRC and defend the constitutional rights of children. Request cooperation from public authorities and public institutions on child protection issues.(3)
Ministry of Justice (MOJ)	Enforce criminal laws against child trafficking and sexual exploitation.(3) Draft, consult, and propose all processes related to legislation for the Government's approval before they enter in force.(32)

Law enforcement agencies in Moldova took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

The State Labor Inspectorate (SLI) employs 109 staff members, with 22 officers stationed in the central office and 87 posted in 10 regional branches.(3) Two additional labor inspectors staff the Child Labor Monitoring Unit (CLMU).(31) All SLI inspectors are trained according to the national curriculum on combating child labor, developed with support from ILO-IPEC.(30, 31) For 2014, SLI's total budget was \$776,000.(30) The Ministry of Labor, Social Protection, and Family (MLSPF) noted that the amount of funding allocated to conduct inspections is insufficient.(30, 31)

From January to November 2014, SLI conducted 6,190 inspections of over 5,500 businesses.(30, 31) Law permits the inspectorate to conduct desk reviews and on-site child labor inspections in both legally registered workplaces and on private farms.(17) However, SLI may not conduct an unannounced site visit unless it receives a petition from a working child or the child's parent. In the majority of cases, SLI is required to give 5 days' notice prior to entering a workplace, which reduces the effectiveness of the inspections.(30) In 2014, SLI launched the Automated Information System, which will improve data collection on labor law enforcement, including disaggregated data on the number of child labor violations detected.(31) According to MLSPF, in 2014, inspectors discovered 15 minors employed in violation of labor laws and 4 who were involved in hazardous work activities prohibited for children.(31) All 19 children were removed from work and assisted by the Government.(30, 31) During the reporting period, SLI inspectors issued citations for nine child labor law violations. Moldovan courts levied fines in 5 cases, with the total amounting to \$2,500.(30)

### *Criminal Law Enforcement*

In 2014, the Center for Combating Trafficking in Persons (CCTIP) employed 43 officers to investigate cases of child trafficking and commercial sexual exploitation. In addition, the Prosecutor General's Office (PGO) assigned 7 prosecutors to handle trafficking in persons cases.(30) During the reporting period, a total of 4,023 specialists, including members of Multidisciplinary Teams, judges, prosecutors, border police officers, and criminal investigators, received training on issues related to the worst forms of child labor, especially human trafficking. The Government also provided specialized training on interviewing techniques for child victims and witnesses of abuse and sexual exploitation.(30)



During the reporting period, law enforcement officials investigated 24 cases of potential child trafficking and identified 26 child victims.<sup>(13)</sup> In October, the Ministry of Labor, Social Protection, and Family (MLSPF) and the Ministry of Internal Affairs (MOIA) adopted a standard referral form to register all suspected cases of violence, neglect, exploitation, and trafficking of children.<sup>(30)</sup> Law enforcement officials ensure that potential victims of child trafficking receive appropriate social services through the country's National Referral System (NRS).<sup>(13)</sup> Child victims may be placed in rehabilitation clinics, shelters, foster care, or with relatives depending on the situation. Shelters provide medical, legal, social, and psychological support.<sup>(3, 13)</sup> The Government assisted 15 child victims during the reporting period.<sup>(13)</sup>

In 2014, officials brought seven child trafficking cases to trial, which resulted in the conviction of nine individuals for human trafficking offences. Of the nine convicted, eight human traffickers are currently serving jail time.<sup>(13)</sup> However, despite efforts to improve the prosecution of perpetrators of human trafficking, there is evidence that corruption in the judicial system continues to constrain the Government's ability to enforce laws related to the worst forms of child labor.<sup>(13)</sup>

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The National Steering Committee on the Elimination of Child Labor (NSC)	Coordinate work on child labor issues at the national level between representatives from workers' organizations, NGOs, academia, and the following government agencies: the Ministry of Labor, Social Protection and Family (MLSPF); the Ministry of Education (MOE); the Ministry of Agriculture and the Food Processing Industry; the Ministry of Finance; the Ministry of Health (MOH); the Ministry of Interior (MOI); the Ministry of Youth and Sports; the State Chancellery; the State Labor Inspectorate (SLI); the Prosecutor General's Office (PGO); and the National Bureau of Statistics (NBS). <sup>(3)</sup>
Child Labor Monitoring Unit (CLMU)	Supervise national-level activities related to combating child labor and serve as a coordinating mechanism between NSC at the national level and multidisciplinary teams at the local level. <sup>(3, 31)</sup>
The National Committee for Combatting Trafficking in Persons (NCCTIP)	Coordinate the Government's overall efforts to prevent and combat TIP. <sup>(3)</sup> Chaired by the Deputy Prime Minister of Foreign Affairs and European Integration (MFA) and includes representatives from the Ministry of Internal Affairs (MOIA); the MLSPF; the MOH, the MOE, the Ministry of Finance; the Ministry of Youth and Sports; the Border Guard Service; the Security and Information Service (SIS); the PGO; the Secretary of the Supreme Security Council; the Governor of the Gagauz Autonomous Region; the General Police Inspectorate; the State Labor Inspectorate (SLI); and the Bureau for Relations with Diaspora within the State Chancellery. <sup>(13)</sup>
The Permanent Secretariat (PS) under NCCTIP	Monitor implementation of legal provisions on combating TIP set out by the NCCTIP. Establish working groups for drafting new provisions on TIP, participate in anti-TIP campaigns, develop the national action plans, and seek support for projects. <sup>(13, 34)</sup>
National Coordination Unit (NCU) within the MLSPF	Coordinate activities related to the protection of victims and potential victims of human trafficking. Build the capacity of Multidisciplinary Teams at the local level to improve victim identification and referral for crisis intervention and rehabilitation. <sup>(35)</sup> Comprised of community social assistants, police officers, and NGO workers. <sup>(35)</sup>

Despite the important coordinating role of the National Steering Committee on the Elimination of Child Labor (NSC), the NSC did not meet in 2014 to discuss child labor issues. This may impact the overall efforts to combat child labor, including its worst forms, on a national level.<sup>(3, 30)</sup>

In 2014, the Government of Moldova issued a decree to institutionalize the Permanent Secretariat (PS) under the National Committee for Combatting Trafficking in Persons (NCCTIP), establishing four permanent staff positions and providing full funding for the first time.<sup>(13)</sup>

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Moldova has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
The National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor (NAP) (2011–2015)	Outlines 44 objectives to be implemented by 30 stakeholders to eliminate the worst forms of child labor by specific deadlines. Includes plans to institutionalize a child labor monitoring system in Moldova, increase access to education, provide rehabilitation and reintegration support for children withdrawn from child labor, and raise awareness on child labor issues in nine districts.(3, 31, 36) In 2014, the Government achieved one objective through the launch of the Automatized Information System for registering child labor violations.(30)
National Plan for Preventing and Combatting Trafficking in Human Beings (2014–2016)†	Aims to improve national anti-human trafficking efforts and reduce the vulnerability of children to labor and sexual exploitation as a result of human trafficking. Includes specific objectives to build the capacity of government officials through training on TIP issues; improve systematic data collection; raise public awareness; and improve repatriation and referral mechanisms for child trafficking victims.(37)
The Strategy of the National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings (NRS) (2009–2016)	Outlines a comprehensive framework for cooperation between government institutions and civil society organizations for the protection of victims and potential victims of human trafficking. Focuses on awareness raising activities, improving victim identification and referral mechanisms and building the capacity of counter-human trafficking actors through ongoing training and technical assistance. Regulates the work of the Multidisciplinary Teams (MDT) operating throughout the country as well as the National Coordination Unit (NCU). Launched by the Ministry of Labor, Social Protection and Family (MLSPF).(35)
The National Plan on Community Support of Children in Need for (2007–2014)*	Aims to provide social inclusion and protection for children in need through various services and initiatives.(3, 38)
European Integration: Freedom, Democracy, Wellbeing (2011–2014)*	Aims to have a direct impact on the prevention of the worst forms of child labor by ensuring access to early education; increasing the number of kindergartens and schools in communities; promoting inclusive education for children with disabilities and those from socially vulnerable families; and promoting the deinstitutionalization of children.(38)
Action Plan for the Support of the Roma People from the Republic of Moldova (2011–2015)*	Aims to improve social inclusion of the Roma people, including equal access to quality education for Romani boys and girls. Establishes a system of 48 Romani Community Mediators supported by the State budget to advocate for Roma issues at the national level.(14, 39)
Child Protection Strategy (2014–2020)*†	Seeks to bring the Moldovan child protection system into compliance with international standards. Sets three general objectives for improving the situation of children: development of necessary conditions for raising children in families; preventing and combating violence, neglect, and exploitation of children; and assisting working parents in the upbringing and development of children.(30, 40)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Moldova funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Free, Strong, and Safe—to a Better Child Protection System*	UNICEF and OAK Foundation-funded program implemented by the National Center for Prevention of Child Abuse (CNPAC) and the Center for Information and Documentation on Child Rights (CIDDC), in partnership with several government ministries, that aims to develop an integrated education and social assistance system for the protection of vulnerable children, including victims of abuse, neglect, and exploitation. Aims to improve prevention, identification, referral, and protection mechanisms.(3, 41)
Combatting child trafficking project	Organization for Security and Co-operation in Europe (OSCE)-funded project implemented by the Ministry of Education, the Ministry of Labor, Social Protection and Family (MLSPF), and local NGOs to prevent child trafficking by providing professional and life skills training to at-risk children without parental care in 12 residential schools across 10 regions. In 2014, the project was extended to Transdnistria.(42)
UNICEF-Government of Moldova Country Program (2013–2017)*‡	Government and the United Nations program to improve social inclusion of vulnerable children and their families and to promote social change for child rights. Focuses on children affected by migration, Roma children, and child victims of sexual exploitation and abuse.(30, 43)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
<i>Ajutor</i> Social Program*‡	Government and the World Bank cash benefit program that targets the poor.(44, 45)
Strengthening the Effectiveness of the Social Safety Net Project (2011–2016)*	\$37 million, World Bank-funded project implemented by MLSPF to improve the country's social safety net through expanding and strengthening the <i>Ajutor</i> Social Program, among other things. Provides social assistance based on household income to reach the poorest population.(32, 46, 47)
Education Assistance Programs*‡	Government program that seeks to improve access to education by providing a monthly payment of \$27 for a period of up to six months to cover the cost of school supplies for children from vulnerable families.(31) In 2014, the Government of Moldova allocated approximately \$487,000 for this purpose, and the municipality of Chisinau allocated \$303,000. Amount per child varies slightly across the regions depending on local administration budgets.(32, 41)
Financial Assistance Program*‡	Government and donor-funded program that provides financial assistance to poor families with children in installments of approximately \$32 per month for a maximum of 6 months or as a lump sum of approximately \$192. Financial assistance is mandated through Government Decision No. 780, passed in September 2014.(3, 30, 41)
Children in Moldova are Cared for in Safe and Secure Families Program (2014–2017)†	\$4.4 million, USAID-funded project implemented by Partnerships for Every Child that aims to build the capacity of MLSPF and the Ministry of Education to strengthen national child protection systems. Includes the objective of supporting children living in institutions, family-based care, and group homes to attend school.(30, 48)
Child Helpline†	Donor-funded telephone support service for children, implemented by the international NGO "La Strada and managed by MLSPF. Provides psychological counseling and information to parents, caregivers, and children who may be experiencing violence, neglect or exploitation.(31, 49) In 2014, operators answered a total of 1,300 calls and provided counseling for 488 adults and 414 children. There were no calls specifically related to child labor.(31)
Shelters for victims of human trafficking‡	Government-funded shelters for TIP victims in seven locations throughout the country, some of which provide specialized services for children. Offer accommodation as well as rehabilitation and reintegration services.(13) In 2014, the government increased funding for shelters from \$373,295 in 2013 to \$517,195.(13)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Moldova.

While the Government of Moldova provides some financial support to programs addressing both child labor and trafficking, most major child labor programs operate with significant donor funding. These programs do not appear to be sustainable without outside financial assistance.(1, 3)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Moldova (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase funding for the State Labor Inspectorate (SLI) to ensure that inspectors have the financial resources necessary to carry out adequate child labor inspections.	2012 – 2014
	Enable inspectors to conduct unannounced child labor inspections in both the formal and informal sectors.	2013 – 2014
	Strengthen measures to reduce corruption in the judicial system to ensure that perpetrators of crimes related to the worst forms of child labor are convicted and sentenced according to law.	2014
Coordination	Ensure that the National Steering Committee on the Elimination of Child Labor (NSC) meets regularly to discuss and coordinate issues related to the worst forms of child labor.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Conduct research to determine the activities carried out by children working in the industry and service sectors to inform policies and programs.	2013 – 2014
	Increase funding for education and monitor schools to ensure that extra educational fees are not imposed on children for the mandated term of free education through age 18.	2010 – 2014
	Institute targeted support programs for Romani children that promote equal access to education.	2014
	Assess the impact that existing programs may have on child labor.	2014
	Ensure current child labor programs are sustainable by providing increased financial support.	2009 – 2014

### REFERENCES

- U.S. Embassy- Chisinau. *reporting, January 31, 2013.*
- ILO-IPEC. *Working Children in the Republic of Moldova: The Results of the 2009 Children's Activities Survey.* Geneva; July 2010. <http://www.ilo.org/ipecinfol/product/viewProduct.do;jsessionid=89ab10506f14d83491da4a2171ca70bdeb9f053846cb956dfb098aa20d72be72.e3aTbhULbNmSe3qQc40;productId=15016>.
- U.S. Embassy- Chisinau. *reporting, January 24, 2014.*
- Walk Free Foundation. *The Global Slavery Index 2013: Moldova.* Dalkeith, Western Australia; 2013. <http://www.globallslaveryindex.org/country/moldova/>.
- U.S. Department of State. "Moldova," in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original Data from LFS-SIMPOC Survey, 2009. Analysis received February 16, 2016. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) Republic of Moldova (ratification: 2002) Published: 2010;* accessed November 7, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>
- UN Committee on the Rights of the Child. *Concluding observations on the initial report of the Republic of Moldova submitted under article 12 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted by the committee at its sixty-fourth session* Geneva; October 29, 2013. Report No. CRC/C/OPSC/MDA/CO/1. <http://www.refworld.org/docid/5280f80a4.html>.
- U.S. Department of State. "Moldova," in *Trafficking in Persons Report- 2014.* Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
- Diana Cheianu-Andrei, Rodica Gramma, Stela Milicenco, Valentina Pritcan, Virginia Rusnac, and Vaculovschi Dorin. *Specific Needs of Children and Elderly Left Behind as a Consequence of Migration.* Chisinau; 2011. [http://www.iom.md/attachments/110\\_necesis\\_cop\\_virst\\_en.pdf](http://www.iom.md/attachments/110_necesis_cop_virst_en.pdf).
- Committee on the Elimination of Discrimination Against Women. *CEDAW Concluding Observations: Republic of Moldova.* Geneva; October 18, 2013. Report No. CEDAW/C/MDA/4-5. <http://sim.law.uu.nl/SIM/CaseLaw/uncom.nsf/fe005fcb50d8277cc12569d5003e4aaa/4955bb561df674e4fc1257c270032fc53?OpenDocument>.
- U.S. Embassy- Chisinau. *reporting, February 23, 2015.*
- United Nations. *Study on the Situation of Romani Women and Girls in the Republic of Moldova.* Geneva; 2014. [http://www.md.undp.org/content/moldova/en/home/library/democratic\\_governance/study-on-the-situation-of-romani-women-and-girls-in-the-republic/](http://www.md.undp.org/content/moldova/en/home/library/democratic_governance/study-on-the-situation-of-romani-women-and-girls-in-the-republic/).
- UNICEF. *Republic of Moldova Country Programme Document 2013-2017.* Draft country program document. New York; 2012.
- UNICEF. *UNICEF Annual Report 2013-Moldova.* New York; 2013. [http://www.unicef.org/about/annualreport/files/Moldova\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Moldova_COAR_2013.pdf).
- Government of Moldova. *Labour Code of the Republic of Moldova,* N 154-XV from 28.03.2003, enacted 2003. <http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/mol/labour.doc>.
- Government of Moldova. *Collective Convention on Elimination of Worst Forms of Child Labour,* No. 8, enacted July 12, 2007. [source on file].
- Government of Moldova. *Nomenclatorul lucrărilor cu condiții de muncă grele, vătămătoare și/sau periculoase la care este interzisă aplicarea muncii persoanelor în vîrstă de pînă la 18 ani,* Nr. 541, enacted July 7, 2014. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=353841&lang=1>.
- Government of Moldova. *Contravention Code of the Republic of Moldova,* No. 218-XVI, enacted October 24, 2008. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/86500/97673/F144678591/MDA86500.pdf>.
- Government of Moldova. *Constitution of the Republic of Moldova,* enacted 1994. [www.e-democracy.md/en/legislation/constitution](http://www.e-democracy.md/en/legislation/constitution).
- Government of Moldova. *The Criminal Code of the Republic of Moldova,* enacted April 18, 2002. [http://www.google.com/url?sa=t&rcct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCKQFjAA&url=http%3A%2F%2Flegislationline.org%2Fdownload%2Faction%2Fdownload%2Fid%2F3559%2Ffile%2FCriminal%2520Code%2520RM.pdf&ei=0eDFUpvjFczMsQT5rYKwDA&usq=AFQjCNHr\\_dTkAwQPXu67VexM3rnaguo\\_GQ](http://www.google.com/url?sa=t&rcct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCKQFjAA&url=http%3A%2F%2Flegislationline.org%2Fdownload%2Faction%2Fdownload%2Fid%2F3559%2Ffile%2FCriminal%2520Code%2520RM.pdf&ei=0eDFUpvjFczMsQT5rYKwDA&usq=AFQjCNHr_dTkAwQPXu67VexM3rnaguo_GQ).
- Government of Moldova. *Privind drepturile copilului,* Nr. 338, enacted December 15, 1994. <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311654>.
- Government of Moldova. *Law on Preventing and Combating Trafficking in Human Beings,* No. 241-XVI, enacted October 20, 2005. [www.legislationline.org/topics/country14/topic/14](http://www.legislationline.org/topics/country14/topic/14).
- Government of Moldova. *Conventia Colectiva Nr. 14 pentru aprobarea modificarilor si completarilor ce se opereaza in Conventia colectiva nr. 8,* enacted November 22, 2013. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=350642&lang=1>.
- Child Soldiers International. *Louder than words: an agenda for action to end state use of child soldiers.* London; 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- Government of Moldova. *On the Preparation of Citizens for Homeland Defense,* enacted July 18, 2002. <http://lex.justice.md/md/312749/>
- Government of Moldova. *On the Status of Military Personnel,* enacted July 7, 2005. [http://lex.justice.md/document\\_rom.php?id=7F265895:857C7FF0](http://lex.justice.md/document_rom.php?id=7F265895:857C7FF0).
- Government of Moldova. *Education Code,* Nr. 152, enacted November 23, 2014. <http://lex.justice.md/md/355156/>.

30. U.S. Embassy- Chisinau. *reporting, January 15, 2015.*
31. The Government of Moldova. *reporting, January 13, 2015.* [source on file].
32. U.S. Embassy- Chisinau official. E-mail communication to USDOL official. May 9, 2014.
33. Government of Moldova. *Privind protecția specială a copiilor aflați în situație de risc și a copiilor separați de părinți*, Nr. 140, enacted June 14, 2013. <http://lex.justice.md/md/348972/>.
34. U.S. Embassy- Chisinau. *reporting, February 15, 2013.*
35. The Ministry of Labour Social Protection and Family of the Republic of Moldova. *NRS: A Framework for Cooperation Between Public Authorities and Civil Society For Preventing and Combating Trafficking in Human Beings*. Chisinau; 2013. Report No. 1316.037 <http://antitrafic.gov.md/lib.php?l=en&cidc=93>.
36. Government of Moldova. *Draft National Action Plan on Prevention and Elimination of Most Severe Forms of Child Labor for Years 2011-2015*. Chisinau; 2011. [source on file].
37. Government of Moldova. *National Plan for Preventing and Combatting Trafficking in Human Beings for 2014-2016*. Chisinau; June 26, 2014. [http://antitrafic.gov.md/public/files/Plan\\_national-2014-2016\\_RO\\_EN.pdf](http://antitrafic.gov.md/public/files/Plan_national-2014-2016_RO_EN.pdf).
38. The Government of Moldova. *reporting, January 15, 2013.* [source on file].
39. United Nations Development Program. *Ending stigma and discrimination against Romani women and girls key to ensuring equality and women advancement in Moldova*. Press Release. Geneva; March 21, 2014. <http://www.md.undp.org/content/moldova/en/home/presscenter/pressreleases/2014/03/21/ending-stigma-and-discrimination-against-romani-women-and-girls-key-to-ensuring-equality-and-women-advancement-in-moldova.html>.
40. Government of Moldova. *Child Protection Strategy*, Nr. 434, enacted October 6, 2014. <http://lex.justice.md/md/353459/>.
41. U.S. Embassy- Chisinau official. E-mail communication to USDOL official. February 23, 2015.
42. Organization for Security and Co-operation in Europe. *OSCE Special Representative praises anti-trafficking project for children in Moldova*. Press Release. Vienna; October 24, 2014. <http://www.osce.org/secretariat/125988>.
43. UNICEF. *Country programme document 2013-2017*. New York; 2012. [http://www.unicef.org/about/execboard/files/Moldova-2013-2017-final\\_approved-English-14Sept2012.pdf](http://www.unicef.org/about/execboard/files/Moldova-2013-2017-final_approved-English-14Sept2012.pdf).
44. World Bank. *Moldova-Strengthen the Effectiveness of the Social Safety Net*. Washington, DC; 2011. [http://siteresources.worldbank.org/INTMOLDOVA/Resources/Moldova\\_23.pdf](http://siteresources.worldbank.org/INTMOLDOVA/Resources/Moldova_23.pdf).
45. World Bank. *Enhanced Social Safety Nets for Moldova's Poorest Households*, World Bank, [online] [cited November 5, 2014]; <http://www.worldbank.org/en/results/2014/04/15/enhanced-social-safety-nets-for-moldovas-poorest-households>.
46. World Bank. *Enhanced Social Safety Nets for Moldova's Poorest Households*, The World Bank, [online] [cited November 5, 2014]; <http://www.worldbank.org/en/results/2014/04/15/enhanced-social-safety-nets-for-moldovas-poorest-households>.
47. World Bank. *Moldova's Strengthening the Effectiveness of the Social Safety Net Project will Improve the Delivery of Social Assistance Benefits to the Country's Most Vulnerable*. Press Release. Washington, DC; 2011. <http://web.worldbank.org/external/default/main?pagePK=34370&piPK=34424&theSitePK=4607&menuPK=34463&contentMDK=22936612>.
48. Partnerships for Every Child. *Partnerships for Every Child is implementing the project "Children in Moldova are cared for in safe and secure families"*, Partnerships for Every Child,, [online] [cited February 11, 2014]; [http://www.p4ec.md/en/projects/Children\\_in\\_Moldova\\_are\\_cared\\_for\\_in\\_safe\\_and\\_secure/default.aspx](http://www.p4ec.md/en/projects/Children_in_Moldova_are_cared_for_in_safe_and_secure/default.aspx).
49. ANRCETI. *116111-Child Helpline*. Press Release. Chisinau; June 26, 2014. [http://en.anrceti.md/116111\\_asistent\\_a\\_telefon\\_copii](http://en.anrceti.md/116111_asistent_a_telefon_copii).



# Mongolia

## MODERATE ADVANCEMENT

In 2014, Mongolia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government established a Child Hotline to receive reports of child abuse and refer cases to the police, including reports related to exploitative child labor. In addition, law enforcement agencies improved efforts to monitor horse races for compliance with age and safety requirements for child horse jockeys. The Government's Crime Prevention and Awareness Fund provided approximately \$30,000 for Anti-Trafficking activities in 2014, including training for law enforcement officers and prosecutors on investigation and victim identification techniques. However, children in Mongolia are engaged in child labor, including in animal husbandry and herding and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Gaps persist in the legal framework and operating procedures for prosecuting criminal offenders, specifically regarding commercial sexual exploitation. The Government also lacks social programs to address child labor in certain relevant sectors.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mongolia are engaged in child labor, including in animal husbandry and herding. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-6) Table 1 provides key indicators on children's work and education in Mongolia.

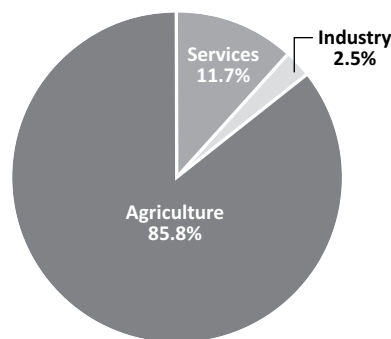
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	13.8 (60,246)
Attending School (%)	5-14 yrs.	87.6
Combining Work and School (%)	7-14 yrs.	15.1
Primary Completion Rate (%)		130.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labour Force Survey-National Child Labour Survey, 2011-2012.(8)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Herding and animal husbandry (1, 2, 4, 9)
Industry	Construction,† activities unknown (2, 9)
	Mining† coal, gold, and fluorspar (2-4, 9-14)
	Horse jockeying (4, 9, 15-17)
	Scavenging in garbage dumpsites† (2, 4, 9, 18)
Services	Handling freight (2)
	Domestic Work† (9)
	Ticket-taking for public transportation* (9)
Categorical Worst Forms of Child Labor†	Street work, including vending and washing cars (2, 3, 9, 11)
	Commercial sexual exploitation, including use in the production of pornography* sometimes as a result of human trafficking (3-6, 9-11, 19)
	Forced labor in begging and stealing* (3, 4, 6, 19)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in construction, mining, agriculture, horse jockeying, animal husbandry,* industrial sectors,* and contortionist work,* each sometimes as a result of human trafficking (4, 6, 19)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







The National Statistical Office’s (NSO) Social Indicator Sample Survey, published in June 2014, found that 15 percent of Mongolian children between the ages of 5 and 17 are involved in child labor. According to the survey, child labor is more prevalent in rural areas than in urban areas.(9, 20) In an earlier study, the NSO also found that 8 out of 10 children engaged in hazardous work are boys.(2) In 2014, the General Agency for Specialized Inspection (GASI) conducted a nationwide monitoring study focused on identifying incidents of children working in the informal sector, including in markets, artisanal mining sites, and at informal construction and brick-making sites. In their assessment of 121 informal locations, GASI identified 336 minors working, 246 of whom were boys.(9)

Mongolian children are primarily trafficked internally for the purpose of commercial sexual exploitation in saunas, bars, hotels, karaoke clubs, and massage parlors.(3-6, 19) During the reporting period, there were also instances of Mongolian minors being trafficked internationally for sexual exploitation.(6, 9, 21)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mongolia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 109 of the Law on Labor (22)
Minimum Age for Hazardous Work	Yes	18	List of Jobs and Occupations Prohibited to Minors; Article 6 of the Law on the Protection of the Rights of the Child (23, 24)
Prohibition of Hazardous Occupations or Activities for Children	Yes		List of Jobs and Occupations Prohibited to Minors; Law on the National Naadam Holiday (23, 25)
Prohibition of Forced Labor	Yes		Article 121 of the Criminal Code; Article 7 of the Law on Labor; Article 7 of the Law on the Protection of the Rights of the Child (22, 24, 26)
Prohibition of Child Trafficking	Yes		Law on Combating Trafficking in Persons; Article 113 of the Criminal Code (26, 27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 115, 123 and 124 of the Criminal Code; Combating Pornography and Prostitution Act (26, 28)

# Mongolia

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 114 and 192 of the Criminal Code (26)
Minimum Age for Compulsory Military Recruitment	Yes	18	Law on Civil Military Duties and the Legal Status of Military Personnel (29, 30)
Minimum Age for Voluntary Military Service	Yes	18	Law on Civil Military Duties and the Legal Status of Military Personnel (29, 30)
Compulsory Education Age	Yes	16	Article 46 of the Law on Education (21, 31, 32)
Free Public Education	Yes		Article 16 of the Constitution of Mongolia; Law on Education (32, 33)

Mongolia's Law on Labor covers work performed within a labor contract, and there appears to be no other law that addresses work performed outside a labor contract. As a result, some working children may lack legal protection.(22, 34) The Ministry of Justice (MOJ) is in the process of revising the Criminal Code to more effectively prohibit the worst forms of child labor and to strengthen the protection of child victims of human trafficking during legal proceedings. A previous draft was submitted to Parliament in 2014 but was withdrawn by the new Minister of Justice in December.(35, 36) Although the current Criminal Code prohibits and prescribes an aggravated punishment for the use of a person under age 16 for the production of pornography, it does not expressly protect children ages 16 and 17. Mongolian law also does not expressly prohibit the possession of child pornography.(26, 38)

The minimum age for racing as a horse jockey (seven-years-old) does not meet the standards prescribed in international conventions, and current legislation does not fully protect children engaged in this sector.(13, 25) Sources report that a group of parliamentarians is developing revisions to a law that would ban children under age 16 from taking part in official races.(15, 16, 21)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
General Agency for Specialized Inspection (GASI)	Enforce labor laws, including child labor. Conduct inspections at registered businesses.(3)
National Police Agency (NPA)	Maintain primary responsibility for investigating trafficking cases. Coordinate with the Organized Crime Department—successor to the Criminal Police Department (CPD) and the State Investigation Agency (SIA).(19) Report to the Ministry of Justice (MOJ).(9)
Organized Crime Department (OCD)	Receive referrals and open a formal criminal investigation of trafficking and sexual exploitation cases. Work with the Prosecutor's Office to decide whether to take a case to court and initiate any subsequent prosecution.(3, 39) Replaced the SIA and the CPD, which were merged into one office in January 2014.(9)
Metropolitan Police Department (MPD)	Operate under the NPA and oversee the district police divisions of Ulaanbaatar's nine districts.(39) Enforce labor laws and identify children in hazardous labor.(3)
Division for the Prevention of Domestic Violence and Crimes Against Children*	Operate under the MPD and protect unattended children on the streets. Identify and refer children to their parents or to Child Care and Protection Centers (CCPCs).(9)
General Authority for Citizenship and Migration (GACM)*	Register Mongolian citizens who enter and exit the country. Track children who leave Mongolia and do not return, and pregnant Mongolian women who leave Mongolia to give birth and return without their child.(19) Follow up with law enforcement as necessary.(19) Agency created as a result of a merger between certain units of the General Authority for Border Protection and the former Immigration Agency.(19)
Marshal ( <i>Takhar</i> ) Service*	Provide protection to victims and witnesses throughout the judicial process. Work towards establishing shelters throughout the country.(9, 40)

\* Agency responsible for child labor enforcement was created during the reporting period.

Law enforcement agencies in Mongolia took action to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the General Agency for Specialized Inspection (GASI) employed 47 labor inspectors countrywide, two of whom focused primarily on child labor issues. An additional 100 junior inspectors also dedicated limited time to labor issues.(3, 9) During the reporting period, approximately 20 GASI inspectors received training on labor exploitation conducted by the Ministry of Justice (MOJ) and The Asia Foundation.(40) Both NGOs and government officials note that the number of inspectors and the state funding provided for GASI is inadequate, given the scope of the child labor problem, the growing number of businesses in the country, and GASI's broad responsibilities in the areas of labor monitoring and health and safety regulation.(3, 9)

GASI conducts both complaint-driven and routine labor inspections. During the reporting period, GASI conducted 1,054 general labor inspections.(21) In addition, each year GASI varies onsite inspections according to themes. In 2014, the theme focused on the safety of child jockeys and GASI conducted inspections at 195 capital- and provincial-level races, 75 races in honor of county anniversaries, and four races at regional festivals.(9) As a result of the inspections, GASI identified 63 violations of child jockey safety regulations and subsequently prohibited 56 underage children from racing. GASI also organized public awareness campaigns on the rights of child jockeys at the provincial level and reported that all but three provinces have now banned the use of children under age seven as jockeys.(9) Furthermore, GASI signed tripartite agreements with horse trainers, insurance companies, and parents in an effort to improve safety monitoring for children participating in races.(9) Despite these efforts, there continues to be little regulation over community-level races in rural areas.(9, 17)

The Metropolitan Police Department (MPD) and the Metropolitan Office of Child and Family Development (MOCFD) identified 70 children living and working on the streets through two jointly conducted campaigns.(9) Some of these children were referred to Child Care and Protection Centers (CCPCs) in Ulaanbaatar to receive social services. In June 2014, the Government created a Child Hotline to receive general child abuse complaints and to serve as an informational resource for minors. The Child Hotline received 42,946 calls on child-related issues from its opening in June 2014 through the end of the year.(9, 21) According to statistics from the National Authority for Children (NAC), the hotline received 26 reports of children working in hazardous labor, 37 reports of children engaged in forced begging, and no reports of human trafficking. The statistics did not provide information on whether follow-up actions were taken in response to these calls.(21) Research found that despite the new hotline, there is still no specific referral procedure to ensure that children identified in exploitative labor situations during investigations receive the support services they need.(9)

While inspectors have the authority to assess penalties for child labor law violations, either during the initial inspection or after the fact, GASI did not issue any fines during the reporting period.(9) The Law on State Inspections requires GASI to announce the sites it plans to inspect over the course of the year and to give two days' notice prior to visits. According to GASI officials, these requirements may have contributed to the fact that no child labor violations were detected during the year.(3, 9)

### ***Criminal Law Enforcement***

In 2014, the Organized Crime Department (OCD) had six officers responsible for investigating cases of trafficking in persons.(9) Research indicated that this number was inadequate to address the scope of the problem.(3, 21) During the reporting period, a total of 71 police officers participated in training conducted by the International Center for Missing and Exploited Children and the U.S. Federal Bureau of Investigation (FBI) on techniques for investigating crimes against children. Several officers also received trainings on human trafficking and labor exploitation.(9) At the request of the Ministry of Justice (MOJ), the anti-trafficking NGO, Gender Equality Center (GEC), provided basic training on trafficking in persons to approximately 400 police officers across 9 provinces.(9)

In 2014, the National Police Agency (NPA) investigated eight trafficking in persons cases, involving 11 alleged perpetrators and 9 alleged victims, one of whom was a minor. Of the eight cases, one was prosecuted in court and resulted in the conviction and sentencing of one perpetrator to a prison term of between 5 and 8 years.(9, 40) It is unclear whether this case involved a child victim. Under article 121 of the Criminal Code, the court prosecuted one case of forced child labor, and convicted and sentenced two offenders. The NPA also investigated 18 cases related to commercial sexual exploitation involving three child victims.(9) Court rulings in four of these cases resulted in the conviction of eight individuals, but information is not available on whether these cases involved child victims.(9) During the reporting period, the GEC provided assistance to 13 female minors, all victims of commercial

# Mongolia

## MODERATE ADVANCEMENT

sexual exploitation.(9, 39) However, there is no formalized referral mechanism between government law enforcement agencies and social service providers to ensure that children identified as engaged in the worst forms of child labor receive appropriate support services.(9)

Police officers reported that there is a general lack of knowledge and training on how to apply criminal trafficking laws to cases of commercial sexual exploitation of children. As a result, many cases that could have been prosecuted under the trafficking article of the Criminal Code were instead prosecuted under related articles of the Criminal Code that carry lighter penalties.(3, 38) The National Authority for Children (NAC) reported that there is a general assumption that victims of sexual misconduct must be girls, resulting in a failure to recognize boys as potential victims of sexual exploitation.(3) When boys are victims of sexual exploitation, the offense is rarely prosecuted and, when prosecution does occur, charges are likely to be filed under an article of the Criminal Code that carries a lighter sentence and includes no aggravating penalty for committing the crime against a minor.(3)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Coordinating Council to Implement the National Action Plan for the Elimination of the Worst Forms of Child Labor (Coordinating Council)	Guide government efforts on child labor and implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labor. Chaired by the Ministry of Labor (MOL), with the National Authority for Children (NAC) as the lead implementing agency.(9) Comprised of 21 organizations, including the Ministries of Population Development and Social Protection; Justice; Education; and Agriculture; the General Agency for Specialized Inspection (GASI); the Confederation of Mongolian Trade Unions; the ILO; and NGOs.(3, 21)
Anti-Trafficking Sub-Council (Sub-Council)	Coordinate government efforts to combat trafficking in persons and monitor implementation of anti-human trafficking legislation. Function as a part of the Council on Crime Prevention under the Ministry of Justice (MOJ).(3, 19) Currently has 15 members representing 12 different organizations and two NGOs. Government members include the Border Protection Agency, the Ministry of Foreign Affairs, the Ministry of Health, the MOJ, the MOL, the Ministry of Population Development and Social Protection, the General Authority for Citizenship and Migration, National Authority for Children (NAC), and the National Police Agency (NPA).(19)

The Coordinating Council, which was briefly established and then dissolved in 2013, was reestablished in November 2014. Although the Coordinating Council plays an important role in guiding government efforts on child labor, the reestablished body did not convene before year's end.(9)

In 2014, the Government's Crime Prevention and Awareness Fund allocated roughly \$30,000 to fund the work of the Anti-Trafficking Sub-Council.(39) During the reporting period, approximately 30 representatives from Sub-Council member organizations participated in a training on how to provide specialized services to victims of human trafficking. With funding from The Asia Foundation, the Sub-Council also collaborated with a local NGO to conduct a training for journalists on how to effectively report on trafficking in persons cases in a manner that protects victim identity and privacy.(19)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Mongolia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Program for the Elimination of the Worst Forms of Child Labor and National Action Plan (2011-2016)	Identifies specific actions to combat child labor through 2016 through a National Action Plan for the Elimination of the Worst Forms of Child Labor. Aims to improve legal protection for children and increase children's access to health care and education.(13) In 2014, key stakeholders agreed to update the activities described in the National Action Plan, and a budget of nearly \$96,000 was allocated for its implementation.(9)
State Policy on Herders	Describes the conditions and criteria for engaging children in herding, to eliminate the worst forms of child labor in that sector.(18)
National Development Strategy*	Calls for improvements in education, health, social welfare, and labor policies through 2020. Priorities include the education, safety, and health of vulnerable children.(41)



**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Child Protection Strategy (2011–2016)	Aims to provide child welfare programs at the local level in collaboration with NGOs and local government offices. Includes a component related to child labor prevention and elimination. (3, 42) In 2014, the National Authority for Children (NAC) received a budget of \$62,296 for implementation of activities.(9)
Strategy for Strengthening Child Protection (2010–2015)	Aims to prevent and eliminate child labor, commercial sexual exploitation, and human trafficking. Seeks to strengthen relevant legislation to protect children's rights, including the Law on Labor, and to build the capacity of child protection workers.(43)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Due to complications resulting from the restructuring of the Government of Mongolia in 2014, relevant agencies made minimal efforts to implement the National Program for the Elimination of the Worst Forms of Child Labor. The Ministry of Labor disbursed a portion of the policy budget to the provinces and the districts of Ulaanbaatar for local-level implementation of activities to prevent child labor.(9) In particular, funds were used for public awareness projects related to child jockeying. Government officials reported that they lacked sufficient knowledge of the contents of the National Action Plan and of implementation efforts.(9)

During the reporting period, the Anti-Trafficking Sub-Council began drafting a revised National Action Plan on Trafficking in Persons, but it is not expected to be finalized until 2015.(39)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Mongolia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Children's Money Program*‡	General Agency for Social Welfare and Service, General Agency for State Registration, and Human Development Fund program that distributes approximately \$12 per month to children up to age 18. Partial continuation of a former program that distributed national profit from mineral resources to funding for health insurance, pensions, and education tuition.(3, 44-46)
School Lunch Program*‡	Government program that subsidizes meals to encourage low-income children to attend school, particularly at the secondary level.(3)
Global Action Program on Child Labor Issues (GAP11) (2011–2015)	USDOL-funded project implemented by the ILO in approximately 40 countries, to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the government and develop strategic policies to address the elimination of child labor and forced labor.(47) In 2014, the Ministry of Justice (MOJ) completed its review of the Criminal Code and related legislation to more comprehensively prohibit the worst forms of child labor and forced labor. MOJ submitted the revised draft of the Criminal Code to Parliament; however, in December the draft was withdrawn by the new Minister of Justice for further review.(21, 35, 47)
Government Sub-Program on Development of Small-Scale Mining (2008-2015)	Minister for Agriculture and Industry, Minister for Energy, and local governor-implemented program that aims to eliminate child labor in the mining sector, with provisions for providing children with informal or distance education.(14, 39)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Mongolia.

During the reporting period, two programs that formerly provided shelter and social services to children working on the street were discontinued. The Address Identification Center (AIC) was converted to a shelter for victims of domestic violence, and the Child Development and Protection Center became an orphanage.(9) This reduction in care centers leaves street children engaged in child labor vulnerable.(9) Although the Government is implementing a program to address child labor in mining, research found no evidence that the Government carried out programs to assist children working in many relevant sectors, including in herding, animal husbandry, and commercial sexual exploitation.

# Mongolia

MODERATE ADVANCEMENT

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mongolia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws related to labor cover all children, including those working without employment contracts.	2009 – 2014
	Ensure that laws clearly and comprehensively prohibit the use, procurement, and offering of all children under age 18 for the production of pornography, and that they criminalize the possession of child pornography.	2014
	Ensure that the legal minimum age for children working as horse jockeys adheres to international standards.	2012 – 2014
Enforcement	Increase the number of labor inspectors and investigators responsible for enforcing laws related to child labor, including its worst forms, in order to provide adequate coverage of the workforce.	2014
	Enforce safety standards for child jockeys, particularly at the community level.	2013 – 2014
	Ensure that the law allows GASI to conduct unannounced site visits to inspect for labor law compliance.	2013 – 2014
	Establish mechanisms to refer children identified in situations of child labor, including its worst forms, to social services.	2014
	Ensure that violations of child labor laws are investigated and charged according to appropriate law articles and that offenders are promptly prosecuted.	2011 – 2014
Coordination	Ensure that the Coordinating Council meets to implement and coordinate activities set forth in the National Action Plan for the Elimination of the Worst Forms of Child Labor.	2014
Government Policies	Integrate child labor prevention and elimination strategies into the National Development Strategy.	2011 – 2014
	Fully implement the National Action Plan for the Elimination of the Worst Forms of Child Labor.	2013 – 2014
Social Programs	Assess the impact that existing programs may have on child labor.	2012 – 2014
	Restore programs that provide support services and shelter to children found working on the streets.	2014
	Implement child labor-specific programs, particularly in sectors in which children are known to work, including street work, herding, animal husbandry, and mining.	2012 – 2014

## REFERENCES

- UNICEF. *UNICEF Research for Children 2013: From Evidence to Action*. Florence, UNICEF Office of Research; July 2013. <http://www.unicef-irc.org/publications/700>.
- International Labour Organization, National Statistical Office of Mongolia. *Report of National Child Labour Survey 2011-2012*. Ulaanbaatar; 2013. [source on file].
- U.S. Embassy- Ulaanbaatar. *reporting, January 17, 2014*.
- U.S. Department of State. "Mongolia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm>.
- ECPAT International. *Global Monitoring: Status of Action Against Commercial Sexual Exploitation of Children- Mongolia*. Bangkok; 2011. [http://www.ecpat.net/EI/Pdf/A4A\\_II/A4A2011\\_EAP\\_MONGOLIA\\_FINAL.pdf](http://www.ecpat.net/EI/Pdf/A4A_II/A4A2011_EAP_MONGOLIA_FINAL.pdf).
- U.S. Department of State. "Mongolia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Labour Force Survey-National Child Labour Survey, 2011-2012. Analysis received January 16, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Ulaanbaatar. *reporting, January 30, 2015*.
- ILO-IPEC. *A Report On A Piloted Model and Its Good Practices*. Project Document. Geneva; 2010. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=14535>.
- UN Committee Against Torture. *Consideration of Reports Submitted by States Parties Under Article 19 of the Convention: Concluding Observations: Mongolia*. Geneva; January 20, 2011. Report No. CAT/C/MNG/CO/1. <http://bit.ly/ZyrZYA>.
- UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Mongolia*. Geneva; 2010. Report No. CRC/C/MNG/CO/3-4. <http://www2.ohchr.org/english/bodies/crc/docs/CRC-C-MNG-CO-3-4.pdf>.
- National Human Rights Commission of Mongolia. *12th Report on Human Rights and Freedoms in Mongolia*. Ulaanbaatar; 2013. <http://www.asiapacificforum.net/members/full-members/mongolia/downloads/annual-reports/2013>.

14. UCW. *Understanding Children's Work and Youth Employment Outcomes in Mongolia*. Rome; June 2009. [http://www.ucw-project.org/attachment/child\\_labour\\_youth\\_employment\\_Mongolia20110627\\_163644.pdf](http://www.ucw-project.org/attachment/child_labour_youth_employment_Mongolia20110627_163644.pdf).
15. Agence France Presse. "Long Race to Danger for Mongolia Child Jockeys." [globalpost.com](http://www.globalpost.com) [online] July 7, 2013 [cited December 10, 2013]; <http://www.globalpost.com/dispatch/news/afp/130711/long-race-danger-mongolia-child-jockeys>.
16. Info Mongolia. *Female Representatives of the State Great Khural to Protect Children-Jockeys' Rights*. Ulaanbaatar, Info Mongolia; March 27, 2013. <http://www.infomongolia.com/ct/ci/5780>.
17. Brown, A. In *Mongolia, bringing attention to the plight of child jockeys*, UNICEF, [online] November 3, 2014 [cited November 13, 2014]; [http://www.unicef.org/infobycountry/mongolia\\_76668.html](http://www.unicef.org/infobycountry/mongolia_76668.html).
18. ILO-IPEC. *Support to the Proposed National Sub-programme to Eliminate the Worst Forms of Child Labour: Time-Bound Measures*. Final Technical Progress Report. Geneva; December 2010.
19. U.S. Embassy- Ulaanbaatar. *reporting- TIP; February 14, 2014*.
20. National Statistical Office of Mongolia. *Mongolia Social Indicator Sample Survey (SISS) 2013*. Ulaanbaatar; June 2014. [http://www.childinfo.org/files/Mongolia\\_2013\\_SISS\\_Key\\_Findings\\_Report\\_Eng.pdf](http://www.childinfo.org/files/Mongolia_2013_SISS_Key_Findings_Report_Eng.pdf).
21. U.S. Embassy- Ulaanbaatar official. E-mail communication to USDOL official. February 11, 2015.
22. Government of Mongolia. *Law on Labour of Mongolia*, enacted May 14, 1999. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/57592/65206/E99MNG01.htm>.
23. Government of Mongolia. *List of Jobs and Occupations Prohibited to Minors*, enacted 2008.
24. Government of Mongolia. *Law on the Protection of the Rights of the Child with Amendments*, enacted 1996 (Amended 2003).
25. U.S. Embassy- Ulaanbaatar official. E-mail communication to USDOL official. April 05, 2013.
26. Government of Mongolia. *Criminal Code of Mongolia*, enacted 2002. <http://www.unhcr.org/refworld/docid/3ed919fd4.html>.
27. Government of Mongolia. *Law on Combating Trafficking in Persons* enacted January 19, 2012.
28. Government of Mongolia. *Combating Pornography and Prostitution Act*, enacted January 22, 1998.
29. Child Soldiers International. *Louder than words: An agenda for action to end state use of child soldiers*. London; 2012. [http://www.child-soldiers.org/user\\_uploads/pdf/louderthanwordsseptember20124903558.pdf](http://www.child-soldiers.org/user_uploads/pdf/louderthanwordsseptember20124903558.pdf).
30. Coalition to Stop the Use of Child Soldiers. "Mongolia," in *Child Soldiers Global Report 2008*. London; 2008; [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).
31. UN Human Rights Council. *Report of the Special Rapporteur on the Right to Education, Vernor Munoz Villabos: Mongolia*. Geneva; May 17, 2010. Report No. A/HRC/14/25/Add.3. <http://bit.ly/11U0SGV>.
32. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mongolia (ratification: 2002) Published: 2010*; accessed February 20, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
33. Government of Mongolia. *Constitution of Mongolia*, enacted January 13, 1992. [www.legislationline.org/download/action/download/id/4180/file/Mongolia\\_Constitution\\_1992\\_en.pdf+&cd=3&hl=en&ct=clnk&gl=us](http://www.legislationline.org/download/action/download/id/4180/file/Mongolia_Constitution_1992_en.pdf+&cd=3&hl=en&ct=clnk&gl=us).
34. ILO. *Report of the Committee of Experts on the Application of Conventions and Recommendations*. Geneva; 2014. [http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS\\_235054/lang-en/index.htm](http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS_235054/lang-en/index.htm).
35. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
36. ILO-IPEC. *Report by the Ministry of Justice: Revision of Criminal Code and related legislation for the full and effective prohibition of the worst forms of child labour and forced labour and protecting the rights of child victims and witnesses*. Project Document. Geneva, August, 2014.
37. H.E. Mr. Sodnomzundui Erdene, Minister for Population Development and Social Protection of Mongolia. "Oral Statement," in The 57th Session of the Commission on the Status of Women; March 6, 2013; New York; <http://www.un.org/womenwatch/daw/csw/csw57/generaldiscussion/memberstates/mongolia.pdf>.
38. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mongolia (ratification: 2001) Published: 2012*; accessed February 20, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
39. U.S. Embassy- Ulaanbaatar official. E-mail communication to USDOL official. January 29, 2014.
40. U.S. Embassy- Ulaanbaatar. *reporting, February 17, 2015*.
41. Government of Mongolia. *Resolution for the Endorsement of the Millennium Development Goals-Based Comprehensive National Development Strategy of Mongolia*, enacted February 12, 2008. <http://www.carecprogram.org/uploads/docs/MON-National-Development-Strategy-en.pdf>.
42. U.S. Embassy- Ulaanbaatar. *reporting, February 25, 2013*.
43. Government of Mongolia. *Report by the Government of Mongolia in response to the Global Progress Survey on Violence against Children*. Ulaanbaatar; 2012. [http://srsr.org/violenceagainstchildren.org/sites/default/files/global\\_survey/responses/mongolia/unvac\\_survey\\_mongolia.pdf](http://srsr.org/violenceagainstchildren.org/sites/default/files/global_survey/responses/mongolia/unvac_survey_mongolia.pdf).
44. Weidemann Associates, Inc., USAID. *Mongolia Economic Growth Assessment*. Ulaanbaatar; October 2010. [http://mongolia.usaid.gov/wp-content/uploads/Mongolia\\_EGA.pdf](http://mongolia.usaid.gov/wp-content/uploads/Mongolia_EGA.pdf).
45. Campi, A. "Mongolia's Quest to Balance Human Development in its Booming Mineral-Based Economy." [brookings.edu](http://www.brookings.edu) [online] January 2012 [cited February 20, 2013]; <http://www.brookings.edu/research/opinions/2012/01/10-mongolia-campi>.
46. The Business Council of Mongolia, Oxford Business Group. "Mongolia: Investing in health." [oxfordbusinessgroup.com](http://www.oxfordbusinessgroup.com) [online] February 10, 2012 [cited February 20, 2013]; [http://www.oxfordbusinessgroup.com/economic\\_updates/mongolia-investing-health](http://www.oxfordbusinessgroup.com/economic_updates/mongolia-investing-health).
47. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2014.

# Montenegro

## MODERATE ADVANCEMENT

*In 2014, Montenegro made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government amended the Labor Law to increase penalties for child labor violations and enacted the Foreigners Law, which includes protections for foreign victims of child trafficking and simplifies the process for identifying child trafficking victims. In addition, the Government reestablished the Council for the Rights of the Child to implement the National Plan for Children and adopted a new action plan to implement the Strategy for the Improvement of the Position of Roma and Other Minorities. However, children in Montenegro are engaged in child labor, including in begging and in the worst forms of child labor, including in forced begging. The Government has not determined the types of hazardous occupations prohibited for children, and there are no programs that systematically address the problem of children involved in forced begging and other work on the streets.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Montenegro are engaged in child labor, including in begging.(1-4) Children are also engaged in the worst forms of child labor, including in forced begging.(1, 2, 4-6) Table 1 provides key indicators on children's work and education in Montenegro.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	12.9 (12,867)
Attending School (%)	5-14 yrs.	87.7
Combining Work and School (%)	7-14 yrs.	14.4
Primary Completion Rate (%)		101.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2005.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Services	Street work, including collecting scrap metal,* vending small goods and food items,* washing car windows,* and begging (1-4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking* (5, 6, 9, 10) Forced begging sometimes as a result of human trafficking (1, 2, 4-6)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3 (a) – (c) of ILO C. 182.

Child begging remains the predominant child labor issue in Montenegro.(1-6) Organized forced begging involving children remains a problem, especially among children from the Roma community.(2, 11)







Montenegro is a source, destination, and transit country for children trafficked for forced labor, including forced begging and commercial sexual exploitation. Children are trafficked internally and externally from and to other Balkan countries.(10) Children from the Roma, Ashkali, and Egyptian populations are at a higher risk of trafficking, due to lower rates of registration and school

attendance and higher rates of participation in street work.(5, 9, 10, 12) Both boys and girls from these communities are vulnerable to forced begging, while trafficking for commercial sexual exploitation is more common among girls.(10)

Although the government has adopted the Strategy for the Improvement of the Position of Roma and Other Minorities, which includes the goal of increasing birth registration among minorities, many Roma, Ashkali, and Egyptian children continue to lack birth registration. This makes it difficult for these children to access social services, health care, and education.(3, 13-15) The higher rate of unregistered children in these communities appears to be related to insufficient awareness of the importance of civil registration, a lack of identity documents among the adults, and costs associated with the registration process.(3) Unregistered children who do not have access to education or other social services are at a higher risk of exploitation in the worst forms of child labor.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 16 of the Labor Law of 2008 (16)
Minimum Age for Hazardous Work	Yes	18	Article 17 of the Labor Law of 2008 (16)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 63 of the Constitution of Republic of Montenegro (17)
Prohibition of Child Trafficking	Yes		Articles 444-446 of the Criminal Code of Republic of Montenegro (18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209-211 of the Criminal Code of Republic of Montenegro (18)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Articles 162 and 163 of the Law on the Armed Forces of Montenegro (19, 20)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (21)
Free Public Education	Yes		Article 75 of the Constitution of Republic of Montenegro (17)

\* No conscription (22)

In July 2014, the Government adopted amendments to the Labor Law that increase penalties for labor violations, including increased fines for labor violations involving children. The law specifies fines ranging from \$3,086 to \$30,864 for violations of these provisions.(11)



# Montenegro

## MODERATE ADVANCEMENT

In December 2014, the Government enacted the Foreigners Law, which includes provisions to ensure that children who are victims of human trafficking or domestic violence or are unaccompanied receive a temporary residence permit and access to health care, education, and social services. The law requires police to cooperate with NGOs and social workers to determine whether a minor is a victim of human trafficking and therefore eligible for these benefits.(6, 23) Previously, the status of “victim of human trafficking” was only assigned if a victim’s trafficker was convicted and sentenced.(9) The law guarantees that children will receive witness protection if necessary and will not be returned to their country of origin if doing so would endanger their well-being.(6, 23) The law also introduced a new legal provision, allowing children of legal immigrants to receive residence permits based on the status of their parents.(20, 23)

Throughout the reporting period, the Government enacted a number of regulations to support the Law on Social and Child Protection. This included enacting regulations to define standards and conditions for the accommodation of children in foster care and shelters, and outlining eligibility criteria for children to receive social services.(4, 20)

Despite these efforts, gaps in the legal framework still exist. While the Labor Law prohibits children under 18 from performing overtime and night work, Article 106 of the Labor Law allows employees between age 15 and 18 to work at night if it is necessary to continue work that was interrupted by natural disasters or to prevent damage to raw and other materials.(16, 24) In addition, while Articles 104 and 106 of the Labor Law prohibit children from night work and work that endangers children’s health and life, the Government has not determined in a clear and comprehensive manner the types of dangerous work activities that are prohibited to children.(4, 16)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The Labor Inspectorate	Monitor enforcement of labor law, which also contains child labor regulations, and monitor working conditions in workplaces throughout the country.(11, 25, 26) Lead efforts, as an independent agency, in enforcing labor laws, including those that protect working children.(11, 20, 27)
Supreme State Prosecutor	Investigate and enforce criminal laws on forced labor and human trafficking for commercial sexual exploitation.(6, 11) Collect data on court rulings and crime convictions and submit them to the Office of the National Anti-Trafficking Coordinator (TIP Office).(6)
Police Directorate within the Ministry of Interior	Enforce laws against sex trafficking and forced labor. Coordinate law enforcement actions on a national level.(6) Be responsible for proactive identification of the victims of trafficking. Collect data on the number of police investigations and submit it to the TIP Office.(6)
Ministry of Justice	Enforce the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse.(28)
The Ministry of Labor and Social Welfare	Protect children and families by providing social, child, and family protection in its Social Welfare Centers. Identify potential victims of trafficking.(6)
Ombudsman’s Deputy for the Rights of the Child	Monitor the situation of children in the country, using strategies such as visiting schools and institutions, holding focus groups, and creating e-mails and social blogs for children of various ages.(11)

Law enforcement agencies in Montenegro took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Labor Inspectorate, which is a part of the Inspectorate General, employed 34 inspectors.(4, 11) During the reporting period, labor inspectors received training on how to identify human trafficking for labor exploitation.(4) However, according to Inspectorate officials, the number of inspectors is inadequate to conduct inspections across the entire country, and funding is insufficient to cover the scope of general inspection duties.(4, 11)

In 2014, the Labor Inspectorate carried out 11,844 inspections.(29) Inspectors are able to conduct unannounced inspections and proactively plan labor inspections on an annual basis as well as conduct complaint-based inspections.(4) In 2014, inspectors found 11 violations of labor law in which employers failed to provide employment contracts to child employees of legal working age.

Authorities assisted the children in acquiring contracts, and all 11 cases resulted in fines of between approximately \$230 and \$600.(4) The Government does not collect or publish information on the number of child labor law violations; however, the Government does maintain a database on children involved in begging.(4)

### *Criminal Law Enforcement*

In 2014, police officers, inspectors, and immigration staff received training on trafficking in persons.(10) During the reporting period, police identified one victim of child trafficking.(10) In the first 9 months of 2014, police apprehended 100 child beggars. Five children were taken to the Ljubovic Center for Children and Youth in Podgorica, one child was taken to a social center, and the rest were returned to their families.(4) Generally, the police inform parents of children who are caught begging. If the parents are not available, children are referred to a temporary stay in the Ljubovic Center and then to local Social Welfare Centers.(30) The Ombudsman for Human Rights has criticized the police and Social Welfare Centers for insufficiently and inconsistently tracking information on children caught begging. The Ombudsman also noted that many child beggars were treated as delinquents rather than victims, that Social Welfare Centers only provide services to the small minority of child beggars who are registered citizens of Montenegro, and that there is a systemic lack of specialized services for the reintegration of children into the society.(11, 31)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government of Montenegro has established the National Office for Combating Human Trafficking and the Council for the Rights of the Child, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Office of the National Anti-Trafficking Coordinator	Coordinate efforts against trafficking in persons among relevant Government institutions and international organizations and ensure their cooperation. Present results of the efforts against human trafficking through participation in domestic and international events.(6) Harmonize domestic legislation with international standards. Oversee projects and initiatives for implementation of the main objectives from the National Strategy and Action Plans. Collect and maintain data on police investigations, court rulings, and verdicts that relate to human trafficking and victims of trafficking.(6) Fund SOS hotline for potential and existing victims and shelters for victims of human trafficking. Led by the Trafficking in Persons Office, which is also the National Coordinator for the Trafficking in Persons Task Force.(6)
Trafficking in Persons Task Force	Operate under the TIP Office, monitor and promote activities related to combating human trafficking, and assess and approve semi-annual reports on the progress of objectives set up in the TIP action plans.(6) Includes the representatives of the ministries, government agencies, international organizations, and two NGOs, including the Trafficking in Persons Office; Ministries of Interior, Justice, Foreign Affairs and European Integration, Minority and Human Rights, Health, Labor and Social Welfare, and Culture; Police Directorate; Supreme Court; Supreme State Prosecutors; and Inspectorate Authority.(6)
Council for the Rights of the Child	Implement and monitor the National Plan for Children. Chaired by the Minister of Labor and Social Welfare. Was re-established during the reporting period following several years of inactivity.(4, 32)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Montenegro has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action for Children (2013 – 2017)	Defines and protects children’s rights in the areas of social services, child protection, health services, and education.(11) Outlines a strategy to fulfill obligations arising from ratification of the CRC. Includes goals such as improving prevention of hazardous and exploitative child labor and child trafficking, protecting children from commercial sexual exploitation, increasing birth registration, ensuring education access for all children, and improving social services for street children.(32)

# Montenegro

## MODERATE ADVANCEMENT

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Strategy for the Improvement of the Position of Roma and Other Minorities (2012 – 2016)	Addresses issues such as the legal framework, education, employment, child protection, housing, and participation in public life for Roma and other minorities. Implemented by the Ministry for Minority and Human Rights.(11, 28) Includes the goals of increasing birth registration among minority communities through an information and awareness campaign and eliminating begging among Roma and Egyptian children.(15) A new action plan to implement this strategy was adopted in April 2014.(4)
UNICEF Country Program (2012 – 2016)	Addresses disparities in access to quality social services for children and families; harmonizes the country's legal framework with EU and UN standards; implements and monitors policies relevant to child-focused governance and social inclusion; applies the principles and standards of the CRC and facilitates independent monitoring.(14, 33)
National Strategy for Combating Human Trafficking (2012 – 2018)	Outlines Montenegro's objectives and goals for combating human trafficking and defines measurements for improvement. Goals include raising public awareness of human trafficking, strengthening the Government's capacity for victim identification and service provision, improving interagency coordination, and raising the efficiency of prosecutions.(34)
Strategy for the Development of Social and Child Protection (2013 – 2017)*	Builds an integrated social and child protection system, including monthly social assistance, health care, and a child allowance that is conditional on school attendance.(24)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The Strategy Coordinator for the Strategy for the Improvement of the Position of Roma and Other Minorities noted that the policy lacked sufficient funding in 2014.(20)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Montenegro funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Social Welfare and Child Care System Reform: Enhancing Social Inclusion (2013 – 2017)*‡	\$4.5 million, 4-year project sponsored by the Ministry of Education and Ministry of Labor and Social Welfare. Implemented jointly by the Government, UNDP, and UNICEF to strengthen protection for children under the Strategy for the Development of Social and Child Protection. Comprised of three phases: Inclusive Education, which has been completed, Reform of Social Protection, and Child Care System Reform.(24)
Social Card – Social Welfare Information System Program*‡	Project to build a shared social welfare information system to facilitate information exchange among social services providers. Project plans to provide a unique Social Card to each beneficiary family to make eligibility information for each family easily available to all relevant institutions.(4, 20)
Institute for Social and Child Protection†	Issue licenses for social workers and other competent personnel; conduct surveys and research about social and child protection; provide counseling and expertise; monitor provision of child protection services. Established through a Government decree in February 2014 and did not achieve full staffing or full operational capacity during 2014.(4, 20)
One of Five‡	The Council of Europe campaign to reduce and stop sexual violence against children, including commercial sexual exploitation.(35, 36) Led to the development of the Action Plan against the Sexual Abuse of Children.(28)
Shelter for Human Trafficking Victims‡	Program funded by the Office of the National Anti-Trafficking Coordinator to cover operational costs of the shelter, including the salaries of shelter employees; the hotline for victims of trafficking; and some basic food, clothing, and medical assistance for victims.(28)
Social Welfare Centers‡	Government-supported social welfare centers that provide social, child, and family protection, including to victims of child trafficking.(28, 37)
Group Children Center*	UNICEF- and the EU-supported program launched with a pilot to develop a framework for the foster care system as an alternative placement in Government institutions.(11)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Montenegro.

Although the Government of Montenegro has implemented programs for the general protection of children and for child trafficking victims, research found no evidence of programs to specifically and systematically address child labor in begging and the worst forms of child labor in forced begging.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Montenegro (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine hazardous occupations and/or activities prohibited for children in consultation with employers' and workers' organizations.	2013 – 2014
	Ensure that the law prohibits the use of children in all illicit activities.	2014
	Ensure that the law prevents employees between 15 and 18 years of age from being assigned to work at night under any circumstances.	2012 – 2014
Enforcement	Provide the Labor Inspectorate with sufficient funding and increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2013 – 2014
	Collect and publish data on the number of child labor violations found and intensify efforts in collecting data on child beggars to ensure that adequate social protection services are provided.	2013 – 2014
	Ensure that all children removed from the streets are treated as victims and are provided with specialized social services to prevent re-entry into begging or street work, regardless of citizenship or birth registration.	2012 – 2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into national policies, including the Strategy for the Development of Social and Child Protection.	2013 – 2014
	Fully fund and implement the National Strategy for the Improvement of the Position of Roma and Other Minorities in Montenegro.	2010 – 2014
Social Programs	Strengthen efforts to inform all citizens about how to register and receive access to education, health care, and other social services.	2012 – 2014
	Assess the impact that existing programs may have on addressing child labor.	2013 – 2014
	Institute programs to address child labor in begging and the worst forms of child labor in forced begging.	2013 – 2014

## REFERENCES

1. Drazen Remikovic. *Experts urge action to help child beggars*, Southeast European Times, [online] March 3, 2014 [cited January 28, 2015]; [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/articles/2014/03/03/reportage-01](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/articles/2014/03/03/reportage-01).
2. Ombudsman for Human Rights. *Annual Report 2012*. Podgorica, Government of Montenegro; March 2013. [http://www.ombudsman.co.me/docs/izvjestaji/19112013\\_Final\\_Izvjestaj.pdf](http://www.ombudsman.co.me/docs/izvjestaji/19112013_Final_Izvjestaj.pdf).
3. U.S. Department of State. "Montenegro," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
4. U.S. Embassy- Podgorica. *reporting, January 14, 2015*.
5. U.S. Department of State. "Montenegro," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm>.
6. U.S. Embassy- Podgorica. *reporting, March 6, 2014*.
7. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
8. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2005. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
9. GRETA. *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Montenegro*. Strasbourg; September 13, 2012. [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA\\_2012\\_9\\_FGR\\_MNE\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2012_9_FGR_MNE_en.pdf).
10. U.S. Embassy- Podgorica. *reporting, February 5, 2015*.
11. U.S. Embassy- Podgorica. *reporting, January 17, 2014*.
12. ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Montenegro (ratification: 2006) Submitted: 2013*; accessed March 21, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3077175:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3077175:NO).
13. European Commission. *Commission Staff Working Document Montenegro 2012 Progress Report*. Brussels; October 10, 2012. [http://ec.europa.eu/enlargement/pdf/key\\_documents/2012/package/mn\\_rapport\\_2012\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/mn_rapport_2012_en.pdf).

# Montenegro

## MODERATE ADVANCEMENT

14. UNICEF. *Montenegro: Country Programme Document: 2012-2016*. New York; September 15, 2011. [http://www.unicef.org/about/execboard/files/Montenegro\\_final\\_approved\\_2012-2016\\_20\\_Oct\\_2011.pdf](http://www.unicef.org/about/execboard/files/Montenegro_final_approved_2012-2016_20_Oct_2011.pdf).
15. Government of Montenegro. *Strategy for Improving the Position of Roma and Egyptian in Montenegro 2012-2016*. March 2012. [http://www.romadecade.org/cms/upload/file/9310\\_file2\\_strategy-for-improving-the-position-of-roma-and-egyptia.pdf](http://www.romadecade.org/cms/upload/file/9310_file2_strategy-for-improving-the-position-of-roma-and-egyptia.pdf).
16. Government of Montenegro. *Labor Law*, No. 49/08, enacted 2008. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=MGO&p\\_classification=01.02&p\\_origin=SUBJECT](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=MGO&p_classification=01.02&p_origin=SUBJECT).
17. Government of Montenegro. *Constitution of the Republic of Montenegro*, enacted October 22, 2007. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=MGO&p\\_classification=01.01&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=MGO&p_classification=01.01&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).
18. Government of Montenegro. *Criminal Code of the Republic of Montenegro*, No. 70/2003, and correction, no. 13/2004, enacted 2004. <http://legislationline.org/documents/section/criminal-codes>.
19. Government of Montenegro. *Law on the Armed Forces of Montenegro*, 01-3206/2, enacted December 29, 2009. <http://www.vojska.me/dokumenta-za-preuzimanje/zakonska-regulativa/zakoni/43-zakon-o-vojski-crne-gore-2011>.
20. U.S. Embassy- Podgorica official. E-mail communication to USDOL official. February 10, 2015.
21. Government of Montenegro. *Law on Primary Education*, enacted July 30, 2013. <http://www.mpin.gov.me/biblioteka/zakoni>.
22. Child Soldiers International. "Appendix II: Data Summary Table on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
23. Government of Montenegro. *Decree on the Proclamation of the Foreigners Law*, No. 56/14, enacted December 24, 2014. <http://www.mup.gov.me/biblioteka/zakoni>.
24. Government of Montenegro. *Written Communication Submitted in response to U.S. Department of Labor Request for Information on Child Labor and Forced Labor*. Podgorica; December 14, 2012.
25. U.S. Embassy- Podgorica. *reporting, January 17, 2012*.
26. U.S. Embassy- Podgorica. *reporting, February 6, 2013*.
27. U.S. Embassy- Podgorica official. E-mail communication to USDOL official. May 9, 2014.
28. U.S. Embassy- Podgorica official. E-mail communication to USDOL official. April 2, 2014.
29. U.S. Embassy- Podgorica official. E-mail communication to USDOL official. March 3, 2015.
30. U.S. Embassy- Podgorica. *reporting, April 2, 2013*.
31. Ombudsman for Human Rights. *Special Report on Child Beggary in Montenegro*. Podgorica; November 2011. [http://www.ombudsman.co.me/djeca/docs/naucimo\\_ih\\_nesto\\_drugo.pdf](http://www.ombudsman.co.me/djeca/docs/naucimo_ih_nesto_drugo.pdf).
32. Government of Montenegro. *2013-2017 National Plan of Action for Children*; 2013. <http://www.minradiss.gov.me/ResourceManager/FileDownload.aspx?rid=178608&rType=2&file=Nacional%20plan%20of%20action%20for%20children.docx>.
33. Government of Montenegro. *Montenegro Champion of UN Reform*, Government of Montenegro, [online] [cited April 22, 2014]; <http://www.gov.me/en/News/111030/Montenegro-champion-of-EU-reform-UN-official-says-at-signing-of-cooperation-action-plans.html>.
34. Government of Montenegro. *Strategy for Combating Trafficking in Human Beings*; 2012. <http://www.legislationline.org/documents/id/18669>.
35. Government of Montenegro. *Montenegro initiates preparations for participation in CoE campaign "One in five"*, Government of Montenegro, [online] [cited April 23, 2014]; <http://www.gov.me/en/News/112301/Montenegro-initiates-preparations-for-participation-in-CoE-campaign-One-in-five.html>.
36. Council of Europe. *One in Five Campaign*, Council of Europe, [online] [cited January 28, 2015]; [http://www.coe.int/t/dg3/children/1in5/default\\_en.asp](http://www.coe.int/t/dg3/children/1in5/default_en.asp).
37. U.S. Embassy- Podgorica. *reporting, February 15, 2013*.



*In 2014, Morocco made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Employment and Social Affairs established a mechanism to coordinate efforts to address child labor, conducted a study on the nature and extent of children labor on small farms, and supported significant efforts to combat child labor in the Marrakesh-Tensift-Al-Haouz region. However, children in Morocco are engaged in the worst forms of child labor, including in commercial sexual exploitation and forced domestic work, each sometimes as a result of human trafficking. The Government continues to delay approving legislation that would protect children employed in domestic work and the number of labor inspectors is insufficient to effectively enforce child labor laws.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Morocco are engaged in child labor, including in the raising livestock. Children in Morocco are also engaged in the worst forms of child labor, including in commercial sexual exploitation and forced domestic work, each sometimes as a result of human trafficking. The Moroccan High Commission for Planning's 2013 labor survey indicates a steady decline in the incidence of child labor over the last decade.(1-3) Child labor occurs in urban areas, although it is primarily a rural phenomenon and is concentrated in areas where education levels remain low, especially in four regions: Chaouia-Ouardigha, Doukkala-Abda, El Gharb-Chrarda-Beni Hssen, and Marrakech-Tensift-Al Haouz.(3) A 2014 study found that child labor is prevalent on small farms throughout Morocco.(4) Table 1 provides key indicators on children's work and education in Morocco.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	4.5 (150,178)
Attending School (%)	6-14 yrs.	82.9
Combining Work and School (%)	10-14 yrs.	0.7
Primary Completion Rate (%)		98.9

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2013.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from *Enquête sur la Population et la Santé Familiale, 2003-2004*.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting and harvesting argan,* grain,* olives,* vegetables,* and fruit* (4)
	Herding goats,* cattle* and sheep* (4)
	Farming, including raising goats, cattle and sheep for the production of fertilizer* and cattle for the production of milk* and butter* (1, 4, 7, 8)
	Fishing†* (1, 3, 7)
	Forestry,*activities unknown (1, 7)
Industry	Construction,*activities unknown (13-15)
	Weaving textiles†* (1, 9)
	Production of artisanal crafts* (3, 7, 10)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Domestic work (1, 3, 10-14)
	Maintenance and repair of motor vehicles (1, 15)
	Street peddling (1, 16)
	Metallurgy* (1, 17)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3, 9, 14, 18-20)
	Forced domestic work, sometimes as a result of human trafficking (1-3, 9, 11, 13, 20-23)
	Forced labor in the production of artisanal crafts and construction* (9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Children, primarily boys, are engaged in commercial sexual exploitation.(18, 19) This problem is most prevalent in popular sites such as Agadir, Marrakech, and Tangier, which attract tourists from the Persian Gulf and Europe.(19, 24)

Despite strong enrollment rates in the early years of primary school, school dropout rates remain a problem, with reports stating that as many as 65 percent of children had failed to complete the 9 years of compulsory schooling as of the most recently researched period, 2011–2012.(3, 25) During research conducted by Morocco’s High Commission for Planning in 2013, some children stated that they did not attend school because they were obligated to work in order to contribute to the family income. Children also drop out due to lack of adequate transportation and prohibitively expensive costs associated with attending school.(3, 4) Irrelevant school curricula, and lack of security in the school environment are also factors that cause children to drop out, thus increasing their vulnerability to child labor.(1, 26)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Morocco has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government of Morocco has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 143 of The New Labor Code of 2004 (27)
Minimum Age for Hazardous Work	Yes	18	Article 147 of The New Labor Code of 2004 (27)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Hazardous Child Labor List; Decree No. 2-10-183 (28)
Prohibition of Forced Labor	Yes		Article 467 of The New Labor Code of 2004 (27)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 503 of the Penal Code (29)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Using Children in Illicit Activities	Yes		Hazardous Child Labor List; Decree No. 2-10-183 (28)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Royal Decree of 9 June 1996 (30)
Compulsory Education Age	Yes	15	Law No. 04-00 (31)
Free Public Education	Yes		Law No. 04-00 (31)

\* No conscription (30)

The minimum age protections in the Labor Code do not apply to children who are self-employed, or work in traditional artisan or handicraft sectors for businesses with less than five employees, or those who work in private farms and residences (including domestic work), leaving children vulnerable to exploitation.(9, 27, 32)

The Government continued for another year to refine a draft bill that would provide protections for child domestic workers. If passed, the law would prohibit the employment of underage children in domestic work and determine the working conditions, terms, and conditions for domestic work.(32) The continued failure to pass this bill puts children engaged in domestic work at risk of exploitative labor conditions.(1, 3, 33)

The Labor Code allows children under age 15 to perform certain types of agricultural work, and children ages 16 to 17 to perform agricultural work at night.(27) Local stakeholders and the ILO Committee of Experts report that the fine amounts set forth in the labor code for companies that employ children in hazardous work are inadequate to act as an effective deterrent.(32, 34)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment and Social Affairs' (MOESA) Child Labor Task Force	Enforce child labor laws and oversee programs on child labor. Employ labor inspectors in 51 sectors across Morocco; one inspector in each sector dedicated to child labor.(3, 9, 35, 36) Establish satellites in nine regional centers throughout the country to provide occupational health and safety services, administer social security, organize labor inspections and employment services.(3)
Ministry of the Interior	Enforce prohibitions on prostitution and other exploitative crimes involving minors as established in the Penal Code.(36)
Ministry of Justice and Liberties (MOJ)	Prosecute criminal offenses against children, such as commercial sexual exploitation and child trafficking.(35)
MOJ's Child Labor Units	Process cases involving women and children within the court system.(1) Comprises 88 units as of 2014.(20)

Law enforcement agencies in Morocco took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Employment and Social Affairs (MOESA) employed 478 labor inspectors and coordinated with the ILO-IPEC to provide 80 inspectors and ministry staff with training on child labor.(3) However, enforcement of child labor laws remains weak due to an insufficient number of labor inspectors, systemic corruption, as well as a lack of financial resources.(3, 34) The number of inspectors is insufficient to effectively enforce child labor laws. Official procedures involved with processing child labor violations require the participation of several agencies per case, placing insurmountable administrative burdens on labor inspectors.(1)

During a meeting with USDOL representatives in 2014, MOESA officials confirmed that labor inspections are conducted unannounced and can be conducted in any place of business.(3, 37) However, current law prohibits labor inspectors from entering

# Morocco

## MODERATE ADVANCEMENT

private farms and urban residences. Children, even as young as age 6, work in these spaces and are therefore not protected by current labor law.(4, 9)

MOESA reported that during the first trimester of 2014, inspectors identified 357 child laborers, 78 of whom were under age 15. Of these 78 children, 75 were removed from work, while 197 out of 357 children ages 15 to 17 were removed from hazardous work. Although the Government does not provide comprehensive information regarding the number of prosecutions and the amount of penalties, the MOJ reported having prosecuted 37 individuals for employing child domestic workers.(3, 20)

Morocco has a toll-free hotline for child victims of violence, but the number of calls related to child labor is unknown.

### *Criminal Law Enforcement*

In 2014 The Ministry of Justice and Liberties (MOJ) reported that in 2014, 153 cases of sexual exploitation of a minor for profit were investigated, and 5 cases of prostitution of a minor were investigated. However, the MOJ did not provide information on prosecutions, convictions, or sentencing.(20) The MOJ also reported that officials in law enforcement and judicial ministries had received training on enforcing criminal child labor law.(3)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
MOESA's Office for the Fight Against Child Labor*	Coordinate policies and efforts to combat child labor.(3, 37) Provide guidance and limited funding to NGOs working against child labor.(1) Provided \$166,000 to NGOs in 2014.(3)
Ministry of Solidarity, Women, Family and Social Development (MSWFSD)	Coordinate the implementation of the National Plan of Action for Children (PANE) (2006–2015). Coordinate the Integrated Public Policy on the Protection of Children.(20) Establish continuity of child protection efforts, increase access to education, and eliminate child labor.(36, 38)
Inter-Ministerial Delegation for Human Rights	Establish policies that promote child protection.(3)
Ministry for Moroccans Resident Abroad and Migration Affairs	Coordinate efforts to reduce migrant vulnerability to child labor. Promote access to public education facilities for migrant children, decreasing their vulnerability to child labor and human trafficking.(3)
The National Observatory for Children's Rights	Register complaints related to child welfare and refer them to labor inspectorate units and law enforcement officials. Operate a toll-free hotline available to child victims of violence, including commercial sexual exploitation.(1) Operate 84 Child Reception Centers that provide services to child victims of violence, sexual abuse or neglect.(3, 36) These centers assisted 1,067 children in 2014.(39)
Ministry of National Education and Vocational Training (MONEVT)	Provide education and job training to former child workers, including former child domestic workers.(20)

\*Mechanism to coordinate efforts to address child labor was created during the reporting period.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
MSWFSD's PANE (2006–2015)*	Establishes policies that promote children's health, protection, civic participation, and education. Supported by UNICEF.(3, 38)
MSWFSD's Integrated Public Policy on the Protection of Children	Promotes an interdisciplinary approach to analyze the scope of services that prohibit; prevent; and respond to abuse, exploitation, and violence against children. Designates MOESA as the coordinating body for the fight against child labor.(3, 20)
National Migration Strategy*	Establishes policies that promote human rights-based approach to migration. Facilitates integration of legal immigrants. Provides services, including expanding access to public education facilities for migrant children, thus decreasing their vulnerability to child labor and human trafficking.(1, 3, 20)
UNDAF (2012–2016)*	Promotes education, health, and socioeconomic development in an effort to alleviate poverty. Focuses on providing equal access to education for vulnerable children.(39, 40)

\*Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Morocco funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Promise Pathways: Reducing Child Labor Through Viable Paths in Education and Decent Work (2014–2017)†	\$5 million USDOL-funded, 4-year program to reduce child labor in Morocco by increasing access to education for 5,500 children and youth (ages 6 to 17) and by providing livelihood and other social services to 1,000 siblings, parents, and caregivers age 18 and older in the Marrakech-Tensift-Al-Haouz region. Conducts policy analysis and raises awareness on the hazards of child labor. Builds the capacity of relevant government and nongovernment stakeholders to better address the issue. Targets children engaged in the production of handicrafts, domestic work, and agriculture.(3, 41, 42)
Study on Children and Sexual Violence in Morocco†	Funded by the Government of France, a joint UNICEF and Human Rights Council of Morocco program that studied sexual violence against children in Morocco, including forced prostitution.(3, 18, 20)
Study on Children working on Small Farms in Morocco†	USDOL-funded, joint MOESA and ILO-IPEC program that analyzed the extent and nature of child labor on small farms in Morocco.(3, 4)
Anti-Trafficking in Persons Advocacy†	USDOS-funded, Government of Morocco and UNODC initiative that provided support for anti-human trafficking efforts. Led workshops to support anti-trafficking in persons legislation, including the prohibition on trafficking children.(3) Provided training to the MOI and the MOJ on legal frameworks, identification and assistance to victims, and investigative techniques.(3)
Rural Social Service Support*	Royal family-funded-Mohammed V Foundation for Solidarity program to provide funding to NGOs that improve living conditions for very low-income populations.(3)
National Vocational Programs‡	MONEVT program that provides education and training to at-risk youth; specific programs address factors that contribute to reduction of child labor.(1, 3)
“Tayssir,” Conditional Cash Transfer Program‡*	2014–2015 budget of \$235 million, MONEVT program that provides direct cash transfers of between \$7 and \$16 a month, to qualifying families if the children meet school attendance criteria. Provides transportation and student housing through a program with Entraide Nationale.(3) Aims to increase school enrollment and reduce dropout rates, particularly in rural areas.(17, 36, 43, 44) Succeeded in reducing public school dropout rates among its beneficiaries by 68 percent and increasing school enrollment by 10 percent during the reporting period.(1, 3, 45, 46)
Child Protection Centers‡	Childhood Division of the Ministry of Youth and Sport program that provides social and educational services to minors referred by the courts. Serves victims of abuse, child laborers, and street children, among others. Aims to strengthen children’s ties with their families and society.(47, 48)
Child Protection Units‡	Government program that provides temporary shelter for street children, including former child domestic workers. Offers medical, legal, and psychological services. Based in Casablanca, Essaouira, Marrakech, Meknès, and Tangier. An initiative of the PANE policy.(14, 36, 49)
Social Welfare Program*	UNDAF program that addresses education, including equal access to education, especially for vulnerable children. Also addresses health and socioeconomic development of children.(1)
National Initiative for Human Development Support Project Phase II (2011–2015)*	\$2 billion World Bank-funded, government program that increases access to basic services, such as schools; provides enhanced income-earning opportunities, such as microcredit for women; and supports improved civic participation to assure sustainability.(3, 20, 49-51)
Taking Action Against Child Domestic Work in Africa and the Union of Mediterranean Countries (2011–2015)	\$1.3 million Government of France-funded, 5-year project to combat child domestic labor.(52)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Morocco.

Although the Government of Morocco has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

NGOs that work with child laborers and at-risk children report having received only a small portion of their expected funding from the Government. They stressed that government support is not sufficient to carry out their activities, and most were required to rely on private and international donations.(1, 3) NGOs also reported that their government counterparts lack the necessary qualifications to effectively address child labor issues, especially in hospital and court units.(3, 25)



# Morocco

## MODERATE ADVANCEMENT

There continue to be data gaps regarding the nature and extent of child labor in Morocco. While the Government expressed support to work with the ILO-IPEC to carry a national child labor survey, there have been insufficient efforts to begin implementation of the survey.(1, 3, 7)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Morocco (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Recommended
Legal Framework	Ensure that the law's minimum age provisions apply to all children.	2009 – 2014
	Amend legislation to increase the penalties for those who employ children under age 18 in hazardous work.	2012 – 2014
	Ensure that children ages 15 to 18 are protected from involvement in dangerous agricultural work.	2009 – 2014
	Ensure that laws prohibit child trafficking.	2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2012 – 2014
	Publish the number of calls related to child labor made to the toll-free hotline for child victims of violence.	2014
	Address issues of corruption affecting the labor inspectorate and increase financial resources.	2014
	Publish information on the number of prosecutions and the amount of penalties imposed for violations of child labor and criminal laws on the worst forms of child labor.	2012 – 2014
	Streamline child labor enforcement procedures among government agencies.	2013 – 2014
Government Policies	Take measures to ensure children's safety in schools and remove barriers to children's access to education.	2013 – 2014
	Integrate child labor elimination and prevention strategies into policies.	2014
Social Programs	Conduct research to determine the types of activities carried out by children working in farming, construction, and forestry to inform policies and programs.	2013 – 2014
	Conduct a comprehensive study of children's activities to determine whether they are engaged in or at risk of involvement in child labor.	2013 – 2014
	Expand existing programs so that they address the scope of the child labor problem.	2014
	Assess the impact that existing programs may have on child labor and institute programs to address the worst forms of child labor in domestic work and street peddling.	2013 – 2014
	Ensure Government staff who carry out work related to child labor are qualified.	2013 – 2014
	Ensure adequate funding for NGOs that carry out programs to combat child labor.	2014

### REFERENCES

- U.S. Embassy-Morocco. *reporting, January 16, 2014.*
- U.S. Department of State. "Morocco," in *Trafficking in Persons Report-2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210740.pdf>.
- U.S. Consulate- Casablanca. *reporting, January 15, 2015;* 2015.
- ILO/IPEC and Government of Morocco. *Study on Children working on Small Farms in Morocco*. Casablanca; 2014. [http://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_26515/lang-fr/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_26515/lang-fr/index.htm).
- UNESCO. *Beyond 20/20 Web Data Systems: Table 1: Education Systems*. 2012. <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx?ReportId=163>.
- UCW. *Analysis of DHS Survey 2003-2004 Enquête sur la Population et la Santé Familiale*. Original data from SURVEY, Rome: 2003-2004 Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Haut Commissariat au Plan. *Evolution du Phénomène du Travail des Enfants au Maroc*. Press Release. Rabat; June 12, 2011. <http://www.hcp.ma/attachment/279986/>.
- ILO-IPEC Rabat official. Interview with USDOL official. February 20, 2013.
- U.S. Department of State. "Morocco," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014;
- Aufait Maroc. "Journée Mondiale Contre le Travail des Enfants 123.000 Enfants de 7 à 15 Ans Concernés au Maroc." Aufait Maroc, Casablanca, June 11, 2012; Societe. [http://www.aufaitmaroc.com/maroc/societe/2012/6/11/123000-enfants-de-7-a-15-ans-concernes-au-maroc\\_178667.html](http://www.aufaitmaroc.com/maroc/societe/2012/6/11/123000-enfants-de-7-a-15-ans-concernes-au-maroc_178667.html).

11. Hallaoui, L. "Travail des petites bonnes. Les ONG revendiquent une loi spécifique." *lesoir-echos.com* [previously online] November 4, 2010 [cited March 1, 2012]; <http://www.lesoir-echos.com/travail-des-petites-bonnes-les-ong-revendiquent-une-loi-specifique/societe/15217/> [source on file].
12. ILO Committee of Experts. *Report of the Committee of Experts on the Application of Conventions and Recommendations*. Geneva; 2011. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_151556.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_151556.pdf).
13. U.S. Department of State. "Morocco," in *Trafficking in Persons Report-2012*. Washington, DC; June 19, 2012; <http://www.state.gov/documents/organization/192596.pdf>.
14. Human Rights Watch. *Lonely Servitude: Child Domestic Labor in Morocco*. Washington, DC; 2012. <http://www.hrw.org/reports/2012/11/15/lonely-servitude>.
15. U.S. Department of State. "Morocco," in *Country Reports on Human Rights Practices-2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dclid=204376>
16. U.S. Consulate- Casablanca. *reporting, January 27, 2011*.
17. Embassy of the Kingdom of Morocco- Washington DC official. Fax communication to USDOL official. February 3, 2012.
18. UNICEF and Human Rights Council of Morocco. *Study on Children and Sexual Violence in Morocco* Rabat; 2014. [http://www.unicef.org/morocco/french/Etude\\_sur\\_la\\_VS\\_2014.pdf](http://www.unicef.org/morocco/french/Etude_sur_la_VS_2014.pdf).
19. James Tennant. "Moroccan's are Sick of Their Country's Pedophile Problem." *Vice*, (2013); <http://www.vice.com/read/is-morocco-replacing-southeast-asia-as-a-haven-for-european-paedophiles>.
20. U.S. Consulate- Casablanca. *Trafficking in Persons reporting, February 15, 2015; 2015*.
21. AFP. "Moroccans Employ more than 30,000 Child Maids." *Jordan Times*, Amman, May 29, 2012; Region. <http://jordantimes.com/moroccans-employ-more-than-30000-child-maids>.
22. Humanrightswarrior. *Petites Bonnes: Child Domestic Labor in Morocco*, Humanrightswarrior, [online] June 12, 2013 [cited December 4, 2013]; <http://humanrightswarrior.com/2013/06/12/petites-bonnes-child-domestic-labor-in-morocco/>.
23. Human Rights Watch. "Morocco/Western Sahara," in *World Report 2014*. New York; 2014; <http://www.hrw.org/world-report/2014/country-chapters/moroccowestern-sahara>.
24. U.S. Consulate- Casablanca. *reporting, February 22, 2010*.
25. UNICEF. *UNICEF Annual Report 2013 - Morocco*; 2013. [http://www.unicef.org/about/annualreport/files/Morocco\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Morocco_COAR_2013.pdf).
26. Creative Associates International. *Youth get to the bottom of Morocco's drop out crisis*; May 2013. <http://creativevoces.com/2013/05/youth-get-to-the-bottom-of-moroccos-drop-out-crisis/>.
27. Morocco. *Labor Code*, enacted
28. Morocco. *Hazardous Child Labor List*, enacted <https://www.ilo.org/dyn/natlex/docs/SERIAL/86187/97101/F-1362261362/MAR-86187.pdf>.
29. Morocco. *Le Code Pénal*, enacted <http://adala.justice.gov.ma/production/legislation/fr/penal/Code%20Penal.htm>.
30. Coalition to Stop the Use of Child Soldiers. "Morocco and Western Sahara," in *Child Soldiers Global Report- 2008*. London; 2008; [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).
31. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed February 4, 2013]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
32. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Morocco (ratification: 2000) Published: 2012*; accessed October 26, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
33. Alami, B. "Un projet de loi pour criminaliser le travail des enfants au Maroc." *maghrebemergent.com* [online] May 5, 2013 [cited December 4, 2013]; <http://www.maghrebemergent.com/actualite/maghrebine/item/23781-un-projet-de-loi-pour-criminaliser-le-travail-des-enfants-au-maroc.html>.
34. U.S. Consulate- Casablanca. "reporting, December 14, 2014." (2014);
35. U.S. Consulate- Casablanca. *reporting, January 19, 2012*.
36. U.S. Consulate- Casablanca. *reporting, January 30, 2013*.
37. U.S. Consulate- Casablanca. *reporting, December 4th, 2014*. Rabat; 2014.
38. Embassy of the Kingdom of Morocco. *Submission to 2013 TDA*; 2014.
39. U.S. Consulate Morocco official. E-mail communication to USDOL official. February 18, 2015.
40. UNDAF. *Plan Cadre des Nations Unis pour Aide au Développement UNDAF 2012-2016*. Action Plan. Rabat; 2011. [http://www.un.org.ma/IMG/pdf/UNDAF\\_2012-2016.pdf](http://www.un.org.ma/IMG/pdf/UNDAF_2012-2016.pdf).
41. USDOL. *Project Summary: Promise Pathways*. Washington; 2014. [http://www.dol.gov/ilab/projects/summaries/Morocco\\_Pathways.pdf](http://www.dol.gov/ilab/projects/summaries/Morocco_Pathways.pdf).
42. U.S. Consulate- Casablanca. "reporting, December 24, 2014." (2014);
43. Siham, A. "Education Assistance Pays off in Morocco." *magharebia.com* [online] October 31, 2012 [cited July 15, 2013]; [http://magharebia.com/cocoon/awil/xhtml1/en\\_GB/features/awil/features/2012/10/31/feature-04](http://magharebia.com/cocoon/awil/xhtml1/en_GB/features/awil/features/2012/10/31/feature-04).
44. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Morocco (ratification: 2001) Published: 2013*; accessed December 1, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
45. Gattioui, J. "Des indicateurs positifs pour le programme Tayssir." *Le Matin*, September 30, 2012. [http://www.lematin.ma/journal/Enseignement\\_Des-indicateurs-positifs-pour-le-programme-Tayssir/172134.html](http://www.lematin.ma/journal/Enseignement_Des-indicateurs-positifs-pour-le-programme-Tayssir/172134.html).
46. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Morocco (ratification: 2001) Published: 2013*; accessed December 1, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
47. World Bank. *Promoting Youth Opportunities and Participation*. Washington, DC; June 2012. <http://allafrica.com/download/resource/main/main/idadcs/00031748:b4e8032ef11f9fb849e7608fde70d0dd.pdf>.
48. *Centres de sauvegarde de l'enfance*, Ministère de la Jeunesse et des Sports, [online] [cited March 4, 2013]; <http://www.mjs.gov.ma/fr/Page-89/centres-de-sauvegarde-de-lenfance/>.
49. Save the Children Sweden. *Country Profile of Morocco: A Review of the Implementation of the UN Convention on the Rights of the Child*. Beirut; August 2011. <http://www.ibcr.org/editor/assets/Morocco%20Country%20Profile.pdf>.
50. World Bank. *INDH Phase 2*. Washington, DC; 2012.
51. World Bank. *MA-National Initiative for Human Development 2*. Washington, DC; 2012. <http://www.worldbank.org/projects/P116201/ma-national-initiative-human-development-2?lang=en>.
52. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.

# Mozambique

## MODERATE ADVANCEMENT

*In 2014, Mozambique made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed a new Penal Code which contains provisions on the commercial sexual exploitation of children. The Government also adopted a policy to increase birth registration nationwide, launched a social program to strengthen coordination to address human trafficking, and began conducting research on child labor. However, children in Mozambique are engaged in child labor, including in agriculture and domestic work. Mozambique's legal framework leaves gaps in prohibiting child labor, including its worst forms. The law does not prohibit hazardous occupations or activities for children and education is only compulsory until age 13, leaving children ages 13 to 14 vulnerable to child labor. Current programs target street children and child trafficking victims but do not address other sectors in which children engage in hazardous work.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mozambique are engaged in child labor, including in agriculture and domestic work.(1-5) Table 1 provides key indicators on children's work and education in Mozambique.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	22.5 (1,526,560)
Attending School (%)	5-14 yrs.	69.5
Combining Work and School (%)	7-14 yrs.	22.4
Primary Completion Rate (%)		52.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Clusters Survey 3, 2008.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cotton,* sesame,* tea,* cashews,* and tobacco (2, 3, 8-14)
	Fishing,* activities unknown (3, 9)
	Forestry,* activities unknown (3)
Services	Domestic work (8, 9, 12, 15)
	Street work, including car washing, street vending, collecting rubbish and scrap metal, and begging (2, 3, 16-22)
	Selling alcoholic beverages in markets* (22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2, 16, 20, 23-31)
	Forced labor in agriculture* and domestic work,* each sometimes as a result of human trafficking (2, 28, 31)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Girls from Malawi, Swaziland, and Zimbabwe are trafficked to Mozambique for commercial sexual exploitation and forced domestic work.(2, 28, 29, 31, 32) Within Mozambique, commercial sexual exploitation is especially prevalent in border towns and the urban regions of Beira, Maputo, Nacala, Nampula, and Tete.(2, 16, 20, 23, 24, 26, 27, 31) Commercial sexual exploitation of

girls occurs in bars, roadside clubs, restaurants, and at overnight stopping points along the southern transport corridor that links Maputo, Swaziland, and South Africa.(2, 31)

Children are trafficked internally and to South Africa for commercial sexual exploitation and forced labor in agriculture, mines, and domestic work.(2, 24, 29, 31, 33-37)




Although primary education is free, access to education in Mozambique is limited because of the lack of schools and teachers. Additionally, the cost of school supplies is prohibitive for many families.(2, 17, 21, 25, 38-41) Despite government efforts to provide birth registration to children, some children may not attend school because they lack birth records needed for enrollment.(2, 26, 42) Even though the National Organization of Professors establishes a code of conduct, verbal, physical, and sexual abuse is common in schools. Teachers often demand sex from female students as a condition for advancement to the next grade.(2, 4, 20, 43) For many girls, this type of abuse leads to withdrawal from school.(2, 20, 42, 43)

Additionally, there are an estimated 740,000 orphaned children, many of whom lost their parents to HIV/AIDS.(44, 45) The Government estimates that nearly 20,000 children are heads of households responsible for their younger siblings.(44, 46) As a result, they are likely to experience poor school attendance and are at risk of engaging in the worst forms of child labor.(20, 47)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mozambique has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 26 of the Labor Law (48)
Minimum Age for Hazardous Work	Yes	18	Article 23 of the Labor Law (48)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 23 of the Labor Law (48)
Prohibition of Forced Labor	Yes		Article 84 of the Constitution; Articles 10 and 11 of Law No. 6/2008 (49, 50)
Prohibition of Child Trafficking	Yes		Articles 10 and 11 of Law No. 6/2008; Article 227 of the Penal Code (49, 51)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 10 and 11 of Law No. 6/2008; Articles 226 and 227 of the Penal Code (49, 51)
Prohibition of Using Children in Illicit Activities	Yes		Law No. 3/97 (52)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 1 of the Law on Compulsory Military Service (53)
Minimum Age for Voluntary Military Service	Yes	18	Law on Compulsory Military Service (53, 54)

# Mozambique

## MODERATE ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Compulsory Education Age	Yes	13	Article 41 of the Law of Basic Child Protection (55, 56)
Free Public Education	Yes		Article 41 of the Law of Basic Child Protection (55)

The Labor Law states that employers may not engage children under 18 years of age in unhealthy or dangerous work, but it does not identify specific prohibited hazardous activities.(48, 52)

While children age 18 and younger are prohibited from military conscription, the age limit may be lowered during times of war, therefore making children vulnerable to the worst forms of child labor.(3)

In December 2014, the Government passed a new Penal Code with technical support from UNICEF.(5) The Penal Code contains prohibitions on facilitating prostitution and child pornography.(51) Law No. 6/2008 provides penalties for anyone who recruits, sells, and benefits financially from the commercial sexual exploitation of children; however, the law does not prohibit the use of a child for commercial sexual exploitation.(49, 51, 52)

The Law of Basic Child Protection provides free and compulsory education through primary school.(55) Primary school covers 7 years, making education compulsory until age 13, while the minimum age for work is 15. This gap between the end of compulsory education and the minimum age for work leaves children ages 13 to 14 vulnerable to child labor, including its worst forms.(56)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MITRAB)	Carry out child labor inspections and receive child labor complaints.(3)
Labor Inspectorate General	Enforce criminal law, including forced child labor and child trafficking, along with the National Police Force and the Criminal Investigation Branch (PIC).(3)
The National Police Force	Enforce all criminal laws, including forced child labor, child trafficking, commercial sexual exploitation of children, and the use of children for illicit activities.(3)
PIC	Investigate and refer cases to the Attorney General's Office. Has a seven-person unit devoted to anti-trafficking and violence against women and children.(3)
Attorney General's Office	Lead the Government's anti-human trafficking efforts and receive prosecution-ready cases from the PIC. During the reporting period, the Attorney General's Office established human trafficking reference groups in three additional provinces, resulting in nationwide coverage.(31, 57)

Criminal law enforcement agencies in Mozambique took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

During the reporting period, the Ministry of Labor (MITRAB) had 135 labor inspectors.(5) Inspectors are poorly trained, making them limited in their ability to effectively enforce labor laws. Moreover, there are not enough inspectors to cover the entire population, especially when most of the population works in remote areas in agriculture.(3, 58)

MITRAB does not provide data on the number of inspections carried out for different labor law violations. Therefore, there is no information available on the number of inspections, violations found, and citations or penalties issued for child labor.(59) Between January and November 2014, the hotline Speak Child-116 received 537 complaints of child abuse and exploitation, nine of which were related to child labor.(5) Inspectors are able to conduct unannounced inspections through site visits. MITRAB does not undertake targeted child labor inspections; child labor is integrated into overall labor inspections.(5)

MITRAB officials can refer victims of child labor to either the police or to social workers from the Ministry of Gender, Children, and Social Action (MGCAS) to do a family assessment and potentially place children in a foster home.(59)



### *Criminal Law Enforcement*

Research did not find information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor. However, during the reporting period, police officers received training on protection of human trafficking victims, rights of children, domestic abuse, and child custody law.(3, 5)

In 2014, research did not identify information on the number of investigations, prosecutions, or convictions related to the criminal worst forms of child labor.(3)

In January 2013, Mozambican authorities worked with South African authorities who had rescued five Mozambican girls in forced prostitution in South Africa.(60) The case was investigated and prosecuted by South African authorities; however, in 2014, the Government of Mozambique coordinated with an NGO to provide travel to South Africa for the parents of the five victims. The Government also agreed to have South African officials provide initial rehabilitation for the young women, and planned to coordinate their repatriation to Mozambique from South Africa for final reunification with their families.(57)

There are standardized procedures for courts to refer victims of human trafficking to MGCAS' offices throughout the country, to provide support and reintegration services.(61) However, research did not find referral mechanisms for victims of other worst forms of child labor.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Council on the Rights of the Child (CNAC)	Coordinate efforts to promote the welfare of children. Led by the Ministry of Gender, Children, and Social Action (MGCAS) and composed of civil society representatives and the Ministries of Justice, Education, Health, and Youth and Sports.(9)
National Commission on Children's Rights	Oversee and report on children's rights in Mozambique to the African Charter and other international bodies, and perform consultations and deliberations on national action plans and legislation.(59) Inter-ministerial body created in 2010; includes representatives from the Ministries of Gender, Children and Social Action (MGCAS), Education, Health, Interior, and Justice; civil society organizations; and religious organizations.(3, 59)
The Ministry of Interior's Women and Children Victim Assistance Units (GAMC)	Provide services to child victims of commercial sexual exploitation and human trafficking.(31) In 215 police stations, a specialist is specifically designated to help women and children that have been victims of crimes including human trafficking, sexual abuse, domestic violence, and sexual assault.(31) Through February 2014, 490 specialists have been trained to assist victims.(60)
Ministry of Gender, Children, and Social Action (MGCAS)	Provide support and reintegration services to victims of human trafficking, including placing victims with other people or a family so as to avoid stigma and help the victims reintegrate into society.(57)

Although CNAC exists, research found no evidence that the committee functions as a coordinating mechanism to address child labor, including its worst forms.

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Mozambique has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Community of Portuguese-Speaking Countries (CPLP) Action Plan to Combat Child Labor	Establishes four target areas to combat child labor. Includes the exchange of information and experiences; awareness-raising campaigns; use of statistical methodologies to collect child labor data; and technical cooperation and training.(62)
Employment and Vocational Training Strategy (EEFP) (2006–2015)	Reduces poverty and unemployment by working with employers, workers, and members of civil society. Conducts child labor research on different topics and sectors to help design and implement government interventions.(9) Establishes support for participating institutions; implements policies and legislation on child labor; and provides training on child labor for institutions, stakeholders, and civil society.(9)

# Mozambique

## MODERATE ADVANCEMENT

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Action Plan for Children II (PNAC) (2013–2019)	Establishes four priority areas: (1) child survival, (2) child development, (3) child protection, and (4) child participation. Aims to reduce child labor in the area of child protection.(63)
National Poverty Reduction Action Plan (PARP) (2011–2014)*	Promotes inclusive economic growth and seeks to reduce poverty and vulnerability in the country. Aims to increase production and productivity in the agriculture and fishery sectors; encourage human and social development; and promote employment.(64) Also includes the Government's strategy for implementing the 2010–2014 Five-Year Plan.(9, 64)
Five-Year Government Plan (PQG) (2010–2014)*	Ensures access to basic education for all children, giving privilege to the most vulnerable children.(9) The primary school enrollment rate increased from 79.4 percent in 2013 to 94.0 percent in 2014.(64)
Civil Registration and Vital Statistics (CRVS) Investment Plan*†	Plans to strengthen legislation, raise awareness, and increase the registration of vital events, including birth registration.(65) Includes UNICEF and WHO working with the Mozambican Ministries of Justice, Health, Interior, and the National Institute of Statistics.(65, 66)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In 2014, MITRAB submitted the draft National Action Plan on Child Labor to a tripartite consultative committee composed of representatives from various government ministries, as well as unions, and private-sector employers. The draft remains under review.(5)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Mozambique funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor and forced labor through data collection and research in Mozambique.(67)
Research Study on Child Labor†	MITRAB program to conduct a small-scale study on child labor in partnership with the University of Eduardo Mondlane.(5)
Decent Work Country Program (2011–2015)	Contributes to the national priorities of inclusive and sustainable growth and poverty reduction by providing opportunities for decent work for all. Special emphasis placed on the most vulnerable groups in the labor market.(21) Provides the Labor Inspectorate with a mandate to focus on eliminating child labor.(21)
Strengthening Coordination to Respond to Trafficking in Persons and Ensure Justice and Protection for All Victims of Trafficking in Mozambique†	\$750,000, USDOS-funded 3-year project implemented by IOM to support the establishment and institutionalization of a national human trafficking referral mechanism, including for child victims of trafficking. Includes upgrading shelter facilities, training staff to meet the minimum requirements for offering aftercare services to victims of TIP, and providing comprehensive protection services.(68)
Cash Transfer Program for Children Heads of Households*‡	USAID and Government-funded program that provides cash transfers to children who are head of households. No data are available on how many children benefit from this program, but the Government has been steadily increasing funding to social protection mechanisms since 2011.(3, 69)
Programs For Street Children	Government and civil society-organized programs that provide shelters and schooling to prepare street children for reintegration into society. Regulations being drafted to define minimum standards for assessing foster care providers and more clearly define standards for the reintegration of street children into families.(69)
Direct Support to Schools Program (ADE)*‡	\$17.3 million, Government-funded program that provides funds to school councils and parent associations to use in improving access to and quality of education.(59, 69)
UNICEF Radio Program	UNICEF program with the Government to communicate issues of child abuse, including child labor, on national and community radio broadcasts.(59, 70)
Victims of Violence Centers*‡	Government program operated by the GAMC that provides temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime. There are 22 centers located throughout the country.(31)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Prison School ( <i>Prisões Escola</i> )*	Ministry of Justice program that provides study opportunities for children who have been in trouble with the law.(9)
Permanent Shelter for Vulnerable Children‡	MGCAS and Save the Children coordinate to run a permanent shelter with two psychologists for vulnerable children, including trafficking victims.(60)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Mozambique.

Although the Government of Mozambique has implemented programs for street children and child victims of commercial sexual exploitation and human trafficking, research found no evidence that it has carried out programs to assist children in agriculture and domestic work. Additionally, the scope of existing programs is insufficient to fully address the extent of the problem.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mozambique (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law establishes specific hazardous occupations or activities prohibited for children, including all relevant sectors in Mozambique.	2009 – 2014
	Ensure children under age 18 are prohibited from military conscription in all circumstances.	2010 – 2014
	Ensure that the law prohibits use of a child for commercial sexual exploitation.	2014
	Raise the age of compulsory education to be consistent with the minimum age for employment.	2009 – 2014
Enforcement	Allocate sufficient resources to MITRAB in order to (1) increase the number of labor inspectors to ensure coverage throughout the country, including rural areas; and (2) provide labor inspectors with adequate training on child labor.	2009 – 2014
	Make information publicly available on the number of labor inspections conducted, the number of child labor violations found, the number of citations or penalties issued, as well as the number of investigators responsible for enforcing criminal laws on the worst forms of child labor, and the number of investigations, prosecutions, and convictions.	2009 – 2014
	Establish referral mechanisms to link all victims of the worst forms of child labor with the appropriate social welfare services.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2010 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2010 – 2014
Social Programs	Take measures to ensure all children, particularly girls and orphans, have access to good quality education and are safe in schools, including through providing supplies and ensuring a sufficient number of teachers and classrooms. Prosecute teachers who demand sex with students as a condition for advancement.	2010 – 2014
	Assess the impact that existing programs may have on child labor.	2010 – 2014
	Institute programs to address child labor in agriculture and domestic work and expand existing programs in order to address the scope of the child labor problem.	2010 – 2014

## REFERENCES

1. Africa 21 Digital. “Agencia Estima que Mais de 1 Milhão de Crianças Moçambicanas, dos Sete aos 17 Anos, São Submetidas ao Trabalho Infantil, Cujas Causas Principais são a Pobreza.” *africa21digital.com* [online] June 13, 2012 [cited November 9, 2012]; <http://www.africa21digital.com/comportamentos/ver/20000285-unicef-considera-ggrave-e-alarman-teq-o-trabalho-infantil-em-mocambique>.
2. U.S. Department of State. “Mozambique,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220141EXECUTIVE>
3. U.S. Embassy- Maputo. *reporting, January 17, 2014*.
4. UN Human Rights Committee. *Consideration of Reports of States Parties: Concluding Observations: Mozambique*. Geneva; November 19, 2013. Report No. CCPR/C/MOZ/CO/1.
5. U.S. Embassy- Maputo. *reporting, January 14, 2015*.

# Mozambique

## MODERATE ADVANCEMENT

6. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
7. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2008. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
8. “Trabalho Infantil Preocupa.” *Diário de Moçambique*, March 28, 2012. <http://www.recac.org.mz/por/layout/set/print/Na-Imprensa/Trabalho-infantil-preocupa>.
9. ILO-CPLP IPEC. *Estudo Sobre a Aplicação das Convenções n. 138 e n. 182 da OIT e Suas Recomendações na Legislação Nacional dos Países da CPLP*; 2013. <http://www.ilo.org/ipceinfo/product/download.do?type=document&id=23180>.
10. Eliminating Child Labour in Tobacco-Growing Foundation. *Baseline Survey: Mozambique*; 2006. <http://eclt.lemansoft.com/projects-and-progress/mozambique/baseline-survey>.
11. Integrated Regional Information Networks. “Mozambique: School Lightens the Workload.” IRINnews.org [online] March 5, 2007 [cited March 7, 2014]; <http://www.irinnews.org/report/70517/mozambique-school-lightens-the-workload>.
12. @Verdade. “Moçambique é o país da SADC com mais crianças a trabalhar.” @Verdade, Maputo, May 8, 2014. <http://www.verdade.co.mz/economia/46038-oit-coloca-mocambique-como-pior-da-sadc>.
13. Bernardo, C. “Procura-se combater trabalho infantil em Tete.” *Notícias*, Maputo, October 23, 2014. <http://www.jornalnoticias.co.mz/index.php/provincia-em-foco/25369-tete-procura-se-combater-trabalho-infantil-em-tete>.
14. *Creating a Protective Environment against Child Labour*, UNICEF, [online] June 11, 2007 [cited January 24, 2014]; [http://www.unicef.org/mozambique/protection\\_3613.html](http://www.unicef.org/mozambique/protection_3613.html).
15. Claudina, C. *MITRAB Forma Técnicos para Inspeccionarem Trabalho Infantil*, Rede de Comunicadores Amigos da Criança, [online] December 13, 2012 [cited February 6, 2013]; hardcopy on file.
16. Government of Mozambique. “Governo Preocupado com Mendicidade e Prostituição Infantil.” [portaldogoverno.gov.mz](http://portaldogoverno.gov.mz) [online] November 24, 2010 [cited April 4, 2014]; <http://www.portaldogoverno.gov.mz/>.
17. “Mercido: O Rapaz que Deixou a Escola para Vender Água no Cemitério.” @Verdade, Maputo, March 8, 2012. <http://www.verdade.co.mz/nacional/25617-mercido-o-razap-que-deixou-a-escola-para-vend>.
18. Abanês, N. *Crianças com Sonhos Falecidos Deambulam sem Rumo nas Sombras do Trabalho Infantil*, Rede de Comunicadores Amigos da Criança, [previously online] May 15, 2012 [cited February 6, 2013]; [source on file].
19. Verdasco, A. *Strengthening Child Protection Systems for Unaccompanied Migrant Children in Mozambique: A Case Study of the Border Town of Ressoano Garcia*. Florence, UNICEF Office of Research; 2013. <http://www.unicef-irc.org/publications/705>.
20. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No.182) Mozambique (ratification: 2003) Published: 2012*; accessed November 8, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
21. ILO. *Mozambique Decent Work Programme 2011-2015*; February 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/mozambique.pdf>.
22. Fernando, S. “Menores são privados dos seus direitos em Mecubúri.” @Verdade, Maputo, October 2, 2014. <http://www.verdade.co.mz/nacional/49387-menores-sao-privados-dos-seus-direitos-em-mecuburi>.
23. “Prostituição Infantil Cresce na Cidade de Nampula.” [clubofmozambique.com](http://clubofmozambique.com) [online] June 14, 2010 [cited November 9, 2012]; <http://www.clubofmozambique.com/pt/sectionnews.php?secao=mocambique&id=16278&tipo=one>.
24. “Trafficking in Mozambique: ‘Every Minute Was the Worst,’” *The CNN Freedom Project*. February 20, 2012; 03 min., 44 sec., television broadcast; [cited November 8, 2012]; <http://thecnnfreedomproject.blogs.cnn.com/2012/02/20/trafficking-in-mozambique-every-minute-was-the-worst/>.
25. Child Rights Information Network. *Mozambique: Children’s Rights References in the Universal Periodic Review*; February 1, 2011. <http://www.crin.org/resources/infodetail.asp?id=23877>.
26. Bernardo, C. *TETE- Tráfico e Abuso Sexual de Menores: IPAJ Envolve Comunidades no Combate Aqueles Males*, Rede de Comunicadores Amigos da Criança, [previously online ] March 11, 2011 [cited February 6, 2013]; hardcopy on file
27. @Verdade. “24% de Raparigas de Cabo Delgado, Tete e Manica Envolvidas na Prostituição.” @Verdade, Maputo, March 7, 2012. <http://www.verdade.co.mz/mulher/25552-24-de-raparigas-de-cabo-delgado-tete-e-manica-e>.
28. U.S. Embassy- Maputo. *reporting*, February 24, 2013.
29. @Verdade. “Crianças Moçambicanas na RAS e Zimbabueanas em Manica Tornam-se Prostitutas.” @Verdade, Maputo, September 2, 2011. <http://www.verdade.co.mz/nacional/21956-criancas-mocambicanas-na-ras-e-zimbabueanas-em-manica-tornam-se-protitutas?tmpl=component&print=1&layout=default&age=>.
30. @Verdade. “Aumenta a prostituição infantil em Mocuba.” @Verdade, Maputo, August 7, 2014. <http://www.verdade.co.mz/nacional/48059-aumenta-a-prostituciao-infantil-em-mocuba->.
31. U. S. Department of State. “Mozambique,” in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226847.pdf>.
32. Macha, C. “Zambia: Plan International, Media to Fight Child Trafficking.” [allafrica.com](http://allafrica.com) [online] June 24, 2010 [cited April 9, 2014]; <http://allafrica.com/stories/201006240339.html>.
33. Deutsche Welle English. Mozambique: The Child Trafficking Hub of Southern Africa [MPEG]; June 21, 2011, 06 min., 45 sec., November 16, 2012; [http://www.youtube.com/watch?v=Pe2n\\_2\\_bmf8](http://www.youtube.com/watch?v=Pe2n_2_bmf8).
34. O Diário de Moçambique. “Seitas Religiosas Envolvidas no Tráfico de Pessoas no País.” Beira, June 7, 2012. <http://diariomoz.com/index.php/sociedade/218-seitas-religiosas-envolvidas-no-traffic-de-pe>.
35. Mukhathi, V. “We Must All Join the War against the Modern Slave Trade.” [timeslive.co.za](http://timeslive.co.za) [online] April 4, 2010 [cited April 9, 2014]; <http://www.timeslive.co.za/sundaytimes/article384491.ece/We-must-all-join-the-war-against-the-modern-slave-trade>.
36. Club of Mozambique. “Mpumalanga man in court for alleged Mozambican sex slaves.” Club of Mozambique, October 3, 2014. <http://www.clubofmozambique.com/solutions1/sectionnews.php?secao=mocambique&id=2147484486&tipo=one>.
37. “180,000 Mozambicans affected by human trafficking: study.” *Shanghai Daily*, Maputo, October 22, 2014. [http://www.shanghaidaily.com/article/article\\_xinhua.aspx?id=248032](http://www.shanghaidaily.com/article/article_xinhua.aspx?id=248032).
38. Instituto Internazionale Maria Ausiliatrice. *Mozambique Submission to the Human Rights Council: Statement on the Situation on the Rights of the Child in Mozambique*; June 2010. Report No. CRC/C/MOZ/CO/2. [http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/MZ/IIMA\\_IstitutoInternazionaleMariaAusiliatrice\\_eng.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/MZ/IIMA_IstitutoInternazionaleMariaAusiliatrice_eng.pdf).
39. UNDP. *Report on the Millenium Development Goals: Republic of Mozambique*. Maputo; 2010. <http://www.undp.org/africa/documents/mdg/mozambique-september2010.pdf>.
40. U.S. Department of State. “Mozambique,” in *Country Reports on Human Rights Practices- 2010*. Washington, DC; April 8, 2011; <http://www.state.gov/g/drl/rls/hrrpt/2010/>.
41. Macanandze, C. “A educação básica está longe de ser abrangente no país.” @Verdade, Maputo, August 21, 2014. <http://www.verdade.co.mz/nacional/48379-a-educacao-basica-esta-longo-de-ser-abrangente-no-pais>.
42. OHCHR. *Universal Periodic Review- Human Rights Council: UNICEF Inputs- Mozambique*; 2010. [http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/MZ/UNICEF\\_United%20Nations%20Childrens%20Fund\\_eng.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/MZ/UNICEF_United%20Nations%20Childrens%20Fund_eng.pdf).
43. Margarido, E. *Crescendo- Buletim Informativo*. Mozambique, Fundação para o Desenvolvimento da Comunidade (FDC); April 2010. [http://www.redicem.org.mz/var/ezwebbin\\_site/storage/original/application/347fee05087539e05dba817ff620c866.pdf](http://www.redicem.org.mz/var/ezwebbin_site/storage/original/application/347fee05087539e05dba817ff620c866.pdf).

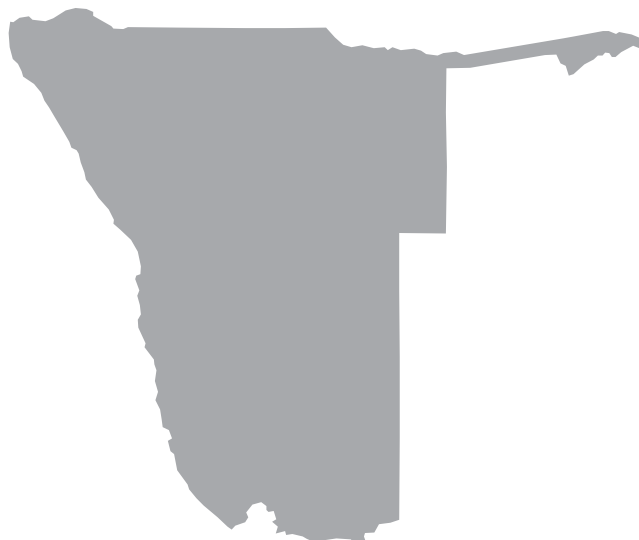
44. “Cerca de 20 Mil Crianças Chefiam Famílias em Moçambique.” portaldogoverno.gov.mz [online] June 2, 2011 [cited January 26, 2013]; [http://www.portaldogoverno.gov.mz/noticias/news\\_folder\\_sociedad\\_cultu/junho-2011-1/cerca-de-20-mil-criancas-chefiam-familias-em-mocambique/](http://www.portaldogoverno.gov.mz/noticias/news_folder_sociedad_cultu/junho-2011-1/cerca-de-20-mil-criancas-chefiam-familias-em-mocambique/).
45. National AIDS Council- Mozambique. *2012 Global AIDS Response- Progress Report*. Progress Report; 2012. <http://www.unaids.org/en/regionscountries/countries/mozambique/>.
46. Government of Mozambique. “Moçambique Prepara Estratégia Integrada da Criança.” [online] May 31, 2011 [cited January 25, 2013]; [http://www.portaldogoverno.gov.mz/noticias/news\\_folder\\_sociedad\\_cultu/maio-2011/mocambique-prepara-estrategia-integrada-da-crianca/](http://www.portaldogoverno.gov.mz/noticias/news_folder_sociedad_cultu/maio-2011/mocambique-prepara-estrategia-integrada-da-crianca/).
47. Government of Mozambique. *Moçambique traça plano de acção sobre trabalho infantil*. Maputo; June 16, 2014. file:///H:/Mozambique/Portal%20do%20Governo,%20plano%20de%20acciao%20(2014).html.
48. Government of Mozambique. *Lei do Trabalho*, n.º 23/2007, enacted October 2007. <http://www.mitrab.gov.mz/Documentos/Legislacao/Lei%20do%20Trabalho.pdf>.
49. Government of Mozambique. *Lei N.6/2008*, enacted April 23, 2008.
50. Government of Mozambique. *Constituição da República*, enacted November 2, 1990. <http://www.mozambique.mz/pdf/constituicao.pdf>.
51. Government of Mozambique. *Lei da revisão do Código Penal*, Lei n.º 35/2014, enacted December 31, 2014.
52. ILO-Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mozambique (Ratification: 2003) Published: 2013*; accessed [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100\\_COMMENT\\_ID:3080792:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3080792:NO).
53. Government of Mozambique. *Lei do Serviço Militar Obrigatório*, Lei n.º 4/78, enacted March 23, 1978.
54. Child Soldiers International. “Appendix II: Data Summary on Recruitment Ages of National Armies,” in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
55. Government of Mozambique. *Lei de Bases de Protecção da Criança*, enacted 2006. [http://www.portaldogoverno.gov.mz/Legisla/legisSector/es/sociedade/lei\\_bases\\_crianca.pdf](http://www.portaldogoverno.gov.mz/Legisla/legisSector/es/sociedade/lei_bases_crianca.pdf).
56. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mozambique (ratification: 2003) Published: 2013*; accessed [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100\\_COMMENT\\_ID:3080785:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3080785:NO).
57. U.S. Embassy- Maputo. *reporting*, February 17, 2015.
58. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Mozambique (ratification: 2003) Published: 2013*; accessed December 3, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0:NO:13100:P13100\\_COMMENT\\_ID:3080789:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0:NO:13100:P13100_COMMENT_ID:3080789:NO).
59. U.S. Embassy- Maputo official. E-mail communication to USDOL official. April 2, 2015.
60. U.S. Embassy- Maputo. *reporting*, March 6, 2014.
61. U.S. Embassy Maputo official. E-mail communication to USDOL official. March 12, 2015.
62. Community of Portuguese-Speaking Countries. *Resolução sobre a Prevenção e a Eliminação da Exploração do Trabalho Infantil na CPLP*. Luanda; March 29, 2011. <http://www.cplp.org/Default.aspx?ID=2281>.
63. Government of Mozambique. *Plan Nacional de Acção para a Criança 2013-2019 (PNAC II)*. Maputo; December 2012.
64. International Monetary Fund. *Republic of Mozambique: Poverty Reduction Strategy Paper- Progress Report*. Washington, DC; May 2014. Report No. 14/147. <http://www.imf.org/external/pubs/ft/scr/2014/cr14147.pdf>.
65. Government of Mozambique. *Draft CRVS Indicative Investment Plan for Mozambique*. 2014. [http://www.who.int/healthinfo/civil\\_registration/TechnicalConsultation\\_April2014/en/](http://www.who.int/healthinfo/civil_registration/TechnicalConsultation_April2014/en/).
66. UNICEF. *Mozambique, 2 June 2014: At forefront of improving population registration*. Maputo; June 2, 2014. [http://www.unicef.org/esaro/5440\\_mozambique2014\\_at-forefront.html](http://www.unicef.org/esaro/5440_mozambique2014_at-forefront.html).
67. ILO-IPEC. *Global Action Program on Child Labour Issues*; April 2014. hardcopy on file
68. U.S. Department of State. *reporting*, October 9, 2014.
69. U.S. State Department official. Personal communication to USDOL official. May 14, 2014
70. U.S. Embassy- Maputo. *reporting*, December 20, 2010.



# Namibia

## MINIMAL ADVANCEMENT

*In 2014, Namibia made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the Government established an Inter-Ministerial Committee on Child Labor to coordinate efforts between several ministries to combat the worst forms of child labor. In addition, the Ministry of Gender, Equality, and Child Welfare (MGECW) increased the number of shelters from six to eight for women and children to assist victims of sexual assault, gender-based violence, human trafficking, and the worst forms of child labor. In December, the Child Care and Protection Bill was passed by the National Assembly and reviewed by the National Council; the bill is awaiting signature by the President and placement in the gazette. However, children in Namibia are engaged in child labor, including in herding livestock, and in the worst forms of child labor, including in commercial sexual exploitation. Gaps remain in existing laws regarding child prostitution and the use of children for illicit activities, the number of labor law inspectors decreased during the year, and resources for enforcement were insufficient.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Namibia are engaged in child labor, including in herding livestock. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-5) The most recent Child Activities Survey is from 2005.(3, 6) Table 1 provides key indicators on children’s work and education in Namibia. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		85.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(7)  
Data were unavailable from Understanding Children’s Work Project’s analysis, 2014.(8)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Tending and herding livestock, including cattle, sheep,* and goats* (1-5)
	Farming, including clearing land, plowing, planting, weeding, protecting crops against birds, and harvesting* (1)
	Domestic work (4, 5, 9, 10)
Services	Taking care of children* (1, 11, 12)
	Working in bars called <i>shebeens</i> *(13)
	Street work,* including selling candies,* fruits,* handicrafts,* and cell phone air time vouchers* (13, 14)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
	Commercial sexual exploitation sometimes as a result of human trafficking* (3, 4, 12, 13)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, cattle herding, and domestic work, each sometimes as a result of human trafficking* (4, 12, 13, 15)
	Used in illicit activities, including drug trafficking, residential break-ins, and cattle theft* (4, 9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.







‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Child labor in Namibia takes place mainly in agriculture on communal farms in the northern part of the country. Livestock herding is conducted primarily by boys.(3) Girls perform the majority of domestic work.(9, 13) Girls, and to a lesser extent boys, are engaged in commercial sexual exploitation.(9, 13) It is believed that girls from Angola, Zambia, and Zimbabwe are commercially sexually exploited within the country.(9, 15) Children from these countries are also used for livestock herding and domestic service.(14) Children orphaned as a result of HIV/AIDS and children from the marginalized San ethnic group are particularly vulnerable to labor exploitation.(13, 16, 17) Under Article 25 of the Education Act, a school board with majority vote from parents could establish a school development fund that would be used to improve educational activities and develop school facilities.(18) However, the Ministry of Education determined that school development funds (school registration fees) became a barrier for children to access primary education and therefore instructed school boards in 2013 to not charge school registration fees. The Ministry of Education continued its efforts to ensure that schools were not charging school registration fees throughout the year.(16, 30)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Namibia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Chapter 2, Article 3(2) of the Labor Act (19)
Minimum Age for Hazardous Work	Yes	18	Article 15 of the Constitution; Chapter 2, Article 3(4) of the Labor Act (19, 20)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Chapter 2, Articles 3(3)(d) and 4 of the Labor Act (19, 21)
Prohibition of Forced Labor	Yes		Article 9 of the Constitution; Chapter 2, Article 4 of the Labor Act (19, 20)
Prohibition of Child Trafficking	Yes		Section 15 of the Prevention of Organized Crime Act (9, 20, 22, 23)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 2 of the Combating of Immoral Practices Act Amendment Act (24)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Chapter 9 of the Namibian Defense Force Personnel Policies (9, 13, 25)
Compulsory Education Age	Yes	16	Article 20 of the Constitution (20)
Free Public Education	Yes		Article 20 of the Constitution (20)

\* No conscription (25)

The Namibian Constitution states that children, under age 16, should not be required to “perform work that is likely to be hazardous” but the Labor Act states that children between 16-18 years may perform hazardous work subject to approval by the Minister of Labor and Social Welfare (MLSW) and restrictions outlined in Articles 3(c) and 3 (d) of the Labor Act. (19, 20) Under Articles 3(c) and 3(d) of the Labor Act, children are prohibited from hazardous work including underground work, mining, construction, demolition, manufacturing, electrical work, installation of machinery, and night work. However, the law does not prohibit hazardous work in the agriculture sector where children as young as 10 years old in the Caprivi, Kavango, Oshikoto and Ohangwena regions have been found working on average 11 hours a day as herd boys, field de-bushers, weeders, ploughers, weeders, and harvesters.(19, 26, 27) The MLSW reported that it drafted additional hazardous work prohibitions, but these have not been approved.(14, 28) The Government has not yet developed regulations to determine light work activities and the conditions for such work that may be permitted for young persons between the ages of 12 and 14.(21) Under the Prevention of Organized Crime Act, the penalty for human trafficking is a fine of N\$1,000,000 or to imprisonment not exceeding 50 years.(23)

The Combating of Immoral Practices Act criminalizes sexual acts with children under the age of 16, and perpetrators are liable for a fine not exceeding approximately \$3,330 or to imprisonment for a period not exceeding 10 years or both.(24) However, the law does not address the use, procuring, or offering of children under 18 years for the purposes of prostitution.(29) The law prohibits parents or guardians from offering or procuring children for prostitution but does not prohibit other persons other than parents or guardians.(29) The Combating of Immoral Practices Act does not establish a minimum penalty for crimes involving child prostitution and pornography.

The Government, in collaboration with civil society, drafted a Child Care and Protection Bill to address child trafficking and other crimes, including prostitution, pornography, and the use of children for illicit activities.(3, 9, 10) In December, Namibia’s omnibus Child Care and Protection Bill was passed by the National Assembly and reviewed by the National Council; the bill awaits the President’s signature and placement in the gazette for the bill to enter into force.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Welfare (MLSW)	Enforce child labor laws and investigate allegations of violations, including forced labor. Responsible for cases involving human trafficking and commercial sexual exploitation of children.(3, 9, 31) Work with the Ministry of Safety and Security (MSS); Ministry of Gender, Equality, and Child Welfare (MGECW); Namibia Central Intelligence Service; and Ministry of Education (MOE) on child labor matters.(3, 9) Lead these ministries in joint inspection teams.(3, 9, 31)
Ministry of Safety and Security (MSS)	Enforce criminal laws and conduct site visits with labor inspectors.(3, 9) The MSS through the Namibian Police handles enforcement.(9, 32)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Ministry of Gender, Equality, and Child Welfare (MGECW)	Responsible for cases involving human trafficking and commercial sexual exploitation of children.(9, 31) Collaborate with the Namibian Police's Women and Child Protection Units (WACPU) to address child labor issues.(3, 9) Remove children from child labor situations during inspections and take them to a regional WACPU to receive assistance from MGECW social workers or to an MGECW shelter, eight of which exist throughout the country.(9, 14)
Joint Child Labor Inspection Committee	Coordinate activities to enforce child labor laws. Committee includes the Ministry of Labor and Social Welfare (MLSW), Ministry of Safety and Security (MSS) and the Ministry of Gender Equality and Child Welfare (MGECW).(3) Refer children identified during labor inspections to MGECW social workers or to an MGECW-operated shelter for care.(3)

Law enforcement agencies in Namibia took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Welfare (MLSW) employed approximately 67 labor inspectors, a decrease of 6 inspectors, and added 21 occupational health and safety inspectors during the year. All inspectors received child labor training during the year.(28). All inspectors received child labor training during the reporting period; however, an independent labor consultant found the number of inspectors was inadequate to effectively enforce child labor laws. Research found no information on the funding level, the types of referral mechanisms, the total number of inspections conducted, or the areas in which inspections were carried out.(28) MLSW officials stated that the labor inspectors struggled with insufficient office space and lack of transportation; labor inspectors are not assigned vehicles to carry out inspections. During the reporting period no child labor violations were found; therefore no penalties or citations were issued.(28)

Access to private and small farms, large communal farms, family-owned commercial farms, and private households is difficult.(16, 28, 31) NGOs report that the difficulty accessing such locations makes assessing and addressing child labor challenging.(3, 16, 28)

### *Criminal Law Enforcement*

No information is available on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor, the number of investigations conducted, the availability of referral mechanisms, or the number of trainings received by child labor criminal enforcement agents. During the year, there were no prosecutions or convictions for child labor violations.(28) However, the Government has a toll-free hotline operated by Namibian Police for reporting crimes, including child trafficking.(38)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Inter-Ministerial Committee on Child Labor*	Coordinate Government policies and efforts to combat child labor. The committee consists of officials from the Ministry of Education (MOE), Ministry of Gender Equality and Child Welfare (MGECW), Ministry of Safety and Security (MSS), as well as the Office of the Ombudsman.(28) The Committee has yet to meet.(28)
Women and Child Protection Units	Coordinate the efforts of ministries, including Ministry of Labor and Social Welfare (MLSW), Ministry of Home Affairs and Immigration, Namibian Police, MGECW, and MOE that handle the worst forms of child labor. In addition, all these ministries participate in MLSW-led inspection teams that investigate labor violations in the country.(9)
Child Care and Protection Forums	Serve as a development and coordination forum to address child protection issues and services within the country and includes regional councils, MGECW social workers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders.(9)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

# Namibia

## MINIMAL ADVANCEMENT

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Namibia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Decent Work Country Program (2010-2014)	Outlines strategies for promoting decent work in Namibia. Prioritizes employment promotion, and enhanced social protections, and strengthening social dialogue and tripartism. Includes elimination of forced labor and child labor as an outcome.(33)
National Development Plan IV (2012/2013-2016/2017)	Outlines goals and priority areas for national development. Includes child protection and trafficking concerns.(3, 34)
National Plan of Action on Gender-Based Violence (2012-2016)	Lays out a plan for reducing incidences of gender-based violence and improving the country's understanding and response. Includes child protection and trafficking concerns.(3, 9, 35)
National Protection Referral Network*	Outlines how services should be provided to children experiencing any form of abuse.(32)
Education for All National Plan of Action (2002-2015)*	Focuses on providing all children, including the most vulnerable, with relevant and quality education.(36)
National Agenda for Children (2012-2016)*	Guides the Government in advancing and protecting children's rights.(12, 37)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Namibia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Plan on Child Labor Issues	USDOL-funded and implemented by the ILO in approximately 40 countries to support the priorities of the <i>Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016</i> project established by the Hague Global Child Labor Conference in 2010.(38) Aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and strengthen legal protections and social service delivery for child domestic workers.(38)
Social Protection System*‡	MGECEW-run, comprehensive, social protection system that includes grants for orphans and children in foster care and child maintenance grants for children whose parents have died, are on pension, or are in prison.(9, 39)
Namibian School Feeding Program*‡	Government program providing mid-morning meals to about 270,000 school children throughout the country.(32)
National Youth Service*‡	Government program offering training in civic education, national voluntary service, and job skills to unemployed youth, some of whom have never attended school.(32)
Birth Registration and Documentation*	UNICEF and Government-sponsored efforts to register births and issue birth certificates, including through mobile birth registration.(16)
Shelters and victim services*‡	Eight Government-established shelters for women and children that assist victims of sexual assault, gender-based violence, and the worst forms of child labor.(9, 40) In addition, there are three Women and Child Protection Units that serve as a "one-stop-shop" for victim protection that provide lodging, medical, and psychosocial care for victims. Also, provides subsidies and funding to NGOs that assist victims of trafficking.(41)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Namibia.

Although the Government of Namibia provides assistance to vulnerable children and services to some victims of child labor, research found no evidence of programs to assist children working in agriculture, commercial sexual exploitation, or domestic work.



### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Namibia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish hazardous work prohibitions for children in the agriculture sector.	2014
	Determine the types of light work activities permitted for children between the ages of 12 and 14 to facilitate enforcement of child labor laws.	2014
	Ensure the Child Care and Protection Bill is entered into force to comprehensively address child trafficking, child prostitution, and the use of children in illicit activities.	2012-2014
	Ensure that all persons are penalized for procuring and offering a child for prostitution.	2014
	Establish minimum penalties to adequately penalize perpetrators who violate prohibitions against the use of children for commercial sexual exploitation as outlined in the Combating of Immoral Practices Act and the Children's Act.	2014
Enforcement	Make information publicly available on the Ministry of Labor and Social Welfare's funding level, the total number of inspections conducted, areas inspected, and the types of referral mechanisms available for child labor issues.	2014
	Ensure the number of labor inspectors is sufficient to cover the workforce.	2014
	Ensure that sufficient resources such as office space and transportation are available for labor inspectors to facilitate enforcement of child labor laws.	2014
	Ensure that labor inspectors can access large communal and family-owned commercial farms to conduct labor investigations.	2014
	Make information publicly available on the number of criminal investigators and investigations related to child labor violations.	2012 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs to address child labor in that sector.	2013 – 2014
	Institute programs to address child labor in agriculture, commercial sexual exploitation, and domestic work.	2009 – 2014
	Assess the impact that existing child assistance programs may have on addressing child labor.	2011 – 2014

#### REFERENCES

- ILO-IPEC. *In-Depth Study on Child Labour in the Agricultural Sector in Namibia: a Study of Oshikoto, Ohangwena, Caprivi and Kavango*. Research Report. Geneva; 2011. [source on file].
- Haikera, O. "Child Workers Dump." *allafrica.com* [online] June 24, 2011 [cited April 25, 2013]; <http://allafrica.com/stories/201106271925.html>.
- U.S. Embassy- Windhoek. *reporting, February 14, 2014*.
- U.S. Department of State. "Namibia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215529.htm>.
- Namibian Sun. "Editorial: Child labour on Workers' Day." *sun.com.na* [online] April 30, 2013 [cited March 8, 2014]; <http://sun.com.na/columns/editorial-child-labour-workers-day.52330#>.
- U.S. Embassy- Windhoek. *reporting, January 23, 2012*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Windhoek. *reporting, February 20, 2013*.
- U.S. Embassy- Windhoek. *reporting, February 15, 2013*.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour, 1999 (No. 182) Namibia (ratification: 2000) Published: 2012*; accessed March 8, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- UN Committee on the Rights of the Child. *Consideration of the Second and Third Periodic Reports of Namibia, Adopted by the Committee at Its Sixty-First Session: Concluding Observations: Namibia*. Geneva; October 16, 2012. Report No. CRC/C/NAM/CO/2-3. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/466/30/PDF/G1246630.pdf?OpenElement>.
- U.S. Embassy- Windhoek. *reporting, February 18, 2014*.
- U.S. Embassy- Windhoek official. E-mail communication to USDOL official. April 14, 2015.
- The Namibian. "Namibia: Ngatjizeko concerned about Child Trafficking." *allafrica.com* [online] May 6, 2013 [cited June 13, 2014]; <http://allafrica.com/stories/201305060780.html>.
- U.S. Department of State. "Namibia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220142EXECUTIVE>
- U.S. Department of State. "Namibia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226848.pdf>.

# Namibia

## MINIMAL ADVANCEMENT

18. Government of the Republic of Namibia. *Education Act, 2001* enacted December 27, 2001. [http://planipolis.iiep.unesco.org/upload/Namibia/Namibia\\_Education\\_Act\\_2001.pdf](http://planipolis.iiep.unesco.org/upload/Namibia/Namibia_Education_Act_2001.pdf).
19. Government of the Republic of Namibia. *Labor Act*, enacted December 31, 2007. [http://www.parliament.gov.na/acts\\_documents/81\\_3971\\_gov\\_notice\\_act\\_11.pdf](http://www.parliament.gov.na/acts_documents/81_3971_gov_notice_act_11.pdf).
20. Government of the Republic of Namibia. *Constitution*, enacted February 1990. <http://www.orusovo.com/namcon/>.
21. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Namibia (ratification: 2000) Published: 2012*; accessed January 20, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
22. U.S. Department of State. "Namibia," in *Trafficking in Persons Report-2012*. Washington, DC; June 24, 2012; <http://www.state.gov/documents/organization/192597.pdf>.
23. Government of the Republic of Namibia. *Prevention of Organised Crime Act*, enacted May 2009.
24. Government of the Republic of Namibia. *Combating of Immoral Practices Amendment Act*, enacted May 2000.
25. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
26. New Era. "San and Zemba children vulnerable to child trafficking." [www.newera.com.na](http://www.newera.com.na) [online] October 8, 2014 [cited June 11,2015]; <https://www.newera.com.na/2014/10/08/san-zemba-children-vulnerable-child-trafficking/>.
27. SOS Children's Villages. "Namibia's Children Engaged in Child Labour" [www.soschildrensvillages.ca](http://www.soschildrensvillages.ca) [online] May 16, 2011 [cited June 11,2015]; <http://www.soschildrensvillages.ca/namibias-children-engaged-child-labour>.
28. U.S. Embassy- Windhoek. *reporting, February 9, 2015*.
29. ILO-IPEC. *Assessment: Identification and Addressing of Legal and Regulatory Gaps in the Areas of Child Labor and Forced Labor in Namibia* Report; August 2014 [source on file].
30. Smith, A. "Namibia: Ministry Abolishes Primary School Fees." [allafrica.com](http://allafrica.com) [online] December 20, 2012 [cited March 18, 2013]; <http://allafrica.com/stories/201212200437.html>.
31. U.S. Embassy- Windhoek. *reporting, January 28, 2011*.
32. U.S. Embassy- Windhoek official. E-mail communication to USDOL official. March 28, 2013.
33. ILO. *Namibia Decent Country Work Programme 2010-2014*. Geneva; April 2010. <http://www.ilo.org/public/english/bureau/program/dwcp/download/namibia.pdf>.
34. Government of the Republic of Namibia. *Namibia's Fourth National Development Plan*. Windhoek; 2012. <http://www.npc.gov.na/npc/ndp4info.html>.
35. Government of the Republic of Namibia. *National Plan of Action on Gender-Based Violence 2012-2016*. Windhoek; 2012.
36. Government of the Republic of Namibia, S Ministry of Basic Education, and Culture,. *Education for All (EFA) National Plan of Action 2002-2015*. Windhoek; July 2012.
37. Government of the Republic of Namibia. *National Agenda for Children 2012-2016*. Windhoek; 2012.
38. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2013.
39. ILO-IPEC. *TECL- Phase II Tech Progress Report*. Technical Progress Report; October 2011. [Source on file].
40. U.S. Embassy- Windhoek. *reporting, February 19, 2010*.
41. U.S. Embassy- Windhoek. *reporting, February 22, 2011*.

In 2014, Nepal made a moderate advancement in efforts to eliminate the worst forms of child labor. The Department of Labor increased its number of inspections by 25 percent, and the Nepali Police more than tripled its number of investigations and doubled the number of Women and Children Service Centers. In addition, the Ministry of Education began a pilot project for compulsory basic education, and several local governments funded activities and awareness-raising campaigns against child labor. However, children in Nepal are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. Nepal lacks a compulsory education law, and children ages 16 and 17 are excluded from the protections of the country's hazardous work list, leaving children vulnerable to the worst forms of child labor. The number of investigations and convictions for child trafficking is also inadequate given the scope of trafficking in Nepal.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nepal are engaged in child labor, including in agriculture.(1-4) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(5-8) Table 1 provides key indicators on children's work and education in Nepal.

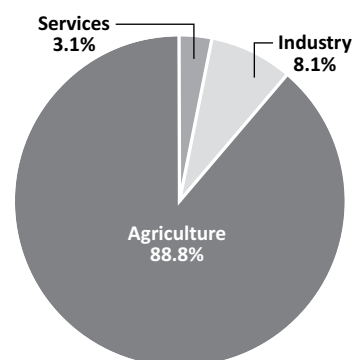
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	33.7 (2,097,163)
Attending School (%)	5-14 yrs.	89.5
Combining Work and School (%)	7-14 yrs.	35.2
Primary Completion Rate (%)		99.8

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labour Force Survey, 2008.(10)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1-3)
	Herding cattle* (4)
	Production of bricks (11, 12)
Industry	Mining and stone breaking (13, 14)
	Construction, activities unknown† (3, 7)
	Weaving carpet† (13, 15, 16)
	Producing embroidered textiles (zari)† (7, 8, 17)
Services	Domestic service (18-20)
	Work in transportation,† including soliciting passengers, collecting fares, assisting passengers, and cleaning, loading, and repairing vehicles (21)
	Work in hotels, restaurants, and tea shops, including serving, washing dishes, cleaning, and running errands (3, 8, 22)
	Portering (23)
	Rag-picking and recycling (17, 24)

# Nepal

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (5-8)
	Work in leather, garments, domestic service, begging, and in circuses* each as a result of human trafficking (6-8, 13, 25-27)
	Forced labor, including bonded labor, in agriculture, domestic service, brick manufacturing, stone breaking, carpet weaving, embroidery of textiles (zari), and begging (4, 7, 13, 18, 28, 29)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Nepali children are trafficked to India to work in various sectors, including the leather and garment industries.(25, 26) Limited evidence suggests that some children are also trafficked to India to work in circuses—although reports indicate that in recent years the number of children working in circuses has declined significantly.(8, 27) Children are trafficked within Nepal and to India, the Middle East, China, Malaysia, Hong Kong, and South Korea for commercial sexual exploitation.(5-8)

Research indicates that not all children in Nepal have access to education, which increases the risk of children engaging in the worst forms of child labor. Some rural villages do not have secondary schools, requiring children to walk for hours to attend classes.(30) The costs of teacher fees, books, and uniforms are prohibitive for many families, and some children, often girls, are not sent to school.(31) In addition, a lack of sanitation facilities in schools also deters some girls from attending.(32) Children with disabilities face barriers to education in some cases, including denial of school admission.(33)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Nepal has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Chapter 2.3.1 of the Child Labor (Prohibition and Regulation) Act, 2000 (34)
Minimum Age for Hazardous Work	Yes	16	Chapter 2.3.2 of the Child Labor (Prohibition and Regulation) Act, 2000 (34)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Chapter 3.9 and Schedule of the Child Labor (Prohibition and Regulation) Act, 2000 (34)
Prohibition of Forced Labor	Yes		Chapter 2.4 of the Child Labor (Prohibition and Regulation) Act, 2000; Chapter 2.17 of the Children’s Act of 1992; Article 29 of the 2007 Interim Constitution; Human Trafficking and Transportation Control Act of 2007; Bonded Labor Prohibition Act of 2002; Kamaiya Labor (Prohibition) Act, 2002 (34-38)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Child Trafficking	Yes		Human Trafficking and Transportation Control Act of 2007 (37, 39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Children's Act of 1992 (35)
Prohibition of Using Children in Illicit Activities	Yes		Human Trafficking and Transportation Control Act of 2007 (37)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Military Service Regulations of 2013 (38, 40)
Compulsory Education Age	No		
Free Public Education	Yes		Education Act of 1971 (41)

\* No conscription (40)

During the reporting period, the Ministry of Land Reform and Management drafted a Bonded Labor Bill, which is awaiting finalization by an Inter-Ministerial committee. The draft bill addresses the elimination of all forms of bonded labor in agriculture, including the Haruwa and Charuwa systems.(42)

The Child Labor (Prohibition and Regulation) Act of 2000 establishes a list of occupations prohibited for children.(34) However, the minimum age of 16 for hazardous work, as stated in Chapters 1.2.a and 2.3.2, is not consistent with international standards and fails to protect children ages 16 and 17 from work that could jeopardize their health and safety.(43) During the reporting period, the Government of Nepal began a Decent Work Country Program with the ILO, which intends to create a revised list of hazardous occupations prohibited to children.(44)

Children ages 16 and 17 are not covered under the Children's Act, as stated in Chapter 1.2.a, and therefore may face criminal penalties if found participating in activities such as commercial sexual exploitation and the sale of drugs.(35) Because 16 and 17 year olds are not considered children under the legal framework, there is no prohibition against employing children in this age group in the production of pornography.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor (DOL) within the Ministry of Labor and Employment (MoLE)	Enforce child labor laws, with inspectors having jurisdiction in both the formal and informal sectors and includes 10 District Labor Offices, which carry out investigations and hearings.(3, 24)
Central Child Welfare Board (CCWB) within the Ministry of Women, Children, and Social Welfare (MWCSW)	Monitor the enforcement of laws related to child protection, including exploitation, abuse, and neglect, at the national level. Coordinate with the MoLE and civil society to formulate and implement child protection and child labor-related policies.(3)
District Child Welfare Boards (DCWB) under the CCWB	Enforce child labor laws at the local level and lead coordination in child labor cases involving identification, rescues, and reintegration. The DCWBs include several types of members, such as Chief District Officers (CDOs), Child Welfare Officers, Child Rights Officers (CROs), and will include the newly authorized Child Protection Officers and Child Protection Inspectors.(3) Complaints received about child labor in districts without a District Labor Office can be handled by CDOs. Currently, the CROs in all 75 districts are funded by the NGOs.(3)
The Women's and Children's Service Directorate of the Nepal Police under the Ministry of Home Affairs	Investigate cases of hazardous labor involving women and children, including trafficking. Commonly known as the Women's Cell. Conduct work through the Nepal Police Women and Children Service Centers located in all 75 districts.(24) Complaints received about child labor in districts without a District Labor Office can be handled by Nepal Police.(3)
Office of the Attorney General within the Ministry of Law	Prosecute trafficking-related cases from the district level to the Supreme Court.(24)



**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
The Office of the Special Rapporteur on Trafficking	Monitor the enforcement of laws related to trafficking in persons, including the commercial sexual exploitation of children, at the national level. Part of the National Human Rights Commission.(24)
Monitoring Action Committees under the MWCSW	Investigate reports of commercial sexual exploitation at the district level, including the exploitation of children specifically in the adult entertainment sector.(45)
Ministry of Land Reform and Management	Enforce laws that prohibit bonded labor in agriculture.(46)

Law enforcement agencies in Nepal took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Department of Labor (DOL) had 26 labor inspection positions, including 12 Factory Inspectors, three Senior Factory Inspectors, six Labor Officers, and five Senior Labor Officers; however, staff turnover continues to be high, and many positions were unfilled.(3) Inspectors receive periodic training on all areas of labor law, but the training is inadequate.(3) In the absence of an official DOL inspector, Chief District Officers and Nepal Police Officers have the authority to act on child labor issues.(24) During the reporting period, the Ministry of Women, Children, and Social Welfare (MWCSW) approved the creation and budgeted funds for one case manager position at each of the 75 District Child Welfare Boards (DCWB). The case manager positions include 22 Child Protection Officers and 53 Child Protection Inspectors.(3) The Ministry of Land Reform and Management is tasked with enforcement of laws that prohibit bonded labor in agriculture but lacks capacity to do so.(38)

DOL reports that funding for inspections was inadequate and that its operating budget was decreased during the reporting period.(3)

From July 2013 to July 2014, DOL conducted 1,037 site visit inspections, including unannounced inspections, which was an increase from 800 inspections the previous fiscal year. Over 90 percent of the inspections were in the formal sector, and 92 inspections were focused exclusively on child labor.(3)

From July 2013 to July 2014, DOL found 55 violations of child labor laws, occurring primarily in the informal sector, including domestic service. DOL imposed fines for all 55 violations, totaling approximately \$1,450, and ordered employers to pay compensation to the child laborers that totaled approximately \$3,450.(3)

### *Criminal Law Enforcement*

In 2014, the number of Nepal Police Women and Children Service Centers, commonly called Women’s Cells, increased to 240 from 110, and the number of investigators in the Women’s Cells increased to 1,344 from 387.(3) During the reporting period, the MWCSW began developing a plan to reactivate Monitoring Action Committees (MAC), which had previously been dormant or ineffective, in order to obtain systematic data on the adult entertainment industry, including police raids and inspections.(45)

From July 2013 to July 2014, 185 human trafficking cases involving 296 victims, including 99 victims ages 11-16 and 37 victims ages 17-18, were registered with the police. The majority of the cases involved sex trafficking to India.(3)

The Office of Attorney General (OAG) had 213 newly brought prosecution cases from July 2013 to July 2014, which was a 29 percent increase from the previous fiscal year. Additionally, the OAG reported 105 convictions involving 203 defendants.(45) However, data available on prosecutions and convictions do not indicate the ages of the victims.(45)

Despite these increased efforts, officials and NGOs indicate that the number of investigations and convictions for child trafficking is inadequate relative to the scope of the problem.(3) Officials acknowledge that enforcement efforts are underfunded and that Nepali Police investigators have insufficient resources to investigate all trafficking cases reported.(3, 47) Nepal does not have a centralized database on trafficking victims or a coordinated approach to gather and store data.(45)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The National Steering Committee	Implement the National Master Plan on Child Labor (2004 – 2014) and coordinate child labor eradication efforts.(48) Headed by the MoLE and comprised of other government departments, NGOs, employers, trade unions, and donors.(49)
Child Labor Elimination Section	Coordinate, monitor, and report on child labor in Nepal. Operates under the MoLE.(48)
National Network Against Child Labor	Serve as a referral mechanism for children who are found in child labor to access services.(50) Consists of District Labor Officers, District Women and Children Officers, officers from the Nepal Police Women and Children Service Centers, CDOs, NGOs, and thousands of youth clubs.(24)
Inter-Agency Coordination Group	Collaborate with the Government in assessing and mapping child protection in Nepal. Comprised of UNICEF, Plan Nepal, Save the Children International, Terres des homes, World Vision, and World Education International.(51)
National Coordination Committee on Human Trafficking	Implement laws and counter trafficking efforts, including working with NGOs to link children to proper services. Formed by the MWCSW and made up of senior officials from the MWCSW and other ministries, as well as representatives of NGOs and intergovernmental agencies and victims.(24) Serve as the lead agency involved in policy to control human trafficking.(24) Enhance coordination between central and district-level officials and NGOs through regular meetings and trainings with officials from District Committees for Controlling Human Trafficking and newly created Village Committees.(45)

In 2014, a special task force under the National Network Against Child Labor was active in drafting and finalizing three sets of directives concerning child laborers for DOL.(3) The directives are guidelines that address child labor inspection and monitoring; the rescue, reintegration, and rehabilitation of child laborers; and the litigation and prosecution of cases. They are currently being reviewed by the Ministry of Labor and Employment (MoLE).(3)

In September 2014, the National Coordination Committee on Human Trafficking (NCCHT) released an Implementation Plan for the National Plan of Action to Combat Human Trafficking (2012 – 2022). The NCCHT also established a steering committee and technical committee to conduct the first comprehensive survey to identify populations and areas most vulnerable to trafficking and to assess trafficking trends.(45)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Nepal has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Master Plan on Child Labor (2004 – 2014)	Aims to eliminate the worst forms of child labor by 2009 and all forms of child labor by 2014.(52) Identifies bonded child labor, rag-picking, portering, child domestic service, mining, carpet weaving, and child trafficking as the worst forms of child labor to be addressed. Overseen by DOL.(24, 53) A review conducted in 2010 produced the Master Plan on Child Labor (2015 – 2025), which is awaiting approval by the MoLE.(3, 48)
School Sector Reform Plan (2009 – 2015)	Targets children out of school and at risk of entering the worst forms of child labor. Aims to expand access to education and to provide alternative schooling and non-formal education to vulnerable populations.(24, 54) Overseen by the Ministry of Education.(24, 54)
National Planning Commission's Three-Year Plan (2013 – 2015)†	Aims to create an enabling environment for the protection and promotion of children's rights, including elimination of child labor and child abuse in all sectors. During the reporting period, the updated plan was approved.(3)
National Plan of Action against Trafficking in Persons (2011 – 2016)	Promotes and protects the rights of trafficking victims and survivors, and outlines policies for providing justice and punishing perpetrators.(55)

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Nepal funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Support for schools‡	MoLE program that supports five schools in the Kathmandu Valley for children ages 5 to 16 who are at risk of working in the worst forms of child labor. Provides scholarships to cover associated schooling costs for children outside the Kathmandu Valley to attend a local public school, and works with local NGOs to verify that children are attending class.(3)
Compulsory Education Pilot Program†‡	Ministry of Education program under the School Sector Reform Plan to provide compulsory basic education, including free tuition and books, in 13 districts for children ages 5 to 12.(3)
Green Flag Movement (2014 – 2017)†‡	Lalitpur and Hetauda municipal governments and CWISH jointly organized a 3-year monitoring and awareness-raising campaign to eliminate child labor. Homes and businesses display a green flag to indicate that it is a child labor-free zone.(3, 56) In 2014, 47 children in Lalitpur and four in Hetauda were rescued and reintegrated.(3)
Child Helpline - 1098‡	MWCSW and Nepal Telecom-funded helpline operated by Child Workers in Nepal (CWIN). Responds to calls about missing children, child abuse, child labor exploitation, trafficking, and child sexual abuse.(57) Currently operates in Bardia, Biratnagar, Chitwan, Dailekh, Hetauda, Kailali, Kapilvastu, Kathmandu, Lamjung, Nepalgunj, Pokhara, Surkhet, and Udaypur, with plans to expand into other parts of the country.(3, 58) Also operates in Bangladesh, Bhutan, India, Maldives, Pakistan, and Sri Lanka to ensure access for children who have been trafficked in this region.(3, 59)
Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II)† (2014 – 2018)	USDOL-funded capacity-building project implemented by Winrock International and partners Verité and Lawyers Without Borders in at least eight countries to build local and national capacity of the Government to address child labor. Aims to improve legislation addressing child labor issues, including by bringing local or national laws into compliance with international standards; improve monitoring and enforcement of laws and policies related to child labor; implement a National Action Plan on the elimination of child labor; and enhance the implementation of national and local policies and programs aimed at reducing and preventing child labor in Nepal.(60)
Towards Achieving the Elimination of the Worst Forms of Child Labour as Priority (ACHIEVE) (2013 – 2016)	Government of Denmark-funded \$582,000, 3-year program implemented by ILO-IPEC that aims to strengthen national-level capacity and to support the policy environment. Includes the development and testing of a training program and the preparation of a national child labor policy, a revised hazardous work list, and recommendations for upgrading national legislation related to child labor.(61) Projected outcomes include creating child labor-free communities through replicable and scalable models and strengthening the policy environment and the capacity of institutions that can contribute toward child labor elimination.(61) In 2014, ACHIEVE began testing models for eliminating the worst forms of child labor in Panauti and Dhulikilel municipalities at the request of the DCWB in Kavre district. These activities are partially funded by the local governments.(3)
Comprehensive Child Labor Program (2011 – 2015)	UNICEF National Committee-funded program, implemented by UNICEF and municipal governments in collaboration with NGOs, that provides rehabilitation and reintegration services for children rescued from the worst forms of child labor. In 2014, 457 children were rescued and reunited with their families, and received services.(3)
Project for the Prevention and Reduction of Child Labor in Restaurants in the Kathmandu Valley (PRE-CLOR) (2011 – 2015)†	Japanese-funded project implemented by CWIN that increases capacity-building of municipal and ward child protection committees, grants certificate awards for child labor-free restaurants and tea shops, and continues an awareness-raising campaign that includes workshops with the MWCSW, the Ministry of Federal Affairs and Local Development, and other stakeholders.(62)
Decent Work Country Program, Nepal (2013 – 2017)†	ILO, the MoLE, Federation of Nepalese Chambers of Commerce and Industry, and the Nepal Trade Union Congress signed a memorandum of understanding on January 21, 2014 to collaborate in the implementation of the Decent Work Country Program (DWCP).(44) Key objectives are to provide technical and financial assistance to implement the provisions of ratified conventions on child labor, strengthen MoLE's child labor monitoring and reporting systems for prevention and early detection, support the mapping of community service providers, and assist the Government to revise a hazardous child labor list. The program will also conduct policy research and studies on the priority areas of child labor as specified in the National Master Plan.(44)
School Sector Reform Program (2009 – 2016)	World Bank-financed, 7-year investment loan program to support the School Sector Reform Plan (2009 – 2016). Seeks to increase access to and improve quality of school education, particularly basic education (grades one to eight), especially for children from marginalized groups.(63)
Combating Trafficking in Persons (CTIP) Project (2010 – 2016)	A \$6.79 million USAID-funded, 5-year project to reduce trafficking in persons and protect the rights of victims. Aims to strengthen protection services for survivors of trafficking, build the capacity of the judiciary and law enforcement agencies to effectively enforce legal measures and increase prosecutions, and prevent trafficking by building awareness among groups that are vulnerable to sex and labor trafficking.(64)

† Program was launched during the reporting period.

‡ Program is funded by the Government of Nepal.

The MoLE manages a Child Labor Elimination Fund; however, no funds have been reported as having been disbursed. (51, 65)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Nepal (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Make primary education compulsory and, at a minimum, harmonized with the minimum age for work and international standards, to ensure children are attending school and are therefore less vulnerable to child labor.	2009 – 2014
	Ensure that the laws are in line with ILO C. 182 by: <ul style="list-style-type: none"> <li>■ Raising the minimum age for entry into hazardous work from 16 to 18.</li> </ul>	2009 – 2014
	<ul style="list-style-type: none"> <li>■ Defining a child for purposes of hazardous work as any person younger than age 18 to ensure that all children are equally protected under laws that prohibit the worst forms of child labor.</li> </ul>	2009 – 2014
Enforcement	Increase the number of labor inspectors and provide sufficient resources for the enforcement of child labor laws to address the full scope of the problem.	2010 – 2014
	Increase capacity of the Ministry of Land Reform and Management to effectively enforce laws that prohibit bonded labor in agriculture.	2014
	Provide additional resources for the Nepal Police so that they are able to pursue the perpetrators of child trafficking violations.	2011 – 2014
	Increase capacity to gather, store, and report on data related to trafficking in persons, including the ability to disaggregate data to identify the number of child trafficking victims.	2009 – 2014
Social Programs	Put a mechanism in place to disperse and use resources in the Child Labor Elimination Fund.	2012 – 2014
	Conduct research to determine the activities carried out by children working in agriculture and construction, in order to inform policies and programs.	2013 – 2014
	Eliminate barriers to education, including lack of schools, inadequate facilities, and fees.	2013 – 2014

## REFERENCES

- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Nepal (ratification: 1997) Submitted: 2013*; accessed June 23, 2013; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3057714](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3057714).
- International Trade Union Confederation. *Internationally Recognised Core Labour Standards in Nepal*. Geneva; February 2012. [http://www.ituc-csi.org/IMG/pdf/final-nepal\\_.pdf](http://www.ituc-csi.org/IMG/pdf/final-nepal_.pdf).
- U.S. Embassy- Kathmandu. *reporting, January 9, 2015*.
- ILO. *Forced labour of adults and children in the agriculture sector of Nepal: Focusing on Haruwa-Charuwa in eastern Tarai and Haliya in far-western Hills*. Kathmandu; July 1, 2013. [http://www.ilo.org/kathmandu/whatwedo/publications/WCMS\\_217086/lang-en/index.htm](http://www.ilo.org/kathmandu/whatwedo/publications/WCMS_217086/lang-en/index.htm).
- U.S. Department of State. "Nepal," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Kala, A. "For These Girls, Two Worlds are Within a 4-km Span." *dailymail.co.uk* [online] October 5, 2012 [cited April 11, 2013]; <http://www.dailymail.co.uk/indiahome/indianews/article-2213538/Maiti-Nepal-Two-worlds-4-km-span.html>.
- U.S. Department of State. "Nepal," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
- American Bar Association. *Human Trafficking Assessment Tool Report*. Washington; July 2011. [http://www.americanbar.org/content/dam/aba/directories/roli/nepal/nepal\\_human\\_trafficking\\_assessment\\_report\\_2011.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/directories/roli/nepal/nepal_human_trafficking_assessment_report_2011.authcheckdam.pdf).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Labour Force Survey, 2008. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- World Education and Plan Nepal. *A Rapid Assessment of Children in the Brick Industry*. Boston; 2012. <http://www.worlded.org/WELInternet/resources/publication/display.cfm?txtGeoArea=INTL&cid=13985&thisSection=Resources>.
- ILO-IPEC. *Occupational Health and Safety Assessment of Child Workers in the Brick Industry, Nepal*; 2014. [http://www.ilo.org/ipcc/InformationResources/WCMS\\_IPEC\\_PUB\\_25297/lang-en/index.htm](http://www.ilo.org/ipcc/InformationResources/WCMS_IPEC_PUB_25297/lang-en/index.htm).
- Kara, S. "On the Trail of Human Trafficking: Stone Breaking Industry in Nepal." *cnn.com* [online] September 13, 2010 [cited April 11, 2013]; <http://www.cnn.com/2010/WORLD/asiapcf/09/13/kara.nepal.stone.breaking.labor/index.html?ref=allsearch#>.
- World Education and Plan Nepal. *A Rapid Assessment of Children in the Mining Industry in Nepal*. Boston; 2012. <http://www.worlded.org/WELInternet/resources/publication/display.cfm?txtGeoArea=INTL&cid=13986&thisSection=Resources>.
- CNN. "Nepal Carpet Crisis Pushing Children into Slavery." *cnn.com* [online] June 16, 2011 [cited April 11, 2013]; <http://articles.cnn.com/2011-06-16/world/>



- [cfp.nepal.carpet.industry.children\\_1\\_child-labor-child-workers-carpet-industry?s=PM:WORLD.](#)
16. Balch, O. "10,000 children estimated to work in Nepal's carpet industry." *The Guardian*, London, November 20, 2014. <http://www.theguardian.com/sustainable-business/2014/nov/20/10000-children-estimated-to-work-in-nepals-carpet-industry>.
  17. World Education. *Naya Bato Naya Patha (New Path New Steps)*. Project Document. Boston; August 2011.
  18. Krahe, D. "Victims of Child Slavery Learning to Fight Back " *derspiegel.de* [online] March 25, 2011 [cited April 11, 2013]; <http://www.spiegel.de/international/world/0,1518,749955,00.html>.
  19. World Education and Plan Nepal. *A Rapid Assessment of Children Working in the Domestic Sector*. Boston; 2012. <http://www.worlded.org/WEIInternet/resources/publication/display.cfm?txtGeoArea=INTL&id=13987&thisSection=Resources>.
  20. ILO Country Office for Nepal. *ILO Nepal Decent Work Newsletter*. Kathmandu; May 2014. [http://www.ilo.org/kathmandu/info/public/WCMS\\_248195/lang-en/index.htm](http://www.ilo.org/kathmandu/info/public/WCMS_248195/lang-en/index.htm).
  21. World Education and Plan Nepal. *A Rapid Assessment of Children in the Urban Transport Sector in Nepal*. Boston; 2012. <http://www.worlded.org/WEIInternet/resources/publication/display.cfm?txtGeoArea=INTL&id=13983&thisSection=Resources>.
  22. International Research on Working Children. *The Worst Forms of Child Labour in Asia: Main Findings from Bangladesh and Nepal*. Leiden; 2010. [http://www.childlabour.net/documents/worstformsAsiaproject/WOFAS%20presentatie%20samenvatting\\_2010.pdf](http://www.childlabour.net/documents/worstformsAsiaproject/WOFAS%20presentatie%20samenvatting_2010.pdf).
  23. World Education and Plan Nepal. *A Rapid Assessment of Children Working as Porters in Nepal*. Boston; 2012. <http://www.worlded.org/WEIInternet/resources/publication/display.cfm?txtGeoArea=INTL&id=13988&thisSection=Resources>.
  24. U.S. Embassy- Kathmandu. *reporting, January 21, 2014*.
  25. Hindustan Times. "80 Child Workers Rescued after Swoop." *Hindustan Times*, New Delhi, May 25, 2012; News. <http://www.hindustantimes.com/India-news/NewDelhi/80-child-workers-rescued-after-swoop/Article1-860840.aspx>.
  26. Express News Service. "30 child workers rescued from Bangalore leather units." *The Indian Express*, October 7, 2014. <http://indianexpress.com/article/cities/bangalore/30-child-workers-rescued-from-bangalore-leather-units/>.
  27. Ethirajan, A. "Kathmandu youth circus turns tables on human trafficking." *BBC News*, Kathmandu, June 24, 2014. <http://www.bbc.com/news/world-asia-27989494>.
  28. Deutsche Presse-Agentur. "Child Labourers Face Harsh Conditions in Nepal." *india.nydailynews.com* [online] June 13, 2012 [cited April 11, 2013]; <http://india.nydailynews.com/newsarticle/4f48c1ccb1e35d7e18000001/child-laborers-face-harsh-conditions-in-nepal>.
  29. Giri, B. "The Bonded Labour System in Nepal: Musahar and Tharu Communities' Assessments of Haliya and Kamaiya Labour Contracts." *Journal of Alternative Perspectives in the Social Sciences*, 4(No. 2)(2012);
  30. Integrated Regional Information Networks. "Nepal: Chepang struggle to educate their children." *IRINnews.org* [online] July 24, 2012 [cited January 17, 2013]; <http://www.irinnews.org/printreport.aspx?reportid=95935>.
  31. Integrated Regional Information Networks. "Nepal: Girls Worst Exploited as Child Labourers." *IRINnews.org* [online] January 27, 2011 [cited April 11, 2013]; <http://www.irinnews.org/report.aspx?reportid=91735>.
  32. Tripathi, N. "Problems Nepali Adolescents Generally Face." *Republica*, Kathmandu, October 10, 2012; Nepal. <http://www.myrepublica.com>.
  33. Human Rights Watch. *Futures Stolen: Barriers to Education for Children with Disabilities in Nepal*. New York; August 2011. <http://www.hrw.org/sites/default/files/reports/nepal0811ForWebUpload.pdf>.
  34. Government of Nepal. *Child Labour (Prohibition and Regulation) Act*, No. 14, enacted 2000. [http://www.nepaldemocracy.org/documents/national\\_laws/childlabour\\_act.htm](http://www.nepaldemocracy.org/documents/national_laws/childlabour_act.htm).
  35. Government of Nepal. *Children's Act*, enacted 1992. [http://www.nepaldemocracy.org/documents/national\\_laws/children\\_act.htm](http://www.nepaldemocracy.org/documents/national_laws/children_act.htm).
  36. Government of Nepal. *The Kamaiya Labor (Prohibition) Act*, enacted 2002.
  37. Government of Nepal. *Trafficking in Person and Transportation (Control) Act*, 2064 Bikram Era, enacted 2007.
  38. U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. March 6, 2015.
  39. U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. June 24, 2013.
  40. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
  41. Government of Nepal. *Education Act*, enacted 1971. [http://planipolis.iiep.unesco.org/upload/Nepal/Nepal\\_Education\\_Act\\_1971.pdf](http://planipolis.iiep.unesco.org/upload/Nepal/Nepal_Education_Act_1971.pdf).
  42. ILO. *Newsletter: Special Action Programme to combat Forced Labour*; 2014. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_221069.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_221069.pdf).
  43. ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Nepal (ratification: 2002) Published: 2013*; accessed March 7, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3057745:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3057745:NO).
  44. ILO. *Decent Work Country Programme, Nepal 2013-2017*. Kathmandu; 2014. [http://www.ilo.org/kathmandu/whatwedo/publications/WCMS\\_235929/lang-en/index.htm](http://www.ilo.org/kathmandu/whatwedo/publications/WCMS_235929/lang-en/index.htm).
  45. U.S. Embassy- Kathmandu. *reporting, February 26, 2015*.
  46. U.S. Embassy- Kathmandu. *reporting, February 9, 2010*.
  47. CNN. *Demi Moore Sees Plight of Sex Slaves*, CNN, [online] June 23, 2011 [cited April 11, 2013]; <http://thecnnfreedomproject.blogs.cnn.com/2011/06/23/demi-moore-sees-plight-of-rescued-sex-slaves/>.
  48. ILO-IPEC. *Eliminating Child Labour in Nepal: Facts, figures, commitments and action*. Fact sheet. Geneva; 2010. [http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/@ilo-kathmandu/documents/projectdocumentation/wcms\\_182777.pdf](http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/@ilo-kathmandu/documents/projectdocumentation/wcms_182777.pdf).
  49. U.S. Embassy- Kathmandu. *reporting, February 1, 2011*.
  50. U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. March 11, 2014.
  51. ILO-IPEC Geneva official. E-mail communication to USDOL official. March 6, 2014.
  52. Ministry of Labor and Transport Management. *National Master Plan on Child Labor, 2004-2014*. Kathmandu; 2004.
  53. Tandukar, S. "Who Pays the Cost of Child Labour?" *Himalayan Times*, Kathmandu, November 13, 2010. <http://www.thehimalayantimes.com/>.
  54. Ministry of Education. *School Sector Reform Plan 2009-2015*. Kathmandu; August 2009. [http://planipolis.iiep.unesco.org/upload/Nepal/Nepal\\_School\\_Sector\\_Reform\\_2009.pdf](http://planipolis.iiep.unesco.org/upload/Nepal/Nepal_School_Sector_Reform_2009.pdf).
  55. National Human Rights Commission. *Trafficking in Persons Especially on Women and Children in Nepal*. Kathmandu; 2011. [http://www.nhrccnepal.org/nhrcc\\_news/doc/newsletter/National%20Report%20on%20Trafficking%20in%20Persons%20%20Especially%20%20on%20women%20and%20Children%20in%20Nepal%20-%202012.pdf](http://www.nhrccnepal.org/nhrcc_news/doc/newsletter/National%20Report%20on%20Trafficking%20in%20Persons%20%20Especially%20%20on%20women%20and%20Children%20in%20Nepal%20-%202012.pdf).
  56. Children and Women in Social Services & Human Rights. *Green Flag Movement*, CWISH, [online] [cited January 26, 2015]; <http://www.cwish.org.np/get-involve/16-movements/24-green-flag-movement>.
  57. CWIN Nepal, and Stop It Now. *The Role of Child Helplines in Preventing Child Sexual Abuse*. Durban; October 19, 2012. [http://www.childhelplineinternational.org/media/35102/speaker\\_1-stop\\_it\\_now\\_and\\_cwin.pdf](http://www.childhelplineinternational.org/media/35102/speaker_1-stop_it_now_and_cwin.pdf).
  58. CWIN. *Child Helpline - 1098*, CWIN, [online] [cited March 5, 2014]; <http://www.cwin.org.np/programme-of-actions/55-child-helpline-1098>.
  59. Child Helpline International. *Session 59 - Nepal: Recommendations made under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*. Amsterdam; September 2011. [http://www2.ohchr.org/english/bodies/crc/docs/ngos/Nepal\\_CHI\\_CRC60.pdf](http://www2.ohchr.org/english/bodies/crc/docs/ngos/Nepal_CHI_CRC60.pdf).
  60. Winrock. *Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II) project*. April 2015.
  61. ILO-IPEC. *Towards Achieving the Elimination of the Worst Forms of Child Labour as Priority (ACHIEVE)*, ILO, [online] [cited January 30, 2014]; [http://www.ilo.org/kathmandu/whatwedo/projects/WCMS\\_234540/lang-en/index.htm](http://www.ilo.org/kathmandu/whatwedo/projects/WCMS_234540/lang-en/index.htm).
  62. Embassy of Japan in Nepal. *Japanese Assistance for the Project for the Prevention and Reduction of Child Labor in Restaurants in the Kathmandu Valley (3rd Phase)*. Press Release. Kathmandu; February 20, 2014. <http://www.np.emb-japan.go.jp/ann/200214b.html>.
  63. The World Bank. *Implementation Status & Results Nepal: School Sector Reform Program (P113441)*. Washington, DC; January 10, 2014. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/SD/SAR/2014/01/10/090224b0821c61c5/1\\_0/Rendered/PDF/Nepal000Nepal00Report000Sequence007.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/SD/SAR/2014/01/10/090224b0821c61c5/1_0/Rendered/PDF/Nepal000Nepal00Report000Sequence007.pdf).
  64. USAID. *Combating Trafficking in Persons (CTIP) Project*. Fact Sheet. Kathmandu; 2010. <http://www.usaid.gov/nepal/fact-sheets/combating-trafficking-in-persons-ctip>.
  65. U.S. Embassy- Kathmandu. *reporting, February 8, 2013*.



*In 2014, Nicaragua made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the country's first Law Against Trafficking in Persons, which raises penalties for the trafficking of children and adolescents to 19 to 20 years of imprisonment. The Government also trained 6,082 officials on child labor issues, and the Ministry of Labor increased its number of labor inspectors from 90 to 97. With support from the World Food Program, the Government continued to expand its school meal program, which now reaches over one million children. However, children in Nicaragua are engaged in the worst forms of child labor, including in agriculture and in commercial sexual exploitation sometimes as a result of human trafficking. National policies to eliminate child labor and protect children have not been fully implemented, and the Government appears to lack a specific and consistent mechanism to coordinate efforts to address child labor. In addition, the Government has not published national statistics on child labor since 2005.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nicaragua are engaged in the worst forms of child labor, including in agriculture and in commercial sexual exploitation sometimes as a result of human trafficking.(1-4) Table 1 provides key indicators on children's work and education in Nicaragua.

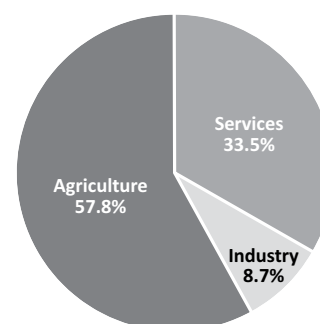
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	31.1 (218,892)
Attending School (%)	5-14 yrs.	87.8
Combining Work and School (%)	10-14 yrs.	25.3
Primary Completion Rate (%)		80.4

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Continua de Hogares (ECH) Survey, 2010.(6)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting coffee, bananas, tobacco,† African palm,* and oranges* (2, 7-14)
	Harvesting sugarcane* (9, 15)
	Livestock breeding,† cattle raising*† (7, 9, 14)
	Production of beef products*† and dairy products* (7, 14)
	Collecting shellfish† (9, 10, 14)
Industry	Construction,† including transporting materials* (9, 16)
	Quarrying† of pumice, gypsum,* and limestone* (9, 10, 12, 14, 17)
	Production of crush stones (gravel)† (18-20)
	Mining† of gold (9, 10, 14)

# Nicaragua

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Domestic service (3, 9, 21)
	Work in transportation† (2, 9)
	Street vending,† performing at stoplights† (2, 3, 12, 22-24)
	Garbage scavenging† (2, 3, 23, 25)
	Work as couriers† (3, 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 4, 10)
	Domestic service as a result of human trafficking (26, 27)
	Used in the production of pornography* (28)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In Nicaragua, children are subjected to commercial sexual exploitation, particularly in Granada, Managua, the Caribbean Coast, and San Juan del Sur.(26, 29) It has been reported that children in Nicaragua who lack identification documents, sometimes because of a lack of birth registration, are at an increased risk of trafficking and commercial sexual exploitation.(9) An estimated 20 percent of children born in Nicaragua lack birth certificates.(30)







Partial data on child labor is collected through the Continuous Household Survey (ECH), which is instituted periodically by the Government’s National Institute of Development Information (INIDE) and funded by the IDB. Comprehensive data on child labor is collected through the National Survey on Child and Adolescent Labor (ENTIA), which is also carried out by INIDE.(31) While the most recent ENTIA survey was conducted in 2009, its results have not been published. The most recent ENTIA survey whose results were published, and which serves as the public reference in Nicaragua, was conducted in 2005.(31, 32) That survey found that 238,827 children between the ages of 5 and 17 were economically active, with 36.1 percent of working children being under age 14.(32, 33) While current and official statistics remain unknown, unofficial reports indicate that child labor has increased since 2005.(31, 32)

Education is free and compulsory in Nicaragua. However, costs associated with school supplies and transportation make it difficult for some children, in particular those from poor backgrounds and rural areas, to attend.(24, 34) Some sources indicate that secondary schools have not received adequate assistance and that secondary school attendance remains low, increasing the risk that older children engage in exploitative work.(12, 29)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Nicaragua has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 131 of the Labor Code; Article 73 of the Childhood and Adolescence Code; Article 84 of the Constitution (35-38)
Minimum Age for Hazardous Work	Yes	18	Articles 130 and 133 of the Labor Code; Article 1 of Ministerial Agreement No. JCHG-08-06-10; Articles 2 and 74 of the Childhood and Adolescence Code (35-37, 39)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 6 of the Ministerial Agreement No. JCHG-08-06-10; Article 133 of the Labor Code (35, 39)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Article 61 of the Law Against Trafficking in Persons; Article 315 of the Penal Code (38, 40, 41)
Prohibition of Child Trafficking	Yes		Articles 61-63 of the Law Against Trafficking in Persons; Articles 182-183 and 315 of the Penal Code; Articles 5 and 28 of the Childhood and Adolescence Code (37, 40, 41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 175-183 of the Penal Code; Articles 5 and 26 of the Childhood and Adolescence Code (37, 40, 41)
Prohibition of Using Children in Illicit Activities	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 358-359 and 362 of the Penal Code; Article 71 of Law 285 (Reform to the Narcotics Law); Article 79 of the Childhood and Adolescence Code (37, 40-42)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Annex 1 of the Code on the Organization, Jurisdiction, and Social Welfare of the Military (43)
Compulsory Education Age	Yes	12	Article 121 of the Constitution; Articles 19 and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (37, 38, 44)
Free Public Education	Yes	17	Article 121 of the Constitution; Articles 8, 19, and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (37, 38, 44)

\* No conscription, Article 96 of the Constitution (38, 45)

During the reporting period, the Government drafted and passed Nicaragua's first Law Against Trafficking in Persons. The law was approved in the National Assembly through a two-stage process in December 2014 and January 2015, and was enacted on February 25, 2015.(41, 46) The law amends Nicaragua's Penal Code by raising penalties for the procurement of prostitution from 4 to 6 years of imprisonment to 8 to 10 years; it also applies these penalties to an expanded set of criminal offenses that include benefitting commercially from, and managing, prostitution.(40, 41) These penalties are increased to 12 to 15 years when the victim is a child or adolescent. The law also raises penalties for the trafficking of children and adolescents from 10 to 12 years of imprisonment to 19 to 20 years.(40, 41) Additionally, the law specifies that exploitative child labor figures among an expanded set of criminal offences that may be prosecuted as trafficking.(41)

Nicaraguan law is not clear regarding the age up to which education is compulsory. Article 121 of the Constitution states that primary school education is compulsory without specifying an age.(38) Under Articles 19 and 23 of the Education Law, education is also compulsory only through the sixth grade, which it specifies is up to age 12 and the end of primary school.(44) Additionally, Article 43 of the Childhood and Adolescence Code states that both primary and secondary school education are compulsory, suggesting up to age 17, but does not specifically state an age.(37) The lack of clarity regarding the age up to which education is compulsory and the potential gap between the compulsory education age and the minimum age for work may leave children vulnerable to child labor, including its worst forms.(12, 47)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

# Nicaragua

## MODERATE ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MITRAB)	Enforce labor laws and set child labor policy priorities.(3, 48) Conduct labor inspections through its General Labor Inspectorate, including child labor inspections through its Child Labor Inspections Unit. Conduct training on child labor issues and inspections, and coordinate with other agencies, both public and private.(10, 49, 50) Maintain a mailbox in each of Nicaragua's 17 departments to receive complaints of child labor violations.(31)
Nicaraguan National Police (NNP)	Investigate cases of child labor and human trafficking through the Police Intelligence Unit, which detects crimes; the Special Crimes Unit, which investigates crimes; and 54 Women's Commissions, which work in prevention and protection.(3, 10, 49) Maintain a hotline for receiving reports on the welfare of children, including those in danger of exploitation.(31)
Ministry of Governance	Coordinate participation between MITRAB and NNP in labor inspections in which employers resist inspection.(31)
Prosecutor General's Office	Prosecute cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities. Contains 2 national-level and 35 department-level prosecutors that prosecute these and other crimes.(3, 10, 49)
Human Rights Attorney for Children	Assist in the enforcement of laws relating to child labor and hazardous child labor.(3, 10)
Ministry of the Family, Adolescence, and Childhood (MIFAN)	Maintain a hotline for receiving reports on human trafficking and commercial sexual exploitation.(31) Assist in providing officials with training on child labor violations.(30)

Law enforcement agencies in Nicaragua took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor (MITRAB) employed 97 labor inspectors whose responsibilities included investigating child labor violations; 43 of these inspectors were based in Managua.(31) Although this number of inspectors is an increase from the 90 inspectors employed in 2013, reports indicate that the number of inspectors continues to be insufficient to address the scope of the child labor problem in Nicaragua.(3) MITRAB reported that 6,082 public officials, including its 97 labor inspectors, participated in child labor training during the reporting period.(31) The specific budget allocated for labor inspections in Nicaragua is not known; however, the overall budget for MITRAB was approximately \$3 million, reportedly the third lowest of all government ministries.(31) Government officials and child labor experts have previously reported that child labor inspections throughout the country, and those in agricultural areas in particular, are limited due to resource and personnel constraints.(3, 10)

In 2014, MITRAB conducted 1,205 child labor inspections, which resulted in the identification of 161 violations of child labor. The exact number of children who were found working and removed from work was not publicly available.(31) MITRAB also conducted 1,999 inspections of private homes to monitor the working conditions of child domestic workers. Although 17 violations were discovered through these inspections, the exact number of children removed from work was not publicly available.(31) Due to the scope and severity of child labor in the country, the number of inspections conducted is not considered sufficient. Complete information on the geographic distribution of labor inspections, the sectors in which they occurred, and how many children were referred for services was not publicly available.(31) In addition, no information on fines or penalties associated with child labor violations was publicly available.(31)

### *Criminal Law Enforcement*

The Nicaraguan National Police (NNP) and the Prosecutor General's Office take the lead on investigating and prosecuting cases of human trafficking and other worst forms of child labor in Nicaragua. Research did not find the number of NNP criminal investigators employed in 2014.(46) Research also did not find whether the Government had trained its criminal investigators or prosecutors on issues related to the worst forms of child labor during the reporting period. However, some NGOs and the Institute for Strategic Research and Public Policy reported that they supported trafficking prevention and awareness training for government agencies, including public prosecutors and police.(46) In 2014, the budget for the NNP and the Prosecutor General's Office was not made publicly available. Reports indicate that the NNP has insufficient resources, including a lack of personnel, equipment, vehicles, and funding, to carry out trafficking investigations.(30, 46)

In 2014, the Government reported that it conducted 928 investigations for human trafficking, including for crimes of commercial sexual exploitation and forced labor. The number of criminal violations found through these investigations, and the number of victims rescued, is not known.<sup>(46)</sup> The Government reported that during the reporting period, the Prosecutor General's Office prosecuted 17 active cases of human trafficking, 13 of which involved crimes of commercial sexual exploitation, and 4 of which involved crimes of forced labor.<sup>(46)</sup> Of the 13 cases involving commercial sexual exploitation, 7 cases resulted in convictions, and 4 of these cases involved a total of 8 underage victims. Of the four cases prosecuted for crimes of forced labor, a conviction was reached in only one of them, which also involved an underage victim.<sup>(46)</sup> Although the Government did not provide information on all of the sentences issued, it reported that the sentences ranged from 3.5 to 15 years of imprisonment.<sup>(46)</sup>

The Government and NGOs have reported that, according to a process developed by the National Coalition Against Trafficking in Persons (CNCTP), victims of the worst forms of child labor are referred by the NNP to the Ministry of the Family, Adolescence, and Childhood (MIFAN), who then refers them to NGOs for the provision of services. Reports indicate that this method of referral has been successful.<sup>(46)</sup>

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Social Welfare System (SNBS)	Coordinate efforts on child labor and ensure that government institutions protect the rights of, and provide social services to, children and adolescents as part of its mandate to assist the Nicaraguan population. Composed of various government ministries, including MITRAB, MIFAN, the Ministry of Education (MINED), the Ministry of Health (MINSa), and the Ministry of Governance. <sup>(31)</sup>
National Commission for the Progressive Eradication of Child Labor and the Protection of the Adolescent Worker (CNEPTI)	Coordinate the implementation of child labor policies and protect adolescent workers. Led by MITRAB and composed of various government ministries, including MIFAN, MINED, MINSa, as well as private sector and non-governmental institutions. <sup>(51, 52)</sup> Coordinate the implementation of awareness-raising strategies and direct action programs. <sup>(51, 52)</sup>
National Coalition Against Trafficking in Persons (CNCTP)	Coordinate efforts to address human trafficking for labor and commercial sexual exploitation, including the implementation of the Strategic Plan Against Trafficking in Persons. Led by the Ministry of Governance and comprising the police, governmental ministries, the Supreme Court of Justice, and civil society organizations. <sup>(3, 41, 53)</sup> Coordinate Nicaragua's participation in the Central American Regional Coalition Against Trafficking in Persons. <sup>(30)</sup>
Ministry of the Family, Adolescence, and Childhood (MIFAN)	Maintain a guide to assist victims of commercial sexual exploitation and help coordinate between agencies responsible for their care. <sup>(29)</sup> Part of the SNBS. <sup>(31)</sup>

In 2014, the Government reported that the National Commission for the Progressive Eradication of Child Labor and the Protection of the Adolescent Worker (CNEPTI) had not convened regularly and was no longer the primary mechanism to coordinate efforts to address child labor. The Government also reported that coordination efforts have largely been transferred to the National Social Welfare System (SNBS), which is composed of various government ministries including MITRAB; MIFAN; and the Ministries of Governance, Health, and Education.<sup>(31)</sup> However, reports indicate that the SNBS does not comprise a specific and consistent coordinating mechanism to address child labor due to limited coordination among constituent ministries and a lack of resources dedicated to combating child labor.<sup>(31)</sup> Research also indicates that coordination between the SNBS and NGOs that address child labor is limited. In addition, research did not find that the SNBS had published any information on its child labor coordination efforts during the reporting period.<sup>(31)</sup> Research also did not find information on how the SNBS or its constituent ministries had monitored the implementation of national policies on child labor, for example the Strategic Plan for the Prevention and Elimination of Child Labor and the Protection of Young Workers (PEPETI).<sup>(31)</sup>

The CNCTP met various times during the reporting period, in particular to coordinate the drafting and passage of Nicaragua's first Law Against Trafficking in Persons.<sup>(41, 46)</sup> The Government reported that the CNCTP had conducted outreach and trainings on trafficking issues in coordination with various government institutions, NGOs, and NNP units that targeted 40,761 citizens.<sup>(46)</sup>

While MIFAN maintains a guide to assist child victims of commercial sexual exploitation, reports indicate that the Government did not have formal procedures for the identification of human trafficking victims among high-risk populations, including children who



# Nicaragua

## MODERATE ADVANCEMENT

are trafficked for commercial sexual exploitation.(29, 46) MIFAN appears to be responsible only for the care of child trafficking victims under the age of 13, and the extent of its coordinating role is unclear.(29, 53)

In June 2014, MIFAN, in collaboration with MITRAB and workers associations, held a public forum to address child labor in street work named “United Against Dangerous Child Labor in the Streets, Stoplights, and Markets of Managua.”(54)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Nicaragua has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Roadmap for the Elimination of the Worst Forms of Child Labor	Sets the goal of eliminating the worst forms of child labor by 2015, and all forms of child labor by 2020.(10, 31, 55-57)
Strategic Plan for the Prevention and Elimination of Child Labor and the Protection of Young Workers (PEPETI) (2007–2016)	Aims to eliminate child labor and ensure protections for adolescent workers. Seeks to reintegrate child laborers into the school system and increase school enrollment.(29)
National Human Development Plan (2012–2016)	Sets the Government’s strategy for national development, including in poverty reduction, social well-being, and education. Includes efforts to eliminate child labor and uphold children’s and adolescents’ rights.(3, 58, 59)
National Plan of Youth Employment (2012–2016)	Seeks to eliminate child labor and protect the rights of working adolescents. Established by the National Commission of Youth Employment.(60-62)
Coffee Harvest Plan	Aims to develop a comprehensive approach to assist children whose parents work in the coffee harvest and to improve educational opportunities for children on coffee plantations; focuses on eliminating hazardous child labor in the coffee sector in the Department of Jinotega. Developed by the Government, in collaboration with the private sector and civil society.(3, 10, 62, 63)
Plan of Integrated Attention	Prioritizes assistance for children and adolescents who work in stone quarries, mines, and in African palm cultivation. Involves coordination among several national ministries and local municipalities in order to determine the extent of child labor; create an action plan to uphold the rights of working children and adolescents to education, recreation, and health care; and promote better livelihoods for the families of working children and adolescents.(48, 61, 62)
Inter-Ministerial Agreement on the Sustained Development of Children’s Rights (2013)	Aims to make Nicaragua a country free from child labor, including hazardous child labor, through inter-ministerial cooperation channeled through SNBS. Participating ministries agree to jointly create an action plan to address child labor and to generate dignified work for adolescents permitted to work.(64) Signed by MITRAB, MIFAN, MINED, Presidents of the National Assembly and the Supreme Court, as well as representatives from unions, the private sector, and NGOs.(64)
Policy on Special Protection for Children and Adolescents (Decreto No. 20-2006)	Focuses and consolidates the Government’s guiding principles, objectives, and strategies on children’s and adolescents’ rights. Seeks to mainstream the recognition and defense of child rights, among them protections against child labor and commercial sexual exploitation, in policy areas including social protection, development, and education.(65)
National Coalition Against Trafficking in Persons Strategic Plan (2012–2014)	Addresses human trafficking through directives shared by public and private actors, both national and international. Focuses on planning and monitoring regarding prevention, prosecution, assistance and reintegration of victims.(53, 66)
Strategic Education Plan (PEE) (2011–2015)*	Articulates national educational strategies with development objectives that prioritize the building of human capital. Plan is based on three core areas: (1) equality of access to free, universal education; (2) improved quality; and (3) increased institutional strength.(67, 68)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories’ efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Nicaragua at the ILO’s 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(69-71)
Panama Declaration (2012)	Establishes commitments among Central American countries, Belize, and the Dominican Republic to implement country-based actions to eradicate the worst forms of child labor. MITRAB highlighted good practices and lessons learned from its child labor programs in coffee plantations and stone quarries.(72-77)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The Government's Roadmap for the Elimination of the Worst Forms of Child Labor sets the goal of eliminating child labor in Nicaragua by 2020. However, research has not found a comprehensive action plan for its full implementation.(12, 56, 78) The Government reported that a Strategic Plan to combat human trafficking was developed through the CNCTP for 2014–2015.(46) However, research did not find information on this Strategic Plan publicly available, and the extent of its implementation is unknown.(46)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Nicaragua funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Program Love‡ ( <i>Programa Amor</i> )	MIFAN program that targets 20,000 children, primarily in Managua, who are impoverished or involved in child labor, including in street vending and garbage scavenging. Provides education for children and vocational training for parents.(3, 48, 53, 79-81) Overseen by Nicaragua's First Lady in coordination with the Ministries of Governance, Family, Health, Education, and Labor.(79) Since 2013 includes children from birth to age 6 through "Program Love for the Smallest Ones".(3, 82) In 2014, facilitated a media campaign, including in indigenous and creole languages, to raise awareness of children's rights, and assisted a total of 17,323 children and adolescents.(31, 83)
First, I Learn ( <i>Primero, Aprendo</i> )	Regional project originally funded by USDOL and subsequently supported by the European Union that promotes the eradication of child labor through access to education, among other avenues, in support of the Roadmap to Eliminate Child Labor.(84, 85) In Nicaragua, serves children working in the agricultural sector in Jinotega for the period 2012–2014.(86)
Educational Bridges ( <i>Puentes Educativos</i> )‡	MITRAB and MINED public-private partnership that provides education to children of coffee workers to prevent child labor during coffee harvests.(78) In 2014, program has continued to maintain and secure commitments from coffee farms to eliminate child labor in coffee production.(87-89)
Integral School Meal Program*‡	MIFAN and WFP initiative that provides more than 1 million children and adolescents meals at school to address poverty and help bolster attendance.(90, 91) Program is 70 percent funded by the Government of Nicaragua.(92)
National School Supply Program*	MINED program to distribute packages of school supplies to preschool and primary school children in the poorest districts to increase attendance and completion rates. In 2014, assisted 400,000 children and made plans to assist 700,000 in 2015.(93)
La Chureca Project	\$50 million, Government of Spain-funded project that closed La Chureca garbage dump in Managua in 2013 and opened a recycling plant in its place. Accomplishments include the creation of a school that keeps children out of child labor, houses, and employment for 258 families who had worked scavenging in the garbage dump.(94-96) In 2014, continued to assist beneficiaries.(97)
Birth Registration Campaign ( <i>Derecho a un Nombre</i> )*	Government initiative, in coordination with Save the Children and UNICEF, to advance birth registration campaigns.(30, 98)
Elimination of Child Labor in Latin America (Phase 4)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC to combat child labor in 19 countries, including Nicaragua.(99)
Education and Monitoring Program for the Eradication of Child Labor	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including Nicaragua. Includes the objective of developing information systems on the worst forms of child labor.(99)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Nicaragua.

The scope of current social programs does not appear to be sufficient to assist children who are trafficked or engaged in the worst forms of child labor, including commercial sexual exploitation.(3) While the Government provides medical and legal assistance to trafficking victims, as well as educational assistance to school-age victims, international organizations and NGOs provide shelter, food, clothing, and psychological assistance to trafficking victims.(4, 10, 46) Reports indicate that the regions most affected by human trafficking lack adequate care facilities, and that victims of the worst forms of child labor in these areas are referred to NGO shelters in Managua.(46)

# Nicaragua

## MODERATE ADVANCEMENT

Reports also indicate that Program Love lacks overall effectiveness and requires greater transparency.(3, 7, 10) For example, while the Government reported that Program Love assisted a total of 17,323 children and adolescents during the reporting period, information on the kind of assistance provided to beneficiaries, including on whether beneficiaries were engaged in child labor, was not publicly available.(31)

While the Government's birth registration campaign is advancing, it does not reach all children, especially in remote areas, and many children lack the documentation needed to access basic services.(98, 100-102)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Nicaragua (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law is consistent and provides a compulsory education age that is not less than the minimum age for work.	2014
Enforcement	Dedicate more human and financial resources, such as hiring and retaining more labor inspectors, to the enforcement of child labor laws, in particular in agriculture.	2009 – 2014
	Publicly report on the geographic distribution of labor inspections, all sectors in which inspections occur, the number of children removed from child labor, and the number of children referred for services.	2014
	Publicly report on fines imposed for child labor violations.	2012 – 2014
	Publicly report on the number of criminal investigators employed to investigate the worst forms of child labor and ensure they have adequate training and resources to conduct their investigations.	2014
	Publicly report on the number of criminal violations found in investigations for the worst forms of child labor, including for crimes of commercial sexual exploitation and forced labor, as well as on the number of victims rescued.	2014
Coordination	Clarify the roles of SNBS ministries in addressing child labor; increase their collaboration and resources to ensure the Government has a specific and consistent mechanism to coordinate efforts to address child labor, including with NGOs; and publicly report on its efforts.	2014
	Enhance coordination and information sharing among actors involved in child labor issues and in efforts to identify and refer victims of child trafficking.	2009 – 2014
Government Policies	Finalize and begin implementation of a concrete action plan to achieve the objective of eliminating child labor by 2020.	2009 – 2014
	Make publicly available national plans that address human trafficking and publicly report on their implementation.	2014
	Integrate child labor elimination and prevention strategies into the Strategic Education Plan.	2014
Social Programs	Make publicly available the results of the latest national child labor survey.	2013 – 2014
	Develop strategies and devote resources to improve attendance in secondary school education.	2009 – 2014
	Expand programs to address the worst forms of child labor to more sectors in which exploitative child labor exists, such as commercial sexual exploitation.	2009 – 2014
	Dedicate greater resources to expand services that assist child trafficking victims.	2010 – 2014
	Assess the effectiveness of Program Love in reducing the worst forms of child labor and publicize its results in order to inform future efforts.	2010 – 2014
	Expand birth registration programs, in particular in remote areas, to ensure that children have access to basic services.	2009 – 2014
	Assess the impact of social programs, such as the MIFAN School Meal program, on reducing child labor.	2013 – 2014

## REFERENCES

- Save the Children. *Trata de personas con fines de explotación laboral y sus efectos en la niñez*. Managua; March 2011.
- U.S. Department of State. "Nicaragua," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220670.pdf>.
- U.S. Embassy- Managua. *reporting, January 16, 2014*.
- U.S. Department of State. "Nicaragua," in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/documents/organization/226848.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta Continua de Hogares (ECH), 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Managua. *reporting, February 10, 2011*.
- U.S. Embassy- Managua. *reporting, February 2, 2010*.
- U.S. Department of State. "Nicaragua," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Managua. *reporting, January 31, 2013*.
- Andrea Castillo, and Tamar Benzaken Koosed. *Child Labor Eradication in Nicaragua's Coffee Zones*. New York, Business for Social Responsibility; August 2010. [http://drcafta.bsr.org/images/partners/NI\\_Ramacafe\\_English\\_2010.pdf](http://drcafta.bsr.org/images/partners/NI_Ramacafe_English_2010.pdf).
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Nicaragua (ratification: 1981) Published: 2014*; accessed November 10, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO:::>
- El Nuevo Diario, Deybis Sánchez. "Trabajo infantil sigue creciendo en Nicaragua." [online] October 6, 2013 [cited January 9, 2015]; <http://www.elnuevodiario.com.ni/nacionales/298474-infantil-sigue-creciendo-nicaragua>.
- U.S. Embassy- Managua. *reporting, April 28, 2009*.
- Hutchinson, Y-V. *Sickly Sweet: Human Rights Conditions for Sugar Cane Workers in Western Nicaragua*. León, Nicaragua, La Isla Foundation; 2013. <https://laislafoundation.org/wp-content/uploads/2014/08/Sickly-Sweet-InDesign.pdf>219f68.
- U.S. Embassy official. E-mail communication to USDOL official. May 8, 2015.
- Instituto de Estudios Estratégicos y Políticas Públicas. *Historias de vida: Rostros de la explotación de la niñez y la adolescencia en Nicaragua*; 2012. <http://www.ieppp.org/wp-content/uploads/downloads/2013/01/Historias-de-Vida-SERIE-VOZ-para-WEBSITE.pdf>.
- Government of Nicaragua- Ministerio del Trabajo (CNEPTI). *Son incontables sus riesgos y daños: Análisis de la explotación económica infantil y los trabajos peligrosos*. Managua, Ministry of Labor and Save the Children Norway; 2007.
- ILO-IPEC. *Podrían ampliar lista de peores formas de trabajo infantil*. Geneva; 2006. <http://white.oit.org.pe/ipeccalcuentros/interior.php?notCodigo=1348>.
- Government of Nicaragua- Ministerio del Trabajo. *Situación del Trabajo Infantil En Nicaragua, Riesgos Y Daños*. Managua; 2008.
- El Nuevo Diario. "Las 10 peores formas de trabajo infantil." *elnuevodiario.com* [online] September 3, 2012 [cited January 9, 2015]; <http://www.elnuevodiario.com.ni/nacionales/262792-10-peores-formas-de-infantil>.
- Pérez Rivera, A. "Más de mil niños trabajan en semáforos." *La Prensa*, Managua, January 6, 2011; Nacionales. <http://www.laprensa.com.ni/2011/01/06/nacionales/48184-mas-mil-ninos-semaforos>.
- La Prensa TV. *El trabajo infantil en Nicaragua* [video]. Managua: La Prensa TV; September 27, 2012, 50 sec., [accessed February 6, 2013] <http://www.laprensa.com.ni/2012/09/27/la-prensa-en-video/117748-infantil-nicaragua>.
- López Ocampo, I. "Trabajo infantil: no es jugando." *labrujula.com.ni* [previously online] June 10, 2012 [cited February 6, 2013]; <http://www.labrujula.com.ni/noticia/284>.
- Retamal, H. *Child Labor rises in Central America*, NBC News, [online] September 25, 2012 [cited January 6, 2014]; <http://photoblog.nbcnews.com/news/2012/09/25/14102040-child-labor-rises-in-central-america?lite>.
- U.S. Department of State. "Nicaragua," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215533.htm>.
- IOM. *Trata de personas con fines de explotación laboral en Centroamérica: Nicaragua*. online; 2013. [http://costarica.iom.int/public/pdf/Trata\\_de\\_personas\\_nicaragua.pdf](http://costarica.iom.int/public/pdf/Trata_de_personas_nicaragua.pdf).
- U.S. Embassy- Managua. *reporting, February 15, 2012*.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Nicaragua (ratification: 2000) Published: 2012*; accessed November 6, 2012; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO:::>
- U.S. Embassy- Managua. *reporting, February 25, 2014*.
- U.S. Embassy- Managua. *reporting, February 19, 2015*.
- La Prensa - Jeniffer Castillo Bermúdez. "Más niños trabajando en las calles." [online] November 11, 2013 [cited March 13, 2015]; <http://www.laprensa.com.ni/2013/11/26/nacionales/171803-mas-ninos-trabajando-en-las-calles>.
- ILO-IPEC. *Síntesis: Diagnóstico de situación del trabajo infantil y sus peores formas en Nicaragua*. Geneva; 2009.
- Alvarez M., R. "Niñez rural es la más vulnerable." *La Prensa*, Managua, January 14, 2013. <http://www.laprensa.com.ni/2013/01/14/ambito/130669-ninez-rural-mas-vulnerable>.
- Government of Nicaragua. *Código del Trabajo Compilación de normas laborales de la República de Nicaragua a septiembre del 2009*, enacted 1996 and 2009. [http://www.construccion.com.ni/files/ley/1204139277\\_Codigo%20del%20Trabajo%20de%20Nicaragua.pdf](http://www.construccion.com.ni/files/ley/1204139277_Codigo%20del%20Trabajo%20de%20Nicaragua.pdf).
- Government of Nicaragua. *Ley núm. 474 por la que se dicta la Ley de reforma al Título VI, Libro Primero del Código de Trabajo*, núm. 474 enacted October 21, 2003. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_isn=67286](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=67286).
- Government of Nicaragua. *Código de la Niñez y la Adolescencia*, No. 287, enacted May 1998. [http://www.oas.org/dil/esp/Codigo\\_de\\_la\\_Ninez\\_y\\_la\\_Adolescencia\\_Nicaragua.pdf](http://www.oas.org/dil/esp/Codigo_de_la_Ninez_y_la_Adolescencia_Nicaragua.pdf).
- Government of Nicaragua. *Constitución Política de la República de Nicaragua*, enacted 1987, with 1995, 2002 and 2005 reforms. <http://pdba.georgetown.edu/Constitutions/Nica/nica05.html>.
- Government of Nicaragua. *Acuerdo Ministerial núm. JCHG-08-06-10 sobre prohibición de trabajos peligrosos para personas adolescentes y listado de trabajos peligrosos*, enacted June 23, 2010. <http://www.mitrab.gob.ni/documentos/acuerdos/ACUERDO%20MINISTERIAL%20JCHG-08-06-10.pdf>view.
- Government of Nicaragua. *Código Penal de la República de Nicaragua*, No. 641, enacted November 13, 2007. [http://www.poderjudicial.gob.ni/pijupload/noticia\\_reciente/CP\\_641.pdf](http://www.poderjudicial.gob.ni/pijupload/noticia_reciente/CP_641.pdf).
- Government of Nicaragua. *Ley Contra la Trata de Personas*, No. 896, enacted February 25, 2015. <http://digesto.asamblea.gob.ni/iunp/docspdf/gacetan/2015/2/g38.pdf>.
- Government of Nicaragua. *Ley de Reformas y Adiciones a la Ley No. 177, Ley de Estupefacientes, Sicotrópicos, y Sustancias Controladas*, No. 285, enacted April 15, 1999. [http://www.superintendencia.gob.ni/documentos/marco\\_legal/generales/ley285.pdf](http://www.superintendencia.gob.ni/documentos/marco_legal/generales/ley285.pdf).



43. Government of Nicaragua. *Código de Organización, Jurisdicción, y Previsión Social Militar, con sus reformas incorporadas*. No. 181, enacted March 3, 2014. [http://legislacion.asamblea.gob.ni/SILEG/Gacetas.nsf/5eea6480fc3d3d90062576e300504635/ce17eb8a0572c77706257c910079bacf/\\$FILE/2014-02-12-%20G-%20Texto%20de%20Ley%20No.%20181.%20C%C3%B3digo%20de%20Organizaci%C3%B3n,%20Jurisdicci%C3%B3n%20y%20Previsi%C3%B3n%20Social%20Militar%20con%20sus%20reformas%20incorporadas.pdf](http://legislacion.asamblea.gob.ni/SILEG/Gacetas.nsf/5eea6480fc3d3d90062576e300504635/ce17eb8a0572c77706257c910079bacf/$FILE/2014-02-12-%20G-%20Texto%20de%20Ley%20No.%20181.%20C%C3%B3digo%20de%20Organizaci%C3%B3n,%20Jurisdicci%C3%B3n%20y%20Previsi%C3%B3n%20Social%20Militar%20con%20sus%20reformas%20incorporadas.pdf).
44. Government of Nicaragua. *Ley General de Educación*, No. 582, enacted March 22, 2006. [http://www.oei.es/quipu/nicaragua/Ley\\_Educ\\_582.pdf](http://www.oei.es/quipu/nicaragua/Ley_Educ_582.pdf).
45. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to end State Use of Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
46. U.S. Embassy- Managua. *reporting (TIP), February 19, 2015*.
47. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Nicaragua (ratification: 1981) Published: 2012*; accessed January 12, 2015; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
48. Government of Nicaragua. *Written communication*. Submitted in response to U.S. Department of Labor Solicitation (December 19, 2011) for Information on Child Labor and Forced Labor. Managua; 2012.
49. U.S. Embassy- Managua. *reporting, January 19, 2012*.
50. Government of Nicaragua. *Acuerdo Ministerial ním. JCHG-008-05-07 sobre el cumplimiento de la ley 474 ley de reforma al título VI, libro primero del código del trabajo*, enacted 2007. <http://www.leylaboral.com/ImpimeDocumentoCompleto.aspx?tipo=1&cbd=26&item=15183>.
51. U.S. Embassy- Managua. *reporting, May 20, 2010*.
52. Government of Nicaragua. *Creación de la Comisión Nacional para la Erradicación del Trabajo Infantil y Protección de Adolescentes Trabajadores - CNEPTI*, Decreto No. 43-2002, enacted May 2002. [http://dev.codeni.org.ni/contenido/instrumentos\\_juridicos/proteccion/decretos/ccn\\_erradicacion\\_trabajo\\_y\\_proteccion\\_adolescentes\\_trabajadores.pdf](http://dev.codeni.org.ni/contenido/instrumentos_juridicos/proteccion/decretos/ccn_erradicacion_trabajo_y_proteccion_adolescentes_trabajadores.pdf).
53. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Nicaragua (ratification: 2000) Published: 2014*; accessed November 10, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
54. Ministerio del Trabajo. "MITRAB-MIFAM-CTCP y RETE realizan foro denominado "Unidos contra el Trabajo Infantil peligroso en las calles, semáforos y mercados de Managua"." [mitrab.gob.ni](http://www.mitrab.gob.ni) [online] July 1, 2014 [cited January 9, 2015]; <http://www.mitrab.gob.ni/news/2014/julio-2014/mitrab-mifam-ctcp-y-rete-realizan-foro-denominado-201cunidos-contra-el-trabajo-infantil-peligroso-en-las-calles-semaforos-y-mercados-de-managua201d/?searchterm=trabajo%20infantil>.
55. Government of Nicaragua. *Hoja de Ruta para hacer de Nicaragua un país libre de trabajo infantil y sus peores formas: Documento estratégico*. Managua; 2010. <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=14796>.
56. ILO. *Nicaragua firma un acta de acuerdo tripartito para la erradicación del trabajo infantil* ILO, [previously online] December 6, 2010 [cited January 19, 2012]; [http://dwt.oit.or.cr/index.php?option=com\\_content&view=article&id=560:nicaragua-firma-un-acta-de-acuerdo-tripartito-para-la-erradicacion-del-trabajo-infantil&catid=113:trabajo-infantil&Itemid=1](http://dwt.oit.or.cr/index.php?option=com_content&view=article&id=560:nicaragua-firma-un-acta-de-acuerdo-tripartito-para-la-erradicacion-del-trabajo-infantil&catid=113:trabajo-infantil&Itemid=1) [source on file].
57. American Institutes for Research. *ENTERATE: Combating the Worst Forms of Child Labor through Education in Nicaragua*. Technical Progress Report. Washington, DC; April 2011.
58. Government of Nicaragua and IMF. *Nicaragua: Poverty Reduction Strategy Paper-Progress Report on National Human Development Plan as of 2010*. Washington, DC; November 2011. <http://www.imf.org/external/pubs/ft/sct/2011/cr11323.pdf>.
59. Government of Nicaragua. *Plan Nacional de Desarrollo Humano 2012-2016*. online; 2012. <http://www.pndh.gob.ni/documentos/pndhActualizado/pndh.pdf>.
60. Government of Nicaragua. *Plan Nacional de Empleo y Trabajo Digno y Decente Para Las Juventudes de Nicaragua*; 2012. [http://www.mined.gob.ni/Documents/ETFP/PNETDJ\\_2012-2016.pdf](http://www.mined.gob.ni/Documents/ETFP/PNETDJ_2012-2016.pdf).
61. "Avanza Nicaragua en eliminar trabajo infantil en todo el país." *La Voz del Sandinismo*, Managua, November 26, 2012; Actualidad. <http://www.lavozdelsandinismo.com/nicaragua/2012-11-26/avanza-nicaragua-en-eliminar-trabajo-infantil-en-todo-el-pais/>.
62. Radio La Primerísima. "Nicaragua comprometida en eliminar trabajo infantil" [radiolaprimerisima.com](http://www.radiolaprimerisima.com) [online] November 24, 2012 [cited February 6, 2013]; [www.radiolaprimerisima.com/noticias/131624](http://www.radiolaprimerisima.com/noticias/131624).
63. Ministerio de Trabajo y Desarrollo Laboral. *Buenas Practicas para Prevenir y Disminuir el Trabajo Infantil en Nicaragua*. Managua; 2012. [http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Asuntos\\_Laborales/RELATORIA](http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Asuntos_Laborales/RELATORIA).
64. Government of Nicaragua. *Acuerdo "Hacia un desarrollo sustentado en la restitución de derechos"*; October 1, 2013. [source on file].
65. Government of Nicaragua. *De la Política de la Protección Especial a los Niños, Niñas, y Adolescentes*, Decreto No. 20-2006, enacted March 23, 2006. [http://legislacion.asamblea.gob.ni/Normaweb.nsf/%28\\$All%29/B2B02DC626218EB60625755F007A7136?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/%28$All%29/B2B02DC626218EB60625755F007A7136?OpenDocument).
66. ILO Committee of Experts. *Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Nicaragua (ratification: 1934) Published: 2013*; accessed December 5, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
67. Ministerio de Educación. *Revisión de Nicaragua de la EPT al 2015: Evaluación del Plan Estratégico de Educación (PEE) 2011-2015*; 2014. <http://unesdoc.unesco.org/images/0023/002300/230034S.pdf>.
68. Ministerio de Educación. "Plan Estratégico de Educación 2011-2015." (2011); [http://www.mined.gob.ni/Documents/Document/2013/pec2011\\_2015.pdf](http://www.mined.gob.ni/Documents/Document/2013/pec2011_2015.pdf).
69. Word Press. "Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas, October 14, 2014." [wordpress.com](http://wordpress.com) [online ] [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf).
70. ILO. "18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour." October 17, 2014. [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm).
71. UN News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." [un.org](http://un.org) [online ] October 15, 2014 [cited October 28, 2014]; <http://www.un.org/apps/news/printnews.asp?nid=49082>.
72. Government of Panama. "Relatoria," in Encuentro de Ministros y Ministras de Trabajo sobre "Experiencias exitosas y buenas prácticas para la prevención y erradicación del trabajo infantil en Centro América, Belice, Panamá y República Dominicana" 2012; Panama: Ministry of Labor (MITRADEL); [http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Asuntos\\_Laborales/RELATORIA](http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Asuntos_Laborales/RELATORIA).
73. AFP. "CA se compromete a erradicar el trabajo infantil." *La Prensa*, Managua, August 8, 2012; Ámbitos. <http://www.laprensa.com.ni/2012/08/08/ambito/111701-ca-se-compromete-a>.
74. ILO. *Declaración de Compromisos*, ILO, [online] August 8, 2012 [cited March 18, 2013]; [http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-san\\_jose/documents/genericdocument/wcms\\_186994.pdf](http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-san_jose/documents/genericdocument/wcms_186994.pdf).
75. Consejo Nacional de la Empresa Privada. *CoNEP Participó en el Encuentro de Ministros y Ministras de Trabajo de la Región para la Erradicación del Trabajo Infantil*, [previously online] [cited February 4, 2013]; <http://www.conep.org.pa/eventos-y-noticias/294-conep-participo-en-el-encuentro-de-ministros-y-ministras-de-trabajo-de-la-region-para-la-erradicacion-del-trabajo-infantil-.html>.
76. Government of Panama. *Primera Dama inaugura encuentro de Ministros y Ministras de Trabajo de Centroamérica, Belice, República Dominicana y Panamá*, Government of Panama,, [online] August 7, 2012 [cited April 16, 2014]; [http://www.presidencia.gob.pa/Primera\\_Dama-3728-Primera-Dama-inaugura-encuentro-de-Ministros-y-Ministras-de-Trabajo-de-Centroamerica-Belice-Republica-Dominicana-y-Panamá](http://www.presidencia.gob.pa/Primera_Dama-3728-Primera-Dama-inaugura-encuentro-de-Ministros-y-Ministras-de-Trabajo-de-Centroamerica-Belice-Republica-Dominicana-y-Panamá).
77. El Nuevo Diario. "Ministros de Centroamérica debatirán sobre trabajo infantil." [elnuevodiario.com](http://elnuevodiario.com) [online] 2013 [cited January 7, 2015]; [www.elnuevodiario.com.ni/imprimir.php/259660](http://www.elnuevodiario.com.ni/imprimir.php/259660).
78. American Institutes for Research. *ENTERATE: Combating the Worst Forms of Child Labor through Education in Nicaragua*. Final Technical Progress Report. Washington, DC; November 2011.



79. Ministerio de la Familia Adolescencia y Niñez. *Programa Amor*, Ministerio de la Familia, Adolescencia y Niñez, [online] [cited January 28, 2014]; [http://www.mifamilia.gob.ni/?page\\_id=239](http://www.mifamilia.gob.ni/?page_id=239).
80. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Nicaragua (ratification: 1981) Published: 2010*; accessed February 4, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
81. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Nicaragua (ratification: 2000) Submitted: 2010*; accessed March 18, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
82. Ministerio de Educación (MINED). *Fortalecen Programa Amor para los más Chiquitos*, [online] [cited March 16, 2014]; [http://www.mined.gob.ni/index.php?option=com\\_content&view=article&id=1120:programa-amor-para-los-mas-chiquitos-se-fortalece-en-san-lorenzo&catid=46:abril&Itemid=29](http://www.mined.gob.ni/index.php?option=com_content&view=article&id=1120:programa-amor-para-los-mas-chiquitos-se-fortalece-en-san-lorenzo&catid=46:abril&Itemid=29).
83. La Prensa, Carla Torres Solórzano. “Avances sí, pero aún falta mucho.” [online] November 12, 2014 [cited January 12, 2015]; <http://www.laprensa.com.ni/2014/11/12/nacionales/217436-avances-si-pero-aun-falta-mucho>.
84. Wilder, PR. “Dicen NO al trabajo infantil.” La Prensa, Managua, April 20, 2012; Ámbitos. <http://www.laprensa.com.ni/2012/04/20/ambito/98569-dicen-no-al-infantil>.
85. Jarquín, L. “Algunos padres inciden en el índice de trabajo infantil.” El Nuevo Diario, Managua, November 1, 2013; Nacionales. <http://www.elnuevodiario.com.ni/nacionales/300795>.
86. Care (Nicaragua). “Proyectos: Primero Aprendo en Centroamérica.” care.org [online] [cited January 12, 2015]; <http://www.care.org.ni/proyectos/?proyecto=3>.
87. United States Department of Labor. *Nicaraguan coffee producer Isidro León-York awarded US Labor Department's Iqbal Masih Award for the Elimination of Child Labor*. News Release. Washington, DC, U.S. Department of Labor; March 20, 2014. <http://www.dol.gov/opa/media/press/ilab/ILAB20140468.htm>.
88. Baca Castellón, L. “Premio Iqbal Masih: No a la niñez en las cafetales.” La Prensa, Managua, March 22, 2014; Activos. <http://www.laprensa.com.ni/2014/03/22/activos/187781>.
89. El Nuevo Diario, Leyla Jarquín. “Cafetalero niega trabajo a niños y les da estudio.” [online] March 22, 2014 [cited January 12, 2015]; <http://www.elnuevodiario.com.ni/nacionales/315068>.
90. Ministerio de Educación (MINED). *Inicia distribución de la Merienda Escolar 2014*, [online] [cited March 14, 2014]; [http://www.mined.gob.ni/index.php?option=com\\_content&view=article&id=2639:inicia-distribucion-de-la-merienda-escolar-2014&catid=37:noticias&Itemid=29](http://www.mined.gob.ni/index.php?option=com_content&view=article&id=2639:inicia-distribucion-de-la-merienda-escolar-2014&catid=37:noticias&Itemid=29).
91. Ministerio de Educación (MINED). *Merienda Escolar contribuye a permanencia de estudiantes en la escuela*, Government of Nicaragua, [online] [cited March 14, 2014]; [http://www.mined.gob.ni/index.php?option=com\\_content&view=article&id=2777:estudiantes-matagalpinos-reciben-merienda-escolar&catid=44:noticias-febrero&Itemid=29](http://www.mined.gob.ni/index.php?option=com_content&view=article&id=2777:estudiantes-matagalpinos-reciben-merienda-escolar&catid=44:noticias-febrero&Itemid=29).
92. Quezada, S. *Nicaragua: School Meals Start Earlier in Response to Drought*, WFP, [online] September 02, 2014 [cited November 10, 2014]; <http://www.wfp.org/node/3539/4383/642931>.
93. Viva Nicaragua - Canal 13. “Inicia distribución nacional de paquetes escolares.” vivanicaragua.com [online] February 27, 2015 [cited March 18, 2015]; <http://www.vivanicaragua.com.ni/2015/02/27/sociales/inicia-distribucion-nacional-de-paquetes-escolares/>.
94. Government of Nicaragua. *Nicaragua News*. Managua; February 20, 2013.
95. “Spain Helps Nicaragua Close the Biggest Garbage Dump in Latin America.” *Hispanically Speaking News*, Chicago, February 19, 2013; Latino Daily News. <http://www.hispanicallyspeakingnews.com/latino-daily-news/details/spain-helps-nicaragua-close-the-biggest-garbage-dump-in-latin-america/22310/>.
96. Manna Project International. *Community Overview*, Manna Project, [online] [cited June 11, 2013]; <http://mannaproject.org/nicaragua>.
97. El País / EFE. “La Chureca de Managua, de la inmundicia al más moderno vertedero de América Latina.” El País, March 23, 2014; Economía. [http://economia.elpais.com/economia/2014/03/23/agencias/1395584032\\_433841.html](http://economia.elpais.com/economia/2014/03/23/agencias/1395584032_433841.html).
98. UNICEF. *Nicaragua - Derecho a un nombre y una nacionalidad*, UN, [online] [cited March 18, 2015]; <http://www.unicef.es/infancia/proyectos-desarrollo-cooperacion/nicaragua-derecho-un-nombre-y-una-nacionalidad>.
99. ILO-IPEC. Geneva official. E-mail communication to USDOL official. January 9, 2015.
100. Plan International. *Nicaragua: What we do*, Plan International, [online] 2012 [cited February 4, 2013]; <http://plan-international.org/where-we-work/americas/nicaragua/what-we-do/what-we-do>.
101. UNICEF. “Nicaragua participará en taller sobre el derecho a la identidad.” unicef.org [online] June 5, 2013 [cited January 12, 2015]; <http://unicef.org.ni/prensa/111/>.
102. Nicaragua al Día. “1959 niñas, niños acceden al derecho a un nombre y una nacionalidad en las comunidades del Alto Wangki.” [online] January 15, 2015 [cited March 18, 2015]; <http://nicaraguaaldia.com/wp/?p=3661>.

# Niger

## MODERATE ADVANCEMENT

*In 2014, Niger made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Action Plan to Combat Trafficking in Persons which will provide protection and social assistance to victims of human trafficking, including children. Law enforcement officials received training on child labor and human trafficking, as well as rescued and assisted 45 children from Koranic teachers that exploited them as street beggars. Further, the Government participated in a new program to combat forced labor. However, children in Niger are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in mining. Laws relating to the worst forms of child labor do not provide adequate coverage and gaps in enforcement have left children unprotected. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Niger are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in mining.(1-4) Data from the 2009 National Child Labor Survey indicates that more than 30 percent of children ages 5 to 17 are engaged in hazardous work. Data also revealed that child labor is more prevalent in rural areas and among girls.(5) Table 1 provides key indicators on children’s work and education in Niger.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	42.9 (2,516,191)
Attending School (%)	5-14 yrs.	48.0
Combining Work and School (%)	7-14 yrs.	22.1
Primary Completion Rate (%)		49.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey (DHS), 2012.(7)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of pepper,*rice,*fruits,*nuts,*and vegetables* (1-3, 8, 9)
	Herding and caring for livestock,* including cattle and goats* (2-4, 8)
	Capturing and processing fish* (2, 4)
Industry	Mining† for trona, salt, gypsum, natron,* and gold (3, 4, 10-12)
	Quarrying,*† including crushing rocks* (1, 4, 13)
	Mechanical repair,*† welding,*† and metal work*† (4)
Services	Work in construction*†, tanneries,*† and slaughterhouses*† (4, 5, 13)
	Street work*, including as market vendors* and beggars *† (4, 5, 14)
	Domestic work* (3-5, 13)

**Table 2. Overview of Children’s Work by Sector and Activity(cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation* sometimes as a result of human trafficking* (1, 3, 4)
	Caste-based servitude,* including as cattle herders,* agricultural workers,* and domestic workers* (1, 15)
	Forced begging by Koranic teachers* (3, 4, 13, 16, 17)
	Forced labor in domestic work* and mining*, each sometimes as a result of human trafficking* (1, 4)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Traditional forms of caste-based servitude, such as the use of women and girls as *wahaya*, still exist in parts of Niger, especially among the Tuareg, Djerma, and Arab ethnic minorities; in distant western and northern regions; and along the border with Nigeria. (3, 15, 18) The *wahaya* practice allows a man to take a girl as a “fifth wife,” meaning as a slave (according to Islamic practices, men are allowed to have only four wives). (1, 15, 19) *Wahaya* slaves, including children, are typically forced to work long hours as cattle herders, agricultural workers, or domestic workers, and are often sexually exploited. (13, 15, 20) Children of *wahaya* wives are considered slaves as well and passed from one owner to another as gifts or as part of dowries. Both wives and children are often forced to perform domestic labor in their masters’ households. (13, 15, 19)

In Niger, it is also a traditional practice to send boys (*talibés*) to Koranic teachers (*marabouts*) to receive religious education. (21, 22) However, some of these boys are forced by their teachers to beg on the streets and surrender the money they have earned, or perform manual labor. (1, 3, 13, 21)

In 2014, an estimated 4.2 million people were food insecure in Niger, and severe flooding affected the livelihoods of many communities. (23-26) The ongoing conflict in Mali and insecurity in northeastern Nigeria has also resulted in thousands of refugees in Niger. (25, 26) Refugee children may have difficulty accessing education, which could put them at increased risk of engaging in the worst forms of child labor. (26)




The Constitution provides free and compulsory education. (3, 27) However, access to education nationwide is hindered by a chronic shortage of teachers, school materials, and infrastructure, which may increase the vulnerability of children to the worst forms of child labor. (3, 26, 28) Many children in Niger are also not registered at birth. Unable to prove their citizenship, unregistered children may have difficulty accessing services such as education. (3, 29, 30)

In October 2014, the Government released a survey on child labor in the regions of Dosso, Niamey, and Tillabéri. The survey collected data in 2013 and indicated that more than 30 percent of children ages 5 to 17 are engaged in agriculture, specifically in the production of rice. (9) Many of these children work in hazardous activities, including handling and spraying pesticides and herbicides, which the Government has deemed hazardous. (9, 31)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Niger has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

# Niger

## MODERATE ADVANCEMENT

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 106 of the Labor Code (32)
Minimum Age for Hazardous Work	Yes	16	Article 138 of Decree No. 67-126/MFP/T (31)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 138-158 of Decree No. 67-126/MFP/T; Article 181 of the Penal Code (31, 33)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 of the Labor Code; Article 270 of the Penal Code (27, 32, 33)
Prohibition of Child Trafficking	Yes		Article 107 of the Labor Code; Article 10 of the Law on Combating Trafficking in Persons (32, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 107 of the Labor Code; Articles 291-292 of the Penal Code (32, 33)
Prohibition of Using Children in Illicit Activities	Yes		Article 107 of the Labor Code (32)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 107 of the Labor Code (32)
Compulsory Education Age	Yes	18	Article 2 of the Law on the Orientation of the Educational System in Niger (35)
Free Public Education	Yes		Article 23 of the Constitution (27)

\* No conscription (36)

In Niger, the minimum age for hazardous work does not meet the international standard of 18.(21, 37) In addition, Nigerien law does not prohibit hazardous occupations and activities in all relevant child labor sectors, including agriculture. An amendment to the Labor Code that includes prohibitions of hazardous occupations or activities for children, developed in 2013, was not approved during the reporting period.(2, 22) However, Decree No. 67-126/MFP/T prohibits the employment of children in mining, quarrying, manufacturing, construction, tanneries, and slaughterhouses.(38) The Penal Code prohibits employing and provoking children to beg; however, the penalties outlined in article 181 are low and may not deter violations.(33) Article 178 of the Penal Code also provides penalties for vagrancy, which is defined by article 177 as a person without a home, occupation or means of subsistence. This law may compel children who live on the streets to engage in the worst forms of child labor.(33, 39)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment, Labor and Social Security (MELSS)	Enforce laws related to child labor by receiving complaints, investigating violations, and referring cases to courts.(4)
MELSS Child Labor Division	Conduct studies on the scope and nature of child labor, raise awareness of child labor, and coordinate government efforts to eliminate child labor.(4)
National Human Rights Commission (CNDH)	Receive child labor complaints, investigate violations, and report violations to courts.(4)
Ministry of Population, Women's Promotion and Child Protection	Work with law enforcement officials to provide vulnerable children with services, including education and counseling, in 13 centers across the country.(4, 21)
Ministry of Justice's Judicial Police Sections	Oversee cases involving juveniles at regional and district levels.(4)
District and Magistrate Courts	Address children's issues, including child labor, through 10 district courts and 36 magistrate courts.(4)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Regional and Vigilance Committees	Prevent child trafficking, dismantle human trafficking rings, and raise awareness of the worst forms of child labor. In the case of vigilance committees, which work in 30 localities, report suspected cases of illegal transport of minors to the police.(4, 21)

Law enforcement agencies in Niger took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Employment, Labor and Social Security (MELSS) employed 52 labor inspectors throughout Niger to enforce labor laws, including those related to child labor.(4) Given the prevalence of child labor in the country, the number of labor inspectors is inadequate. During the reporting period, all labor inspectors received training on the worst forms of child labor and also provided training to 30 members of the Workplace Safety and Health Committees in the regions of Tillabéry, Dosso, and Zinder.(4) Niger has a labor inspectorate office in each of the country's eight regions. Inspectors conduct both routine and complaint-based inspections.(21) However, MELSS but does not have a system with sufficient reach or standard protocols to conduct inspections effectively in the informal sector where most child labor occurs. The Labor inspectorate has the authority to determine penalties and/or assess penalties.(4) However, research could not find information regarding the number and quality of inspections, or whether there were any law violations, complaints, citations, and penalties related to child labor.

Victims of the worst forms of child labor are occasionally referred to the Ministry of Population, Women's Promotion and Child Protection or to NGOs depending on the case and location. During 2014, law enforcement agencies rescued and assisted 45 children from Koranic teachers who had exploited them as street beggars.(4) Reports indicate there is a lack of trained staff, equipment, transportation, and funding to conduct effective child labor inspections and legal proceedings.(4, 40)

### ***Criminal Law Enforcement***

In 2014, Ministry of Justice officials received training on legislation related to human trafficking and children's rights.(4) Information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor is unavailable. Criminal enforcement agencies received and investigated 101 child trafficking cases; of these, 61 were convicted and sentenced to prison.(4) Also, the first conviction for the "*wahaya*" practice took place on May 2014.(13) Despite these efforts, both the MELSS and the Ministry of Justice indicated that the number of convictions related to the worst forms of child labor were inadequate, given the magnitude of the problem.(21) During 2014, criminal law enforcement agencies and NGOs rescued and assisted 205 children from exploitative situations, although it is unclear how many involved child labor. Reports indicate there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(4)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Review proposals for action plans for the ILO-IPEC country program and ensure that they are consistent with national child labor policy and priorities.(21)
National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP)	Coordinate efforts to combat human trafficking, and develop and implement policies and programs related to human trafficking.(21, 34, 39) The CNCLTP comprises five executive board members and 19 other members, including representatives of government ministries; members of CNDH, civil society organizations, women's rights groups, labor unions, judges, bar associations; and two foreign donor representatives who act as observers.(21, 41)
National Agency to Fight Against Trafficking in Persons (ANLTP)	Implement policies and programs developed by the CNCLTP; conduct awareness campaigns about human trafficking in conjunction with the CNCLTP; provide training and education to reduce the risk of human trafficking; and maintain a hotline to receive complaints of human trafficking.(21, 39, 41)



# Niger

## MODERATE ADVANCEMENT

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
National Committee to Combat the Phenomenon of Street Children	Coordinate activities to combat the phenomenon of street children. Placed under the Ministry for the Promotion of Women and Child Protection.(11)
National Committee to Combat Child Labor in Agriculture*	Coordinate policies and programs to combat child labor in agriculture.(42) Chaired by the Ministry of Agriculture and includes representatives from the MELSS and the Ministry for the Promotion of Women and Child Protection. Also includes nongovernmental stakeholders such as NGOs, labor unions, international organizations, and social partners.(43)
National Committee to Combat the Vestiges of Forced Labor and Discrimination	Develop and implement a national action plan to combat the vestiges of forced labor and discrimination.(44)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP) and the National Agency to Fight Against Trafficking in Persons (ANLTP) met to develop drafts of the National Action Plan to Combat Trafficking in Persons, which was adopted in July 2014.(4, 45, 46) The number of calls received by the ANLTP’s hotline that involve child trafficking is unknown. Research did not determine if the National Steering Committee on Child Labor, the National Committee to Combat the Phenomenon of Street Children, and the National Committee to Combat the Vestiges of Forced Labor and Discrimination were active and received adequate funding to fulfill their mission during the reporting period.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Niger has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat the Sexual Exploitation of Children	Seeks to combat the sexual exploitation of children.(11, 21)
Decent Work Country Program (2012-2015)	Describes the child labor situation in Niger and includes targets for the elimination of child labor.(38, 47)
National Education Development Plan	Supports education for vulnerable children and includes child labor issues.(4)
Social and Economic Development Plan (2012-2015)	Describes Niger’s overall development agenda, aims to prevent the worst forms of child labor, and calls for the adoption of the Nation Action Plan to Combat Child Labor.(4, 48)
Education and Training Sectorial Program (2014-2024)*†	Sets out a comprehensive map to improve the quality of, and access to, basic and higher education.(4, 49)
Nigeriens Nourish Nigeriens Development Plan “3N” (2012-2015)*	Seeks to develop the national agricultural sector, and improve food security and nutrition for children located in vulnerable and remote geographical areas.(50)
UNDAF (2014-2018)	Promotes improved access to education for vulnerable children and aims to build the capacity of the Government to address child labor.(51)
Strategy for Development and Security in Sahel-Saharan Areas of Niger (2012-2017)*	Describes Niger’s overall security and development agenda with local populations in northern Niger. Seeks to increase youth employment and improve infrastructure and strengthening social services, particularly in health, education, and transportation.(52, 53)
National Action Plan to Combat Trafficking in Persons†	Includes goals of enhancing the legal framework to prevent human trafficking, effectively implementing the laws, providing effective protection and care for victims, and strengthening social and educational initiatives for vulnerable children.(4, 45, 46)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The National Action Plan to Combat Child Labor drafted in 2010 aims to eliminate the worst forms of child labor in Niger by 2025.(4) It also addresses child labor in a variety of sectors, including agriculture, mining, domestic work, and begging.(11) However, the Plan has yet to be adopted.(4, 11)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Niger participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I and II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity building support for all ECOWAS states.(54, 55)
Project to Combat Child Labor in Domestic Service (2011-2015)	Government of France-funded, 3-year, \$1.3 million regional project to combat child labor in domestic work.(56)
Project Against Forced Labor and Discrimination (PACTRAD II) (2014-2015)†	Government program, with support from the ILO, to combat forced labor and discrimination practices towards women and children in Niger.(57, 58)
UN WFP*	UN program that supports cash-for-work schemes and other initiatives to address food insecurity. More than 600,000 beneficiaries have received assistance in Niger.(59)
Niger Safety Net Project*	World Bank cash transfer and cash-for-work project that aims to establish a safety net system for vulnerable households. Targets more than 1 million beneficiaries; 60,000 beneficiaries receive cash for work benefits.(60)
Second Chance Community Literacy Education and Vocational Training Program*	Government program, in collaboration with Volunteers for Education Integration, (a local NGO) that provides vulnerable children with literacy education and vocational training opportunities.(21)
Niger Education and Community Strengthening (2012-2016)*	\$7.6 million, USAID and Millennium Challenge Corporation-funded, 4-year project implemented by the Ministry of Education and Plan International to increase access to quality education for girls and boys.(61)
Resilience in the Sahel-Enhanced (RISE) *† (2014-2019)	USAID program that helps vulnerable communities in Niger and Burkina Faso mitigate vulnerabilities, shocks, and stresses by facilitating inclusive growth.(62) Aims to reach an estimated 1.9 million beneficiaries.(63)
Migration Forum*	Government forum, with support from the ILO-IPEC and a local NGO, that combats migration of youth, especially girls, from rural to urban areas.(21)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

Although Niger has programs that target child labor, the scope of these programs is insufficient to fully address the problem, especially in agriculture, herding, and mining. Niger also lacks a specific program to assist children exploited by religious instructors.(22)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Niger (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for hazardous work to 18.	2009 – 2014
	Ensure the law prohibits hazardous occupations and activities in all relevant child labor sectors, including agriculture.	2014
	Ensure the Penal Code provides higher penalties for inciting people to beg and to ensure that street children are not compelled to engage in the worst forms of child labor.	2009 – 2014
Enforcement	Increase the training, resources and number of labor inspectors and criminal investigators responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2009 – 2014
	Ensure enforcement protocols exist to conduct inspections effectively in the informal sector where most child labor occurs.	2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Make efforts to increase the number of convictions related to the worst forms of child labor.	2010 – 2014
	Collect and make public information on the number and quality of labor inspections, violations, complaints, citations, and penalties related to child labor, as well as the number of criminal law investigators.	2012 – 2014
Coordination	Ensure that the National Steering Committee on Child Labor, the National Committee to Combat the Phenomenon of Street Children, and the National Committee to Combat the Vestiges of Forced Labor and Discrimination are active and receive adequate funding to fulfill their mission.	2011 – 2014
	Disaggregate complaints made to the ANLTP's hotline by the number of children trafficked.	2013 – 2014
Government Policies	Adopt and implement the National Action Plan to Combat Child Labor.	2009 – 2014
	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014
Social Programs	Ensure that all children have access to education, including refugees, by registering children at birth and by establishing and implementing a program to address the lack of teachers, schools, and supplies.	2013 – 2014
	Implement a program to target children exploited by religious instructors.	2011 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2011 – 2014
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, and mining.	2009 – 2014

### REFERENCES

- U.S. Department of State. "Niger," in *Trafficking in Persons Report-2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226848.pdf>.
- Understanding Children's Work. *The twin challenges of child labour and educational marginalisation in the ECOWAS region - An overview*. Geneva; July 2014. [http://www.ucw-project.org/attachment/ECOWAS\\_child\\_labour\\_educational\\_marginalisation20140709\\_130339.pdf](http://www.ucw-project.org/attachment/ECOWAS_child_labour_educational_marginalisation20140709_130339.pdf).
- U.S. Department of State. "Niger," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220356.pdf>.
- U.S. Embassy- Niamey. *reporting, January 14, 2015*.
- ILO. *Rapport de l'Enquete Nationale sur le Travail des Enfants au Niger de 2009*. Niamey, National Institute of Statistics of Niger; September 2011.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from statistics from Demographic and Health Survey (DHS), 2012. Analysis received January, 15 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Idrissa, D. *Rapport de l'Examen Periodique Universel du Niger*. Niamey, Association pour la Defense des Enfants du Niger; June 30, 2010. [http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/NE/ADENI\\_AssociationpouraD%C3%A9fensesdesEnfantsduNiger\\_F.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/NE/ADENI_AssociationpouraD%C3%A9fensesdesEnfantsduNiger_F.pdf).
- Government of Niger. *Etude sur le travail des enfants dans les zones rizicoles au Niger*. Niamey, October, 2014.
- Government of Niger. *Niger Response to Questions from GSP Hearing*, 2012.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Niger (ratification: 2000) Published: 2014*; accessed April 21, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- United Nations. *Core document forming part of the reports of States parties: Niger*. Prepared by the Government of Niger, International Human Rights Instruments. January 2, 2014. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=HRI%2FCORE%2FNER%2F2013&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=HRI%2FCORE%2FNER%2F2013&Lang=en).
- United Nations Display News. "End of Mission Statement by Ms. Urmila Bhoola, Special Rapporteur on contemporary forms of slavery, including its causes and consequences to the Country visit to Niger (11-21 November 2014)" ohchr.org [online] November 21, 2014 [cited December 22, 2014 ]; <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15329&LangID=E>.
- ILO-IPEC. *Etude transfrontaliere sur le travail des enfants dans l'orpaillage au Burkina Faso, au Mali, et au Niger: Rapport Volet pays Niger*. Geneva; December 2009.
- Galy Kadir Abdelkader, and Moussa Zangaou. *WAHAYA: Domestic and sexual slavery in Niger*. London, Anti-Slavery Organization. [http://www.antislavery.org/includes/documents/cm\\_docs/2012/w/wahaya\\_report\\_eng.pdf](http://www.antislavery.org/includes/documents/cm_docs/2012/w/wahaya_report_eng.pdf).
- Integrated Regional Information Networks. "Niger: When religious teachers traffic their students." IRINnews.org [online] August 26, 2009 [cited November 6, 2012]; <http://www.irinnews.org/Report.aspx?ReportId=85857>.
- U.S. Department of State. "Niger," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; [http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm?utm\\_source=Subscribers&utm\\_campaign=35f27bd04c-Trafficking\\_Bulletin\\_Issue\\_9\\_July\\_20137\\_22\\_2013&utm\\_medium=email&utm\\_term=0\\_1002a3b355-35f27bd04c-92744149](http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm?utm_source=Subscribers&utm_campaign=35f27bd04c-Trafficking_Bulletin_Issue_9_July_20137_22_2013&utm_medium=email&utm_term=0_1002a3b355-35f27bd04c-92744149).
- UN Population Fund. "Niger: In one girl's stand against child marriage, a path forward for development." unfpa.org [online] September 29, 2014 [cited December 23, 2014 ]; <http://www.unfpa.org/public/home/news/pid/18338>.
- USDOL official. Briefing for USDOL official. January 17, 2012.
- International Labor Rights Forum. *Post Niger GSP Hearing Brief*; February 24, 2012.
- U.S. Embassy- Niamey. *reporting, January 17, 2014*.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Niger (ratification: 2000) Published: 2014*; accessed April 21, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.

23. Government of Niger. *Evaluation conjointe de la Vulnérabilité à l'Insécurité Alimentaire des Ménages en milieu rural et urbain: Résultats préliminaires*. Niamey; 2014.
24. Agence France-Presse. "Niger: 36 dead in Niger flooding since June: UN." reliefweb.int [online] October 16, 2014 [cited December 23, 2014]; <http://reliefweb.int/report/niger/36-dead-niger-flooding-june-un>.
25. USAID. *Sahel- Food Insecurity and Complex Emergency Fact Sheet* September 24, 2014 [http://www.usaid.gov/sites/default/files/documents/1866/sahel\\_ce\\_f02\\_09-29-2014.pdf](http://www.usaid.gov/sites/default/files/documents/1866/sahel_ce_f02_09-29-2014.pdf).
26. OCHA. *2015 Humanitarian Needs Overview, Sahel Region* December 2014. <http://www.unocha.org/cap/appeals/sahel-humanitarian-response-plan-2014-2016>.
27. Government of Niger. *Constitution*, enacted November 25, 2010. <http://mjp.univ-perp.fr/constit/ne2010.htm>.
28. UNICEF. *Schools in the Niger try a new approach to bring more girls into classrooms*, UNICEF, [online] October 14, 2013 [cited December 23, 2014]; [http://www.unicef.org/infobycountry/niger\\_70664.html](http://www.unicef.org/infobycountry/niger_70664.html).
29. UNICEF. December 10, 2013 In Niger, birth registration takes a big step forward [cited December 23, 2013]; [http://www.unicef.org/infobycountry/niger\\_71507.html](http://www.unicef.org/infobycountry/niger_71507.html).
30. Plan International- EU Office. "Universal Birth Registration in Niger." plan-eu.org [online] February 15, 2012 [cited December 23, 2014 ]; <http://www.plan-eu.org/news/universal-birth-registration-niger/>.
31. Government of Niger. *Décret no 67-126/MFP/IT portant partie réglementaire du Code du travail*, enacted September 07, .
32. Government of Niger. *Labor Code*, enacted September 25, 2012.
33. Government of Niger. *Code Pénal*, Loi No 2003-025, enacted June 13, 2003. <http://juriniger.lexum.umontreal.ca/juriniger/displayDocument.do?id=5090> [source on file].
34. Government of Niger. *Law on Combating Trafficking in Persons*, enacted December 16, 2010.
35. Government of Niger. *LOI n° 98-12 du 1er juin 1998, portant orientation du système éducatif nigérien*, enacted June 1, 1998. <http://www.men.ne/titre1.html>.
36. Child Soldiers International. *Louder than words - An agenda for action to end state use of child soldiers*. London; 2012. file:///C:/Users/solorio-luis-p/Downloads/louderthanwordseptember20124903558%20(2).pdf.
37. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Niger (ratification: 1978) Published: 2014*; accessed April 21, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
38. ILO. *Profil Pays du Travail Decent Niger*. Geneva; 2013. <http://www.ilo.org/public/libdoc/ilo/2013/479367.pdf>.
39. ILO Committee of Experts. *Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Niger (ratification: 1961) Published: 2014*; accessed April 21, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
40. ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Niger (ratification: 1979) Published: 2014*; accessed April 21, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
41. Ministry of Justice, Government of Niger. *Déterminant l'organisation, la composition, et les modalités de fonctionnement de l'Agence Nationale de la Lutte contre la Traite des Personnes*; March 21, 2012.
42. FAO Rome official. E-mail communication to USDOL official. February 23, 2015.
43. Government of Niger. *Decree portant l'creation du Comite de pilotage du projet Travail des Enfants dans l'Agriculture*, enacted October 28, 2014.
44. ILO Committee of Experts. *Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Niger (ratification: 1961) Published: 2013*; accessed April 23, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
45. UN Human Rights. *Niger: UN rights expert hails criminalisation of slavery, but urges stronger law enforcement*. Niamey; November 21, 2014. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15330&LangID=E>.
46. Government of Niger. *Plan d'Actions National de Lutte contre la Traite des Personnes*. Niamey; 2014.
47. ILO. *Programme Pays de Promotion du Travail Decent au Niger 2012-2015*. Geneva; 2012. <http://www.ilo.org/public/english/bureau/program/dwcp/download/niger.pdf>.
48. Government of Niger. *Economic and Social Development Plan (PDES) 2012-2015*. Washington, DC, World Bank; 2013. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/04/09/000445729\\_20130409100912/Rendered/PDF/762410PRSP0P120OFFICIAL0USE0ONLY090.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/04/09/000445729_20130409100912/Rendered/PDF/762410PRSP0P120OFFICIAL0USE0ONLY090.pdf).
49. Government of Niger. *Education and Training Sectorial Program (2014-2024)*. Niamey; 2013. [http://planipolis.iiep.unesco.org/upload/Niger/Niger\\_PSEF\\_2012\\_2014.pdf](http://planipolis.iiep.unesco.org/upload/Niger/Niger_PSEF_2012_2014.pdf).
50. Government of Niger. *Initiative 3N "Les Nigériens Nourrissent les Nigériens"*. Niamey; 2012. [http://www.embassyofniger.org/docs/otherofficialdocs/Conceptnote3N\\_rev5.pdf](http://www.embassyofniger.org/docs/otherofficialdocs/Conceptnote3N_rev5.pdf).
51. UNDAF. *Plan Cadre des Nations Unies pour l'Assistance au Développement (UNDAF) NIGER 2014 – 2018*. New York; 2014. [http://www.undg.org/docs/13346/UNDAF-2014-2018\\_Version-Finale-03.pdf](http://www.undg.org/docs/13346/UNDAF-2014-2018_Version-Finale-03.pdf).
52. Government of Niger. *Strategy For Development And Security In Sahel-Saharan Areas Of Niger*. Niamey; 2011. [http://reliefweb.int/sites/reliefweb.int/files/resources/sds\\_version\\_english.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/sds_version_english.pdf).
53. Thurston, A. *A Development Plan for Northern Niger*, [blog] October 3, 2012 [cited January 13, 2015]; <http://sahelblog.wordpress.com/2012/10/03/a-development-plan-for-northern-niger/>.
54. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 3, 2009.
55. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS-II*. Project Document. Geneva; December 20, 2010. <http://www.dol.gov/ilab/map/countries/ghana.htm>.
56. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 09, 2015.
57. ILO. "SAP-FL Highlights." February, 2015. [cited [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_343802.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_343802.pdf)].
58. U.S. Embassy- Niamey. *reporting, March 30, 2015*.
59. UN World Food Program. *West Africa: Sahel Crisis - Country by Country*. New York; August 8, 2012. <http://allafrica.com/stories/201208091136.html?viewall=1>.
60. World Bank. *Implementation Status & Results: Niger Safety Net Project*. Washington, DC; July 21, 2011. [http://www-wds.worldbank.org/external/default/main?pagePK=64193027&piPK=64187937&theSitePK=523679&menupPK=64187510&searchMenuPK=64187283&siteName=WDS&entityID=0000A8056\\_2011080319221654](http://www-wds.worldbank.org/external/default/main?pagePK=64193027&piPK=64187937&theSitePK=523679&menupPK=64187510&searchMenuPK=64187283&siteName=WDS&entityID=0000A8056_2011080319221654).
61. Plan International. "The Niger Education and Community Strengthening (NECS) project." planusa.org [online] 2014 [cited January 1, 2015 ]; <http://www.planusa.org/content3120321>
62. USAID. *The Resilience Agenda: Helping Vulnerable Communities Emerge From Cycles of Crisis Onto a Pathway Toward Development*. Washington, DC; June 3, 2013. <http://www.usaid.gov/resilience>.
63. USAID. *USAID Announces RISE: A New Initiative To Build Resilience In West Africa's Sahel*. Press Release. Washington, DC; February 3, 2014. <http://www.usaid.gov/news-information/press-releases/feb-3-2014-usaid-announces-rise-new-initiative-build-resilience-west-africa-sahel>.

# Nigeria

## MODERATE ADVANCEMENT

*In 2014, Nigeria made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government continues to fund and participate in programs that focus on the prevention and elimination of the worst forms of child labor. Law enforcement officials received child labor training, and the states of Ogun and Oyo approved Action Plans on Child Labor. The Senate and House of Representatives passed a bill to restrict the ability of judges to offer fines in lieu of prison time for human trafficking offenses. However, children in Nigeria are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in armed conflict. The legal framework has inconsistencies regarding child labor, and the minimum age for work is below international standards. Due to budget constraints, the Government did not take actions to implement the 2013 National Action Plan on the Elimination of Child Labor.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nigeria are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in armed conflict. (1-7) Table 1 provides key indicators on children's work and education in Nigeria.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	31.1 (13,924,739)
Attending School (%)	5-14 yrs.	76.2
Combining Work and School (%)	7-14 yrs.	26.8
Primary Completion Rate (%)		76.0

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of manioc/cassava, cocoa, and tobacco* (1-3, 10)
	Herding livestock* (3, 5, 11)
	Fishing,* activities unknown (1, 3)
Industry	Mining and quarrying granite and gravel and breaking granite into gravel (3, 12-15)
	Harvesting sand (16)
	Artisanal gold mining and processing* (5, 17-19)
	Construction,* activities unknown (3, 5)
Services	Domestic service (3, 5, 14, 20)
	Auto repair* (1, 5)
	Conducting minibuses* (3, 14)
	Street hawking (3, 5, 12, 14, 20, 21)
	Street begging, including by almajiri (1, 3, 22)



**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 3-5, 10, 23)
	Begging, domestic service, street hawking, mining and quarrying gravel and granite, and work in agriculture, including in cocoa, as a result of human trafficking (1, 3-5, 12, 21, 23-25)
	Used in illicit activities for armed groups, sometimes as a result of forced recruitment, including participating in extortion, intimidation, armed robbery, and drug trafficking (3, 5, 10, 22)
	Used in armed conflict, sometimes as a result of forced recruitment, including as messengers, transporters, informants, spies, and suicide bombers (4-7, 23, 26, 27)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In northern Nigeria, many families send children from rural to urban areas to live with and receive a Koranic education from Islamic teachers known as *mallams*. These children, known as *almajiri*, may receive lessons, but teachers often force them to beg on the streets and surrender the money they collect.(1, 4, 22, 28) In December 2010, the Ministerial Committee on Madrasah Education estimated that Nigeria had about 9.5 million *almajiri*.(5)

Nigeria is a source, transit, and destination country for child trafficking.(4, 29) Children in Nigeria are trafficked internally to work in agriculture, begging, domestic service, mining, quarrying, and street hawking.(4, 23, 24) Children from Nigeria are trafficked to Equatorial Guinea, where they may be forced to work as domestic servants, market laborers, vendors, and launderers.(30) Nigerian children are also trafficked to Saudi Arabia and forced to work as beggars and street vendors.(28, 31) Girls from Nigeria are trafficked to Europe for commercial sexual exploitation.(4, 23)

Children from Benin, Ghana, and Togo are trafficked to Nigeria, where many are forced to work in granite mines.(4) Boys from Niger are subjected to forced labor, including forced begging in Nigeria, by corrupt *mallams*.(28, 32)

Pervasive poverty, coupled with mass unemployment and a poor education system, has created an atmosphere in which youth are susceptible to participation in armed conflict with various groups, including ethnic-based militia organizations, criminal gangs, extremist groups, and partisan political organizations, such as party “youth wings.”(22, 33-35) Children as young as age 8 are recruited, and sometimes forced, into such groups. Street children are most at risk for recruitment.(22) Research did not find reports of children being used in the Government’s armed forces.

The terrorist group Jama’atu Ahlis Sunna Lidda’awati wal-Jihad, commonly known as Boko Haram, recruited and used child soldiers during the reporting period.(7, 22, 25-28, 37) Boys as young as 11 years old were reportedly forced to fight, plant bombs, spy, and act as suicide bombers.(7) Girls have been abducted by Boko Haram for domestic labor, sexual exploitation, and to act as suicide bombers.(25, 28, 38) Borno State’s Civilian Joint Task Force (CJTF) works with security forces by identifying and helping to arrest suspected Boko Haram members.(39) Research found that children as young as 14 years old have joined the CJTF and other civilian vigilante groups, either voluntarily or forcibly, to man checkpoints, gather intelligence, and participate in armed patrols.(22, 27, 28, 39) Although it is unclear whether the CJTF forcibly recruited children under age 18 during the reporting period, the Nigerian military has reportedly told the group not to allow children to join.(22, 28)

Boko Haram has continued to carry out regular attacks on primary and secondary schools in Northeast Nigeria. Boko Haram shot and burned to death 59 boys at a secondary school in Buni Yadi, Yobe State, in February 2014.(6, 36, 37) In April 2014, Boko Haram abducted 276 girls from a secondary school in Chibok, Borno State.(6, 7) In addition to targeted attacks, Boko Haram threatens and intimidates teachers and students to keep them from going to school.(6, 7) This insecurity has led to mass school closures in the Northeast and the withdrawal of many students, especially girls, from school.(3, 6, 7, 38, 39)

Although free and compulsory education is federally mandated by the 2004 Compulsory, Free Universal Basic Education Act, little enforcement of compulsory education laws occurs at the state level.(5) While some states do offer free education, free universal compulsory education does not yet fully exist in Nigeria.(3) School fees are often charged, and the cost of books, uniforms, and other supplies can be prohibitive for low-income families.(5) Under financial strain, many families choose to send girls to work and boys to school.(3)




# Nigeria

## MODERATE ADVANCEMENT

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Nigeria has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

Nigeria has ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).<sup>(40)</sup> The Convention prohibits armed groups from recruiting children, or otherwise permitting them to participate in conflict, and engaging in sexual slavery and trafficking, especially of women and children.<sup>(41)</sup>

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	12	Article 59 of the Labour Act; Articles 28 and 29 of the Child's Right Act, 2003 (42, 43)
Minimum Age for Hazardous Work	Yes	18	Article 59 of the Labour Act; Articles 28 and 29 of the Child's Right Act, 2003 (42, 43)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 59 of the Labour Act (42)
Prohibition of Forced Labor	Yes		Article 34 of the Constitution; Article 28 of the Child's Right Act, 2003 (43, 44)
Prohibition of Child Trafficking	Yes		Articles 13-15 and 22 of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003; Article 30 of the Child's Right Act, 2003 (43, 45)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 13-15 of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003; Articles 30 and 32 of the Child's Right Act, 2003 (43, 45)
Prohibition of Using Children in Illicit Activities	Yes		Article 15 of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003; Article 30 of the Child's Right Act, 2003 (43, 45)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 28 of the Armed Forces Act; Article 34 of the Child's Right Act, 2003 (43, 46)
Compulsory Education Age	Yes	15	Articles 2 and 15 of the Compulsory, Free Universal Basic Education Act, 2004; Article 15 of the Child's Right Act, 2003 (43, 47)
Free Public Education	Yes		Article 3 of the Compulsory, Free Universal Basic Education Act, 2004; Article 15 of the Child's Right Act, 2003; Article 18 of the Constitution (43, 44, 47)

\* No conscription (48)

The Federal 2003 Child’s Right Act (CRA) codifies the rights of children in Nigeria and must be ratified by each state to become law in its territory.(5, 43) There were no new adoptions of the CRA during the reporting period.(5) To date, 23 states and the Federal Capital Territory have ratified the CRA, with 12 of the remaining 13 states located in northern Nigeria.(5, 20)

Nigeria’s laws regarding minimum age for employment are inconsistent. (7) The CRA states that the provisions related to young people in the Labour Act apply to children under the CRA, but also that the CRA supersedes any other legislation related to children. The CRA restricts children under the age of 18 from any work aside from light work for family members; however, Article 59 of the Labour Act, which is in force in all 36 states of Nigeria, sets the minimum age of employment at 12 years.(43, 49, 50) The Act also permits children of any age to do light work alongside a family member in agriculture, horticulture, or domestic service.(42, 50, 51) This language makes it unclear what minimum ages apply for certain types of work in the country.

While the Labour Act forbids the employment of youth under age 18 in work that is dangerous to their health, safety, or morals, it allows children to participate in certain types of work that may be dangerous by setting different age thresholds for various activities.(42) For example, the Labour Act allows children ages 16 and older to work at night in gold mining and the manufacturing of iron, steel, paper, raw sugar, and glass.(42) Furthermore, the Labour Act does not extend to children employed in domestic service. Thus, children are vulnerable to dangerous work in industrial undertakings, underground, with machines, and in domestic service. In addition, the prohibitions established by the Labour Act and the CRA are not comprehensive nor specific enough to facilitate enforcement.(51, 52) In 2013, the National Steering Committee for the Elimination of the Worst Forms of Child Labor in Nigeria (NSC) validated the Report on the Identification of Hazardous Child Labor in Nigeria. Currently, the report is with the Ministry of Labor and Productivity (MOLP) for the promulgation of guidelines for operationalizing the report.(10, 28)

States may also enact additional provisions to bolster protection for working children within their territory. Some states within Nigeria have taken such action and closed gaps in the law.(53) The 2006 Abia State Child’s Rights Law prohibits all children under age 18 from engaging in domestic service outside of the home or family environment.(54) The state governments of Anambra, Bayelsa, and Lagos have prohibited children from all street trading, while Delta State only prohibits children from street trading during the school day. Kano State has initiated a prohibition against *almajiri* begging on the street.(10)

Some states that apply *Shari’a* (the moral code and religious law of Islam) treat children as offenders rather than victims. The *Shari’a* Penal Code of Zamfara State defines an offender as anyone who “does any obscene or indecent act in a private or public place, or acts or conducts himself/herself in an indecent manner.”(52) Treating child victims of commercial sexual exploitation as offenders contradicts internationally accepted standards for the treatment of such children.(52)

Although the 2003 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act prohibits human trafficking for forced or compulsory recruitment in armed conflict, the legal framework does not proscribe punishments for non-state armed groups that recruit and use children.(22, 55)

The 2003 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act prescribes penalties of 5 to 15 years’ imprisonment for labor and sex trafficking offenses; however, the law also allows convicted offenders to pay a fine in lieu of prison time.(4) For sentences that only include a fine, penalties are not sufficiently stringent to deter violators. By March 2014, the House of Representatives and Senate passed a bill that would amend the anti-trafficking law to restrict the ability of judges to offer fines in lieu of prison time. However, the bill is awaiting approval by the President.(4, 23, 28)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Productivity (MOLP), Inspectorate Division	Enforce federal child labor laws. Labor inspectors are deployed across 36 state labor offices and the Federal Capital Territory, including Abuja, and are responsible for investigating all labor law violations, including those related to child labor.(1, 56, 57)

# Nigeria

## MODERATE ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP)	Enforce anti-human trafficking legislation. Have the power to conduct investigations to determine whether any person has committed an offense under the anti-trafficking law.(58) Officials turn over rescued children to state-level agencies.(56)
Nigeria Police Force	Enforce all laws prohibiting forced child labor and commercial sexual exploitation. Support MOLP and collaborate with NAPTIP on trafficking enforcement.(10)
Nigerian Immigration Service	Collaborate with NAPTIP to enforce laws against trafficking in children.(10)

Law enforcement agencies in Nigeria took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, MOLP employed 258 factory inspectors and 402 labor officers, a decrease of 222 inspectors from 2013.(5) Evidence indicates that the number of inspectors is inadequate to deal with the wide-scale problem of child labor.(5) In April 2014, 93 MOLP labor inspectors participated in child labor inspection workshops to develop monitoring and reporting tools.(59) MOLP provided 3 hours of training on child labor to new labor inspectors.(28) In 2011, MOLP collected data from state governments on the prevalence of child labor, but the data have not been made publicly available.(10)

Information on the number of child labor law inspections, violations, and citations issued during the reporting period is not available.(10) Inspections can be unannounced, are conducted through site visits, and tend to focus on large businesses such as factories.(60) MOLP typically sends letters of caution to employers, encouraging them to resolve violations, and then conducts follow-up inspections.(5) It is unclear whether this system sufficiently encourages compliance with labor laws. The Labor Inspectorate director can also halt employer operations, but information is not available as to whether this occurred during the period.(5)

There are no labor inspectors available to conduct inspections on seafaring vessels.(61) Since the Labour Act states that children ages 15 and older may work onboard these vessels, children are unprotected by the country's enforcement framework.(42) Additionally, research did not find mechanisms to enforce existing protections for street children.

Agencies at the state level are responsible for enforcing the CRA.(10) States may also undertake other measures that aid in the enforcement of labor provisions. In Edo State, for example, labor officers work alongside the transportation industry to prevent children from working as bus conductors during the school day.(10)

MOLP refers cases of children gravely in danger to the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP); however, research did not find other referral mechanisms between MOLP and social welfare services.(60)

### *Criminal Law Enforcement*

In 2014, the number of investigators responsible for enforcing criminal laws on the worst forms of child labor was inadequate.(28) From March to April 2014, representatives from NAPTIP participated in workshops with other Government and NGO officials to focus on improving the transitional services provided to children in or at high risk of child labor, and enhance the development and adherence to child protection standards and codes of conduct.(59) NAPTIP received a \$9.4 million budget from the Government, a slight increase from the previous year's budget of \$8.9 million.(23)

The Nigeria Police Force (NPF) does not receive training on state laws and may not have knowledge of state laws that protect children from the worst forms of child labor within a specific state. This limits the capacity of the NPF to enforce the laws protecting children from the worst forms of child labor.(62)

During the reporting period, NAPTIP investigated 236 cases of human trafficking involving children, including 99 for child labor.(5) Information on the number of prosecutions and convictions is unavailable.(5, 63) During the reporting period, a Government official was investigated for allegedly violating child labor laws.(4, 28)

Although NAPTIP coordinates the National Referral Mechanism to provide rehabilitation and other social services to trafficked children, research did not find a referral mechanism for children found in other worst forms of child labor, including armed conflict.(5, 23) Research found that Government armed forces arrested and detained boys as young as age 9 for suspected alliance with Boko Haram. Additionally, the military arrested girls as young as age 13 who were married to senior Boko Haram members.(64)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee for the Elimination of the Worst Forms of Child Labor in Nigeria (NSC)	Coordinate efforts to combat child labor. Represented on the NSC are MOLP; Ministry of Women's Affairs and Social Development; and Ministries of Mining and Metal Production, Agriculture, Foreign Affairs, and Education—along with NAPTIP and the National Bureau of Statistics.(5) Additionally, includes representatives from ILO-IPEC, UNICEF, NGOs, and faith-based organizations that work on child labor issues.(10)
Ogun and Oyo State Steering Committees on Child Labor (SSC)	Facilitate each state's Action Plan for the elimination of child labor and enhance collaboration among agencies. Include officials from State-level MOLP, Ministry for Women Affairs and Social Development, Ministry of Education, NAPTIP, Nigeria Police Force, Nigeria Immigration Service, and NGOs.(65, 66) Meet regularly throughout the year.(66)
Presidential Task Force on Trafficking in Persons	Coordinate child labor issues related to human trafficking. Chaired by NAPTIP, which is primarily responsible for social services to children and repatriation of trafficked children to their families.(5)
State Level Child Labor Taskforces	Ensure that children attend school. Established in Akwa Ibom, Delta, Lagos, Ogun, Ondo, and Oyo States.(10, 67)

MOLP reported that the NSC did not meet in 2014 due to funding constraints.(5)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Nigeria has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Policy on Child Labor	Aims to significantly reduce prevalence of child labor in Nigeria by 2015 and achieve total elimination by 2020.(68)
National Action Plan for the Elimination of Child Labor in Nigeria (2013 – 2017)	Provides a roadmap for implementation of the National Policy on Child Labor in Nigeria.(69)
Ogun and Oyo State Action Plans on Child Labor (2014 – 2017)†	Guides implementation of the National Policy on Child Labor in Ogun and Oyo States.(66, 70, 71)
National Policy on Protection and Assistance to Trafficked Persons in Nigeria	Outlines protection and rehabilitation services for trafficking victims.(72, 73) NAPTIP developed Guidelines on National Referral Mechanism for Protection and Assistance to Trafficked Persons in Nigeria to coordinate and improve service provision for trafficking victims.(63)
Five-Year Strategic Plan for NAPTIP (2012 – 2017)	Provides an organizing framework for mobilizing NAPTIP and all stakeholders involved in combating human trafficking within Nigeria and internationally. Structured around six main areas: organizational development; research and assessment; prevention, protection, return, and re-integration measures; legal, prosecution, and law enforcement; monitoring and evaluation; and international cooperation.(74)
ECOWAS Regional Action Plan for the Elimination of Child Labor	Aims to eliminate worst forms of child labor in ECOWAS member states by 2015.(75) ECOWAS conducted its first peer review to evaluate efforts to combat child labor at the country level. With Côte d'Ivoire, Nigeria reviewed Ghana's efforts to combat child labor and provided preliminary findings and recommendations.(76, 77)
National Framework for the Development and Integration of <i>Almajiri</i> Education into the Universal Basic Education Scheme	Provides guidelines for state governments to regulate <i>almajiri</i> schools in order to more effectively address the challenges that the traditional Islamic education sector faces on itinerancy and begging.(10, 78-80) Outlines Government plans to build about 400 schools for <i>almajiri</i> by 2015.(10, 81) By August 2014, the Government completed construction of 152 schools, an increase of 29 schools from the previous reporting period.(5)

† Policy was approved during the reporting period.



# Nigeria

## MODERATE ADVANCEMENT

The Government reported there was no action to implement the National Action Plan for the Elimination of Child Labor in 2014 due to funding constraints.(5)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Nigeria funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Akwa Ibom State*‡	State government provides free primary education.(5)
Anambra*‡	State government initiated programs to raise public awareness of its ban of children in street trading.(5)
Borno State*‡	Governor has instituted programs that provide funds, buses, and lunch to vulnerable children to help them attend school.(67)
Delta State*‡	State government provides compulsory, free primary education.(82)
Kano State*†‡	State government provides free primary education, free school meals, and some free transportation for children to attend school. State is introducing kindergarten classes.(5) In 2014, the U.S. Embassy worked with the Kano State Government and two NGOs to launch an advocacy campaign designed to combat labor exploitation of almajiri.(28, 83)
Katsina State*‡	State government program that provides free primary and secondary education.(5)
Ogun State	USDOL-funded pilot program implemented by the ILO that aims to provide education and skills training to 500 children previously engaged in child labor or at risk of doing so. The program also improves the income-generating capacity of families.(5)
Ogun State‡	State Government-implemented program for labor officers to initiate awareness-raising programs for parents of children working in stone quarries.(7)
Osun Elementary School Feeding and Health Program *‡	State government established a free lunch program for elementary school students. In October 2014, Osun State officials claimed that the program was feeding 252,000 students and was responsible for a 25 percent increase in enrollment.(5)
Rivers*‡	State government provided free primary education to all children.(5, 67)
Sokoto and Niger States*†	United Kingdom's Department for International Development-funded program in collaboration with the Government and UNICEF to provide cash transfers to pay for textbooks and other school-related costs. The program aims to reach 23,000 girls ages 6 to 15.(84)
Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS (ECOWAS I)	USDOL-funded, \$7.95 million, 5-year project implemented by the ILO with direct interventions to accelerate progress on the elimination of the worst forms of child labor in Côte d'Ivoire, Ghana, and Nigeria. Supports ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity-building support for all ECOWAS states.(85, 86) In Nigeria, the project supported national- and state-level efforts to eliminate worst forms of child labor in the country, including the identification of hazardous work for the National Hazardous Child Labor List.(87)
Eliminating the Worst Forms of Child Labor in West Africa by Strengthening Sub-Regional Cooperation through ECOWAS (ECOWAS II)	Linked to the ECOWAS I project, a \$5 million, USDOL-funded, 4-year project implemented by the ILO with direct intervention in Benin, Côte d'Ivoire, Ghana, and Nigeria. Supports ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity-building support for all ECOWAS states.(85, 86) The project provided educational services to 779 children in Ogun and Oyo States and livelihood services to 326 households.(88)
NAPTIP shelters for human trafficking victims‡	Government-funded program that operates nine shelters in Nigeria with a total capacity for 313 victims.(4) NAPTIP and the Ministry of Women's Affairs and Social Development coordinate social services for trafficked children and repatriation to their families.(10) In 2014, the Abuja shelter was refurbished with funding from the EU. It now has the capacity to accommodate 38 victims of human trafficking, provide counseling and rehabilitation services, and offer vocational services.(88)
Safe Schools Initiative*†‡	Government-funded program with support from the UN that aims to provide remedial education and pilot 10 safe education facilities in northeastern Nigeria, specifically in Borno, Yobe, and Adamawa States. The initiative combines school-based interventions, community interventions to protect schools, and special measures for vulnerable populations.(6, 89)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Nigeria.

Although Nigeria has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Research found no evidence of programs to specifically address children engaged in agriculture, commercial sexual exploitation, domestic service, forced labor, illicit activities, or armed conflict.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Nigeria (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase the minimum age for regular work to at least age 14, in accordance with international standards; ensure that national legislation related to minimum age for work is consistent and that children working in all sectors are protected; ensure that provisions related to light work conform to international standards.	2009 – 2014
	Ensure that all children under age 18 are protected from hazardous work and that legislation is comprehensive and specific enough to facilitate enforcement.	2009 – 2014
	Ensure that those states applying <i>Shari'a</i> as the Penal Code do not penalize child victims of commercial sexual exploitation.	2009 – 2014
	Adopt legislation to ensure that all children under the age of 18 are prohibited from recruitment for armed conflict, including by non-state armed groups.	2011 – 2014
	Ensure that penalties given for child labor violations are sufficiently stringent to deter violators.	2014
Enforcement	Provide an adequate number of trained inspectors and investigators to effectively enforce labor laws, including laws related to the worst forms of child labor. Ensure that Nigeria Police Force officers have knowledge of state laws addressing the worst forms of child labor.	2010 – 2014
	Make data on child labor law inspections, violations, citations, prosecutions, and convictions publicly available.	2009 – 2014
	Ensure that child labor inspections occur on seafaring vessels and that a mechanism exists for enforcing existing protections for street children.	2010 – 2014
	Establish referral mechanisms between Nigeria's law enforcement and social service agencies for all children found during labor inspections or criminal investigations.	2013 – 2014
Coordination	Ensure that the NSC has sufficient resources to coordinate efforts to combat child labor.	2014
Government Policies	Ensure that the National Action Plan to Eliminate Child Labor has sufficient resources to be implemented.	2014
Social Programs	Publish results from the 2011 MOLP study on child labor, and if necessary, conduct additional child labor research to determine activities of children working in fishing and construction.	2011 – 2014
	Ensure that all states adopt programs to offer free education and expand existing programs that provide vulnerable children, especially girls, with funds to cover school fees and the cost of materials.	2014
	Assess the impact that existing programs may have on addressing child labor.	2013 – 2014
	Establish and expand programs that prevent and remove children from child labor in agriculture and domestic service and from the worst forms of child labor in commercial sexual exploitation, forced labor, illicit activities, and armed conflict.	2009 – 2014

## REFERENCES

- International Trade Union Confederation (ITUC). *Report for the WTO General Council Review of the Trade Policies of Nigeria*. Geneva; June 30, 2011. [http://www.ituc-csi.org/report-for-the-wto-general-council\\_9354.html](http://www.ituc-csi.org/report-for-the-wto-general-council_9354.html).
- Kassim Adekunle Akanni, and Alfred Olayinka Dada. "Analysis of Labour-Use Patterns among Small-Holder Cocoa Farmers in South Western Nigeria." *Journal of Agricultural Science and Technology*, B(2)(2012); <http://www.davidpublishing.com/davidpublishing/Upfile/3/23/2012/2012032309828459.pdf>
- U.S. Department of State. "Nigeria," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220146>.
- U.S. Department of State. "Nigeria," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
- U.S. Embassy- Abuja. *reporting, January 23, 2015*.
- United Nations Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 – S/2015/409)*; June 5, 2015. [http://www.un.org/gal/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/gal/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).

# Nigeria

## MODERATE ADVANCEMENT

7. Watchlist on Children and Armed Conflict. "Who Will Care for Us?"; 2014. [http://watchlist.org/wordpress/wp-content/uploads/2111-Watchlist-Nigeria\\_LR.pdf](http://watchlist.org/wordpress/wp-content/uploads/2111-Watchlist-Nigeria_LR.pdf).
8. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
9. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
10. U.S. Embassy- Abuja. *reporting, January 23, 2014*.
11. Ibrahim Abdul 'Aziz. "The Inside Story of Adamawa Schools." Daily Trust, November 24, 2011. <http://allafrica.com/stories/201111240632.html>.
12. Natsa, RT. "Child Miner- Implications for Society." *allafrica.com* [online] December 14, 2011 [cited April 27, 2012]; <http://allafrica.com/stories/201111240820.html>.
13. Oseni, AL. "Women and Children Breaking Rocks for Survival." *westafricansight.org* [online] October 2012 [cited May 2, 2013]; <http://www.westafricansight.org/issues/view/42>.
14. ILO. *Report on the Rapid Assessment of Child Labour Situation in Artisanal Mines and Quarries in Ogun and Oyo States of Nigeria*. Abuja; 2013.
15. U.S. Embassy- Abuja. *reporting, January 13, 2013*.
16. Macro International Inc. *Children Working in Riverine Communities in Nigeria- Task 3: Research & Data Collection International Child Labor Issues*. Project Document. Calverton, MD; August 24, 2007.
17. Human Rights Watch. *Mali: Artisanal Mines Produce Gold with Child Labor*. Press Release. Bamako; December 6, 2011. <http://www.hrw.org/news/2011/12/06/mali-artisanal-mines-produce-gold-child-labor>.
18. Beaubien, J. *Nigeria Pressured To Clean Up Lead-Contaminated Villages*, National Public Radio, [blog] December 6, [cited February 14, 2013]; <http://www.npr.org/blogs/health/2012/12/06/166651255/nigeria-pressured-to-clean-up-lead-contaminated-villages?ft=1&f=>.
19. Human Rights Watch. *A Heavy Price: Lead Poisoning and Gold Mining in Nigeria's Zamfara State* [Video]; 2012, 05 min., 44 sec., February 18, 2013; <http://www.hrw.org/features/a-heavy-price>.
20. Kure, I. "Despite Bans, Child Labor Prevalent in Nigeria." *voanews.com* [online] September 10, 2013 [cited January 29, 2014]; <http://www.voanews.com/content/child-labor-still-common-in-parts-of-nigeria/1747147.html>.
21. Simon, L. "Poverty and Girl-Child Hawking in the North." *Nigerian Tribune*, Lagos, August 3, 2011. <http://tribune.com.ng/index.php/gamji-features/26025-poverty-and-girl-child-hawking-in-the-north>.
22. Shepler, S. *Analysis of the Situation of Children Affected by Armed Conflict in the Niger Delta and Northern Region of Nigeria*. Washington, DC, Search for Common Ground; 2012. <https://www.academia.edu/Download>.
23. U.S. Embassy- Abuja. *reporting, February 19, 2015*.
24. Integrated Regional Information Networks. "Nigeria: Trafficking Convictions up but Progress Slow." *IRINnews.org* [online] March 15, 2010 [cited May 15, 2012]; <http://www.irinnews.org/PrintReport.aspx?ReportId=88424>.
25. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Nigeria*. Geneva; June 21, 2010. Report No. CRC/C/NGA/CO/3-4. [http://www2.ohchr.org/english/bodies/treaty/CD\\_Concl\\_Obs\\_2010/CRC/54th%20session/CRC-C-NGA-CO-3-4%20\(c\).pdf](http://www2.ohchr.org/english/bodies/treaty/CD_Concl_Obs_2010/CRC/54th%20session/CRC-C-NGA-CO-3-4%20(c).pdf).
26. Zenn, J. "Boko Haram: Recruitment, Financing, and Arms Trafficking in the Lake Chad Region." *CTC Sentinel*, 7(2014); <https://www.ctc.usma.edu/v2/wp-content/uploads/2014/10/CTCSentinel-Vol7Iss102.pdf>.
27. Human Rights Watch. "Those Terrible Weeks in their Camp"; 2014. <http://www.hrw.org/sites/default/files/reports/nigeria1014web.pdf>.
28. U.S. Embassy Abuja official. E-mail communication to USDOL official. April 8, 2015.
29. United Nations Office on Drugs and Crime. *Global Report on Trafficking in Persons 2012*. Vienna; 2012. <http://www.unodc.org/unodc/data-and-analysis/glotip.html>.
30. U.S. Department of State. "Equatorial Guinea," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226718.htm>.
31. U.S. Department of State. "Saudi Arabia," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
32. U.S. Department of State. "Niger," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; file:///C:/Nigeria/USDOS%20TIP%20Niger%20(2014).pdf.
33. Parker, G. "Nigeria Reels from Extremist Violence." *globalpost.com* [online] January 8, 2012 [cited January 30, 2012]; <http://www.globalpost.com/dispatch/news/regions/africa/nigeria/120108/nigeria-islamic-extremists-increase-violence>.
34. Gambrell, J. "Youth Rage Boils Amid North Nigeria Sect Attacks." *Charlotte Observer*, Charlotte, NC, January 25, 2012. <http://www.charlotteobserver.com/2012/01/25/2956983/youths-overrun-bombed-north-nigeria.html>.
35. U.S. Embassy Abuja official. E-mail communication to USDOL official. June 4, 2012.
36. Al Jazeera. "Dozens of Nigerian students killed in attack." *aljazeera.com* [online] February 25, 2014 [cited March 30, 2015]; <http://america.aljazeera.com/articles/2014/2/25/dozens-of-students-dead-in-latest-boko-haram-attack.html>.
37. Hembra, J. "Nigerian Islamists kill 59 pupils in boarding school attack." *reuters.com* [online] February 26, 2014 [cited March 30, 2015]; <http://www.reuters.com/article/2014/02/26/us-nigeria-violence-idUSBREA1P10M20140226>.
38. Raghavan, S. "In Nigeria's North, Boko Haram Militia Aims to Mold the Schools through Violence." *The Washington Post*, Washington, DC, June 10, 2013. [http://www.washingtonpost.com/world/africa/in-nigerias-north-boko-haram-militia-aims-to-mold-the-schools-through-violence/2013/06/09/0cc37d56-cd64-11e2-8573-3ba6a6a2647\\_story.html](http://www.washingtonpost.com/world/africa/in-nigerias-north-boko-haram-militia-aims-to-mold-the-schools-through-violence/2013/06/09/0cc37d56-cd64-11e2-8573-3ba6a6a2647_story.html).
39. Integrated Regional Information Networks. "Boko Haram Violence takes Toll on Education." *IRINnews.org* [online] October 4, 2013 [cited November 2, 2014]; <http://www.irinnews.org/report/98878/boko-haram-violence-takes-toll-on-education>.
40. Integrated Regional Information Networks. "African Convention on Internally Displaced Persons Comes into Force." *IRINnews.org* [online] December 7, 2012 [cited February 20, 2013]; <http://www.guardian.co.uk/global-development/2012/dec/07/african-convention-internally-displaced-persons>.
41. African Union. *Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)*, enacted October 23, 2009. <http://au.int/en/content/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>.
42. Government of Nigeria. *Labour Act (Chapter 198) (No. 21), as amended. Laws of the Federation of Nigeria (1990 Revised edition), Vol. X, Cap. 198*, enacted 1990. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/42156/64980/E7RNGA01.htm#p3>.
43. Government of Nigeria. *Child's Right Act*, No. 26, enacted July 31, 2003. [source on file].
44. Government of Nigeria. *Constitution of the Federal Republic of Nigeria*, enacted 1999. <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm>.
45. Government of Nigeria. *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act*, No. 24, enacted July 2003.
46. Government of Nigeria. *Armed Forces Act*, enacted 1994.
47. Government of Nigeria. *Compulsory, Free Universal Basic Education Act*, 05-26, enacted 2004. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/87623/99979/F606926563/NGA87623.pdf>.

48. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
49. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Nigeria (ratification: 2002) Submitted: 2011*; accessed May 15, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:::>
50. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) - Nigeria (ratification: 2002) Submitted: 2012*; accessed January 30, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:::>
51. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (no. 138) Nigeria (ratification: 2002) Published: 2012*; accessed October 31, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:::>
52. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Nigeria (ratification: 2002) Submitted: 2010*; accessed May 15, 2012; <http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:::>
53. The Law Library of Congress. *Botswana, Malawi, Nigeria, and South Africa: Child Labor Laws*. Washington, DC; May 2010. Report No. 2010-003857.
54. Government of Nigeria. *Abia State Child's Rights Law*, No. 7 of 2006, enacted April 25, 2006.
55. U.S. Embassy Abuja official. E-mail communication to USDOL official. June 14, 2013.
56. U.S. Embassy- Abuja. *reporting, February 7, 2013*.
57. Government of Nigeria, Federal Ministry of Labour and Productivity. *Federal Ministry of Labour and Productivity*, [Web page] [cited June 2, 2015]; <http://www.nelxnigeria.com/federal-ministry-labour-and-productivity-3>.
58. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) - Nigeria (ratification: 2002) Submitted: 2012*; accessed January 29, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:::>
59. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Technical Progress Report; September 2014.
60. U.S. Embassy Abuja official. E-mail communication to USDOL official. February 13, 2015.
61. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection (Seafarers) Convention, 1996 (No. 178) Nigeria (ratification: 2004) Submitted: 2011*; accessed April 18, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:::>
62. U.S. Embassy Abuja official. E-mail communication to USDOL official. May 21, 2010.
63. U.S. Embassy- Abuja. *reporting, February 25, 2014*.
64. Amnesty International. *Stars on Their Shoulders. Blood on Their Hands*; June 2015. <http://www.amnestyusa.org/sites/default/files/report.compressed.pdf>
65. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Technical Progress Report. Geneva; October 2012.
66. ILO-IPEC official. E-mail communication to USDOL official. June 16, 2014.
67. U.S. Embassy Abuja official. E-mail communication to USDOL official. May 19, 2014.
68. Government of Nigeria. *National Policy on Child Labour*. Abuja; April 2013.
69. Government of Nigeria. *National Action Plan for the Elimination of Child Labour in Nigeria (2013-2017)*. Abuja; June 2013.
70. Government of Nigeria. *Oyo State Action Plan for the Elimination of Child Labour in Nigeria (2014-2017)*. Ibadan; 2014.
71. Government of Nigeria. *Ogun State Action Plan for the Elimination of Child Labour in Nigeria (2014-2017)*. Abeokuta; 2014.
72. National Agency for the Prohibition of Traffic in Persons (NAPTIP). *National Policy on Protection and Assistance to Trafficked Persons in Nigeria*. Abuja, Government of Nigeria; November 2008.
73. U.S. Embassy- Abuja. *reporting, February 16, 2013*.
74. National Agency for the Prohibition of Traffic in Persons (NAPTIP). *Strategic Plan*; 2012.
75. ECOWAS. *ECOWAS Regional Action Plan for the Elimination of Child Labour Especially in the Worst Forms*. Abuja; June 2013. [http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms\\_227737.pdf](http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_227737.pdf)
76. ILO-IPEC official. E-mail communication to USDOL official. March 10, 2014.
77. Juliana Adebambo, and Martin N'guetta. *ECOWAS Peer Review of Child Labour Elimination Activities in Ghana*; 2014.
78. U.S. Embassy- Abuja. *reporting, February 1, 2011*.
79. Olatunji, S. "Capacity Building for Almajiri Teachers, Our Priority Coordinator." *punchng.com* [online] January 6, 2012 [cited May 14, 2012]; <http://www.punchng.com/education/capacity-building-for-almajiri-teachers-our-priority-coordinator/>.
80. Universal Basic Education Commission. *National Framework for the Development and Integration of Almajiri Education into the UBE Scheme*. Abuja, Government of Nigeria; December 2010. <http://ubeonline.com/almajiri/Almajiri%20Policy%20Thrust%20FINAL.pdf>
81. U.S. Embassy Abuja official. E-mail communication to USDOL official. June 1, 2012.
82. Adebowale, S. "Education Now Compulsory for School Age Children in Delta – Uduaghan." *theeagleonline.com* [online] 2013 [cited May 27, 2014]; <http://theeagleonline.com.ng/education-now-compulsory-for-school-age-children-in-delta-uduaghan/>.
83. Abuh, A. "Fresh Onslaught Against Almajiri Scourge." *The Guardian*, London, January 6, 2015. <http://allafrica.com/stories/201501060382.html>.
84. UNICEF. *Cash Programme for Girls to go to School launched in Sokoto State*. Press Release. Wurno; September 22, 2014. [http://www.unicef.org/nigeria/media\\_8579.html](http://www.unicef.org/nigeria/media_8579.html).
85. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Project Document. Geneva; December 20, 2010.
86. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 3, 2009.
87. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Technical Progress Report. Geneva; April 2014.
88. UNODC. *NAPTIP Receives Multiple Support From The European Union*, UN, [online] [cited January 7, 2015]; <http://www.unodc.org/nigeria/en/naptip-receives-multiple-support-from-the-european-union.html>.
89. United Nations Development Program. *Nigeria Safe Schools Initiative Multi-Donor Trust Fund*, UNDP, [cited March 30, 2015]; <http://mptf.undp.org/factsheet/fund/NGA00>.



# Oman

## MODERATE ADVANCEMENT

In 2014, Oman made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Child Law, which prohibits the use of children in illicit activities and raises the minimum age for work and compulsory education to 16. The Government also established a Child Protection Committee to receive complaints related to violations of children's rights, including the worst forms of child labor. Although the problem does not appear to be widespread, children are engaged in child labor, including in the agricultural sector in Oman. The Government lacks a policy to address all worst forms of child labor, and information on the enforcement of child labor laws is not publicly available.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children are engaged in child labor, including in the agricultural sector in Oman.(1) Table 1 provides key indicators on children's work and education in Oman. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		103.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(2) Data were unavailable from Understanding Children's Work Project's analysis, 2014.(3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (1, 4)
	Fishing,* activities unknown (1, 4)
Services	Working in small businesses* (1)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.




There is no evidence that the Government of Oman has conducted or participated in research to determine the extent to which children are engaged in child labor, including its worst forms.(5-7) The ILO has consistently requested that the Government assess its child labor and human trafficking situation in order to ensure that adequate protection mechanisms are in place for vulnerable children.(6)

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Oman has ratified all key international conventions concerning child labor, including its worst forms (Table 3).



**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 46 of the Child Law (8)
Minimum Age for Hazardous Work	Yes	18	Article 76 of the Labor Law (9); Article 45 of the Child Law (8)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Articles 1, 2, and 9 of the Law to Combat Human Trafficking (10); Article 3bis of the Labor Law (9)
Prohibition of Child Trafficking	Yes		Articles 1, 2, and 9 of the Law to Combat Human Trafficking (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1, 2, and 9 of the Law to Combat Human Trafficking (10); Articles 220, 221, and 224 of the Penal Code (11)
Prohibition of Using Children in Illicit Activities	Yes		Articles 99 and 229 of the Penal Code (11); Article 58 of the Child Law (8)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	16	Article 55 of the Child Law (8)
Compulsory Education Age	Yes	16	Article 36 of the Child Law (8)
Free Public Education	Yes		Article 13 of the Basic Law (12)

\* No conscription (13)

The Government has been developing a list of hazardous occupations prohibited for children younger than age 18; however, the Government has not yet enacted the list into law.(6)

In 2014, the Government adopted the Child Law, which raises the minimum age for work to 16 and establishes additional protection against the use of children in illicit activities. It prohibits the use of children in places of production and marketing of drugs. It also establishes compulsory education until the end of basic education, which is typically age 16.(4, 14)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Manpower	Monitor and enforce child labor laws; conduct labor inspections; share information with the Royal Oman Police on labor and criminal law violations when penalties are pursued.(7)
Royal Oman Police	Monitor and enforce the Child Law, including its provisions related to child labor; refer cases to the Public Prosecution.(7, 15)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Public Prosecution	Prosecute trafficking and sexual exploitation cases in court with assistance from the Royal Oman Police.(7, 16)
Child Protection Committee	Protect the child from violence, exploitation and abuse, and to receive complaints and reports of violations of child rights, including the worst forms of child labor. Established in 2014, in accordance with the Child Law, the Committee was not active in 2014, as by-laws to implement provisions of the Child Law were in development.(8)

Law enforcement agencies in Oman took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Manpower employed 200 labor inspectors, who carry out regular workplace inspections and receive training in conformity with international standards on child labor issues.(4) Inspectors are allowed to make unannounced visits, and they inspect all sectors covered by law.(17) However, based on available information, inspections are generally carried out in large industries and construction sites, and rarely in small farms and fishing boats where children typically work.(15) Research did not find information on the number and type of inspections carried out, or the number of violations found or citations or penalties imposed. There is no referral mechanism between labor enforcement and social welfare services.(4)

### *Criminal Law Enforcement*

In 2014, the Royal Oman Police and Public Prosecution received no training on identifying victims of human trafficking or the worst forms of child labor.(4) There was no evidence of child trafficking in the reporting period.(18) No information was found on the number of criminal investigators, the number of investigations regarding cases other than human trafficking, prosecutions, and convictions, or imposition of penalties. Research found no evidence of formal mechanisms or procedures to proactively identify children engaged in the worst forms of child labor.(7)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the National Committee for Combating Human Trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee for Combating Human Trafficking	Oversee the National Plan for Combating Human Trafficking. Includes the Royal Oman Police; the Public Prosecution; the Ministries of Information, Education, Manpower, Health, Social Development, Justice, Foreign Affairs, and Legal Affairs; and the Oman Chamber of Commerce and Industry.(16)
National Committee on Implementing the UNCRC	Led by the Ministry of Social Development, members include representatives from the Ministries of Health and Education, as well as the Royal Oman Police. Subcommittees have been established in each of Oman's 11 governorates.(4)

In 2014, the National Committee on Implementing the UN CRC met three times. Members of the subcommittees received training from UNICEF on the content of the UNCRC as well as on UNCRC obligations to report child rights violations and intervene in suspected cases of child rights violations, including child labor.(4)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Oman has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan for Combating Human Trafficking	Lays out the roles and responsibilities of governmental organizations involved in combating trafficking and describes procedures for applying the Law to Combat Human Trafficking.(16)

There is no comprehensive policy that addresses all forms of child labor, including in farming and fishing.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Oman funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Microfinance Program*‡	Ministry of Social Development program that provides microfinance opportunities to unemployed youth to start their own businesses.(19)
Programs of the National Plan for Combating Human Trafficking‡	Government programs under the National Plan for Combating Human Trafficking. Includes implementation of awareness-raising activities on human trafficking in schools and among the general population, provision of social services for trafficking victims, and coordination with international organizations on human trafficking developments.(16)
Trafficking Victims' Shelter‡	Government-run shelter that provides accommodations and social, psychological, legal, and medical services for up to 50 women and children who are victims of trafficking.(20, 21)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Oman.

There is a Government-run shelter for victims of human trafficking, including children engaged in the worst forms of child labor.(22) The exclusion of migrant workers and their children from public social, health, education, and housing benefits available to citizens may increase their vulnerability to forced labor and the worst forms of child labor.(23)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Oman (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Enact the list of hazardous occupations prohibited for children under age 18 into law.	2010 – 2014
Enforcement	Collect and make data on child labor law enforcement publicly available, including number and type of inspections, the number of violations, citations, and penalties, as well as the number of criminal investigators, the number of investigations, prosecutions, and convictions, and imposition of penalties.	2013 – 2014
	Establish a referral mechanism between law enforcement and social services.	2014
	Develop formal mechanisms and procedures to proactively identify victims of all worst forms of child labor.	2011 – 2014
Coordination	Establish a coordinating mechanism to combat child labor, including in all its worst forms.	2009 – 2014
Government Policies	Develop a national policy to address all worst forms of child labor.	2013 – 2014
Social Programs	Conduct in-depth research and measure the prevalence of child labor, especially in agriculture and human trafficking.	2010 – 2014
	Assess the impact that existing programs may have on child labor.	2012 – 2014
	Ensure that migrant workers' children are afforded protection from exploitation through access to social services.	2011 – 2014

## REFERENCES

1. Child Rights Information Network. *Oman: Children's Rights References in the Universal Periodic Review*. London; January 26, 2011. <http://www.crin.org/resources/infoDetail.asp?ID=23906>.
2. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 4, 2013]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
3. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
4. U.S. Embassy- Muscat. *reporting, January 22, 2015*.
5. UNESCO. *Social Protection Policy and Research in the Arab States: from Shared Challenges to Coordinated Efforts*. Beirut; 2011. [http://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Beirut/pdf/SP%20report\\_sept-final1.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Beirut/pdf/SP%20report_sept-final1.pdf).
6. ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Oman (ratification: 2001) Published: 2014*; accessed November 10, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
7. U.S. Embassy- Muscat. *reporting, January 16, 2014*.
8. Government of Oman. *Royal Decree Number 22/2014 issuing the Child Law*, enacted May 19, 2014.
9. Government of Oman. *Royal Decree Number 35/2003 issuing the Labor Law*, enacted April 26, 2003. <http://www.ilo.org/dyn/natlex/docs/ELECTRON-IC/67540/84139/F1719028671/OMN67540.pdf>.
10. Government of Oman. *Royal Decree Number 126/2008 issuing the Law to Combat Human Trafficking*, enacted November 23, 2008. [www.ncchtoman.gov.om/download.asp?filename=ncchtLaw\\_e.pdf](http://www.ncchtoman.gov.om/download.asp?filename=ncchtLaw_e.pdf).
11. Government of Oman. *Royal Decree Number 7/74 - The Penal Code*, enacted February 16, 1974. [https://www.unodc.org/tldb/pdf/Oman\\_CP.pdf](https://www.unodc.org/tldb/pdf/Oman_CP.pdf).
12. Government of Oman. *Royal Decree Number 101/96 issuing the Basic Statute of the State*, enacted November 6, 1996. <http://www.wipo.int/wipolex/en/details.jsp?id=6118>.
13. Child Soldiers International. *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012. [http://www.child-soldiers.org/global-report\\_reader.php?id=562](http://www.child-soldiers.org/global-report_reader.php?id=562).
14. UNESCO. *World Data on Education, VII Ed 2010/11 (IBE/2011/CP/WDE/MK)*; 2011. [http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Oman.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Oman.pdf).
15. U.S. Embassy- Muscat official. E-mail communication to USDOL official. April 27, 2015.
16. Sultanate of Oman National Committee for Combating Human Trafficking. *National Plan for Combating Human Trafficking*. Muscat; September 2009.
17. Gianni Arrigo, Giuseppe Casale, and Mario Fasani. *A Guide to Selected Labour Inspection Systems (with special reference to OSH)* Working Document Number 10. Geneva; February 2011. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---lab\\_admin/documents/publication/wcms\\_160576.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_160576.pdf).
18. U.S. Embassy- Muscat. *reporting, February 18, 2015*.
19. Rachel Marcus, and Paola Perezniato. *Children and Social Protection in the Middle East and North Africa*. A Mapping Exercise. London October 2011. <http://www.odi.org.uk/resources/details.asp?id=6038&title=social-protection-children-middle-east-north-africa-unicef>.
20. U.S. Department of State. "Oman," in *Trafficking in Persons Report- 2012*. Washington, DC; June 19, 2012; <http://www.state.gov/j/tip/rls/tiprpt/2012/index.htm>.
21. U.S. Embassy- Muscat. *reporting, February 25, 2014*.
22. U.S. Department of State. "Oman," in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226792.htm>.
23. United Nations General Assembly. *Human Rights Council Working Group on the Universal Periodic Review 10th Session*. Compilation. Geneva; January 24- February 4, 2011.

In 2014, Pakistan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Federal Government continued to fund and participate in programs to combat child labor, including its worst forms. The Sindh Provincial Government operationalized the Sindh Child Protection Authority and approved the Sindh Education Sector Plan. The Balochistan Provincial Government enacted legislation mandating free and compulsory education for children ages 5 to 16. However, children in Pakistan engage in child labor in agriculture and in the worst forms of child labor, including bonded labor. Provincial Governments have not established a minimum working age, and the federal minimum age for hazardous work falls short of international standards. Not all of Pakistan's provinces prohibit human trafficking, commercial sexual exploitation, and the use of children in illicit activities. Provincial Governments do not have the resources necessary to enforce laws prohibiting child labor, including its worst forms.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Pakistan are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including bonded labor.(1, 2) Table 1 provides key indicators on children's work and education in Pakistan.

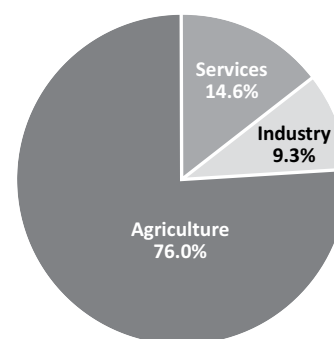
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	13.0 (2,449,480)
Attending School (%)	5-14 yrs.	72.3
Combining Work and School (%)	10-14 yrs.	1.6
Primary Completion Rate (%)		71.9

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from LFS Survey, 2010-2011.(4)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, including harvesting cotton,* wheat,* dates,* and sugarcane* (2, 5-8)
	Fishing,* including deep-sea fishing* and activities unknown (9-11)
	Harvesting and processing shrimp* (10, 11)
Industry	Manufacturing glass bangles,† surgical instruments, and palm leaf mats* (6, 8, 12)
	Weaving carpets,† tanning leather, stitching soccer balls,* and weaving cloth using power looms*† (2, 8, 11-15)
	Producing bricks, mining coal, and crushing stones* (5, 6, 8, 16-18)
Services	Domestic work (16, 19, 20)
	Working in hotels,* restaurants,* tea stalls,* and transportation* (5-7, 16, 20, 21)



# Pakistan

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Scavenging garbage* (6, 13)
	Automobile repair,* welding,* carpentry in small workshops,* and construction,*† activities unknown (6, 11 16, 21)
Categorical Worst Forms of Child Labor‡	Forced labor in brick making, carpet weaving, agriculture,* manufacturing glass bangles,* and mining coal (1, 2, 22-24)
	Forced domestic work sometimes as a result of human trafficking* (1, 25)
	Commercial sexual exploitation as a result of human trafficking* (1, 26)
	Forced begging sometimes as a result of human trafficking* (1, 27)
	Used in smuggling small arms* and drugs* (28, 29)
	Used in armed conflict as a result of forced recruitment* (30)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

A national child labor survey has not been conducted since 1996 and the lack of recent data hampers the Federal and Provincial Governments’ ability to accurately assess the scope and prevalence of child labor.(30) Some children work as bonded laborers in the production in bricks, carpet weaving, and in coal mines, typically as a result of Pakistan’s debt bondage system (*peshgis*) in which children are forced to work to pay off a family loan.(23, 24, 31) Children, especially girls, are victims of human trafficking and are placed in third-party homes as domestic workers.(1) Some child domestic workers are subjected to sexual assault and extreme abuse, including instances in which child domestic workers were killed by their employers.(25, 30, 32)

Boys are victims of human trafficking for commercial sexual exploitation around hotels, truck stops, bus stations, and shrines in Pakistan.(1, 26) Girls are trafficked internationally into commercial sexual exploitation.(1) Children are sold or kidnapped and forced to beg in Pakistan. Disabled Pakistani children may be forced to beg in other countries, such as Iran.(33, 34) Children are used to smuggle drugs and small arms across the Pakistan-Afghanistan border.(28, 29)







Non-state militant groups, such as pro-Taliban insurgents, force children to engage in espionage, armed conflict and suicide attacks. These children may be trafficked between Pakistan and Afghanistan and subjected to physical, sexual, and psychological abuse.(1, 30)

While education is free and compulsory through age 16, access to education is still limited. High rates of teacher absenteeism, inadequate facilities, and corporal punishment may deter children from attending school.(30) In conflict zones, military operations often disrupt school attendance and damage infrastructure.(35) Armed groups and extremist groups regularly attack schools, disrupting children’s access to education.(36)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Pakistan has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Related Entity	Yes/No	Age	Related Legislation
Minimum Age for Work	Federal	No		
Minimum Age for Hazardous Work	Federal	Yes	14	Sections 2 and 3 of the Employment of Children Act (37)
	Punjab	Yes	14	Sections 2 and 3 of the Government of Punjab Employment of Children Act (38)
Prohibition of Hazardous Occupations or Activities for Children	Federal	Yes		Parts I and II of the Schedule of the Employment of Children Act (37)
	Punjab	Yes		Parts 1 and 2 of the Schedule of the Government of Punjab Employment of Children Act (38)
Prohibition of Forced Labor	Federal	Yes		Section 4 of the Bonded Labor System (Abolition) Act; Section 374 of the Penal Code; Article 11 of the Pakistan Constitution (39-41)
	Punjab	Yes		Section 4 of the Punjab Bonded Labor System (Abolition) Act (42)
Prohibition of Child Trafficking	Federal	Yes		Section 3 of the Prevention and Control of Human Trafficking Ordinance; Sections 366A, 366B, 367, 370, and 371 of the Penal Code; Sections 17-23 of the Emigration Ordinance (40, 43, 44)
	Khyber Pakhtunkhwa	Yes		Section 52 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (45)
Prohibition of Commercial Sexual Exploitation of Children	Federal	Yes		Sections 366A, 366B, 371A, and 371B of the Penal Code (40)
	Punjab	Yes		Section 40 of the Punjab Destitute and Neglected Children Act (46)
	Khyber Pakhtunkhwa	Yes		Sections 48 and 50 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (45)
Prohibition of Using Children in Illicit Activities	Federal	No		
	Punjab	Yes		Section 36 of the Punjab Destitute and Neglected Children Act (46)
	Khyber Pakhtunkhwa	Yes		Sections 35, 38, and 45 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (45)
Minimum Age for Compulsory Military Recruitment	Federal	N/A*		
Minimum Age for Voluntary Military Service	Federal	Yes	18	Section 3 of the National Service Ordinance (47)
Compulsory Education Age	Federal	Yes	16	Section 3 of the Right to Free and Compulsory Education Act (48)
	Sindh	Yes	16	Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (49)
	Balochistan	Yes	16	Section 3 of the Balochistan Compulsory Education Act (50)
Free Public Education	Federal	Yes		Section 3 of the Right to Free and Compulsory Education Act (48)
	Sindh	Yes		Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (49)
	Balochistan	Yes		Section 2(f) of the Balochistan Compulsory Education Act (50)

\* No conscription (47)

The 18<sup>th</sup> Amendment to the Pakistan Constitution devolves all child welfare and labor issues from the Federal Government to the four Provincial Governments. Until each province repeals or adopts a replacement law, federal laws on child protection and bonded labor are in force.(30) Pakistan's federal and provincial laws are not completely consistent with international standards regarding child labor, including the worst forms of child labor. The federal law does not establish a national minimum age for employment, which may increase the likelihood that very young children engage in activities that jeopardize their health and safety. The federal

# Pakistan

## MODERATE ADVANCEMENT

law for the minimum age for hazardous work is also not consistent with international standards and may jeopardize the health and safety of young people ages 14 through 17.(51) Punjab is the only province to have passed a law on the minimum age, but it replicates the federal law. Each of Pakistan's provinces has drafted legislation that prohibits work for children under age 14, and hazardous work for children under age 18; however, legislation in each province has been pending ratification since 2012.(52)

Pakistan's labor laws do not extend to workers in domestic service, a sector in which many children work. Domestic work is also not covered by the list of hazardous occupations or processes prohibited for children.(29) Pakistan's labor laws do not extend to workplaces with fewer than 10 persons employed and in agricultural work.(53, 54)

While the federal Penal Code prohibits kidnapping and abduction, the federal Prevention and Control of Human Trafficking Ordinance does not specifically prohibit internal human trafficking. In 2013, the Federal Government drafted anti-trafficking legislation that would address both internal and transnational trafficking, with a focus on crimes against women and children; however, it has yet to be introduced into the National Assembly.(1) The Khyber Pakhtunkhwa Child Protection and Welfare Act prohibits child trafficking but similarly restricts its definition to international trafficking.(45)

Pakistan's federal laws do not specifically prohibit child pornography; however, the Penal Code outlaws the circulation or production of any obscene books, drawings, representations, or other objects.(40, 55) Khyber Pakhtunkhwa is the only province to have enacted a law prohibiting child pornography.(45) Federal law also does not specifically prohibit the use of children in illicit activities. Khyber Pakhtunkhwa and Punjab provinces have enacted legislation prohibiting the use of children in illicit activities, including begging.(45, 46)

In 2014, Balochistan became the second province to enact legislation mandating free and compulsory education for children ages 5 to 16.(50)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Provincial Labor Inspectors	Inspect industrial areas and markets to identify child labor violations, enforce provincial labor laws, and pursue legal action against employers.(56)
Provincial and Regional Police	Enforce violations of provincial and federal laws, including the Pakistan Penal Code and the Bonded Labor System (Abolition) Act, concerning the worst forms of child labor. Refer children taken into custody to Child Protection Officers.(57)
District Vigilance Committees	Implement the Bonded Labor System (Abolition) Act and assist in rehabilitating bonded laborers.(58)
Anti-Trafficking Unit of the Federal Investigation Agency	Enforce transnational trafficking-related laws, particularly the Prevention and Control of Human Trafficking Ordinance. Cooperate with other governments on trafficking cases, operate a hotline for victims, and publish information on anti-trafficking efforts on its Web site.(59)
Child Protection Officers	Take into custody at-risk children, including those rescued from exploitative labor situations. Bring children taken into custody before the Child Protection Court or the appropriate authority. Established in Punjab, Khyber Pakhtunkhwa, and Sindh provinces.(45, 46, 61)
Child Protection Courts	Determine protective custody for at-risk children, including those rescued from exploitative labor situations. Established in Punjab and Khyber Pakhtunkhwa provinces.(45, 46)

Research found no evidence that law enforcement agencies in Pakistan took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Provincial Governments conducted labor inspections, but research did not find information on the number and training of inspectors. Research also did not find information on the number of labor inspections, child labor violations, and penalties or citations issued. While information on labor inspections is reportedly collected, this information was not made public.

Although the Ministry for Inter-Provincial Coordination is responsible for overseeing the coordination of an annual report on labor inspections, there is no central authority that collects and publishes this information.(62)

There is a critical shortage of labor inspectors in the country; labor inspectors receive very little training and have insufficient resources to adequately inspect workplaces.(62) Provinces reportedly have a training center where labor inspectors receive training on child labor.(63) Labor inspections vary across Provincial Governments; in Punjab, inspections are regularly conducted, while in Sindh, inspectors are required to give advance notice to employers.(62) Fines and penalties are only infrequently assessed and are insufficient to deter employers from using child labor.(30)

### *Criminal Law Enforcement*

The Government of Pakistan does not collect data on the number of criminal investigations, prosecutions, children assisted, or convictions of child traffickers and those using children in other exploitative forms of labor.(52) In 2014, the UNODC worked with the Federal Government to establish a research center at the Federal Investigation Agency (FIA) headquarters, to be manned by FIA officers who will capture and analyze data to improve FIA's ability to track trafficking trends.(64)

In 2014, the Federal Government worked with international and NGOs to provide training on identifying human trafficking to law enforcement officials.(64) Law enforcement officials lack the necessary personnel, training, and equipment to confront the armed guards who often oversee bonded laborers.(22) These circumstances have hampered the effectiveness and enforcement of the Bonded Labor System Abolition Act; since its passage in 1992, there have been no convictions under the Act.(34) District Vigilance Committees have been established in Punjab, and cases of bonded labor have been reported by the local police. However, in other provinces, District Vigilance Committees may not be functioning.(63, 65)

Unlike other provinces, Balochistan does not have a referral process by which rescued children can be placed in protective custody and obtain rehabilitation services. Research did not find evidence that a referral mechanism exists between the provincial labor officers and the police.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
Federal and Provincial Child Labor Units	Advise Provincial Governments and coordinate reporting responsibilities on the implementation of child labor conventions.(66) Conduct research, build capacity, and coordinate anti-child labor activities.(29, 59)
Interagency Task Force	Coordinate the anti-human trafficking efforts of the Ministry of the Interior; intelligence and law enforcement agencies; the Ministry of Law, Justice, and Human Rights; and the Ministry of Foreign Affairs. Support 13 anti-trafficking units that work with provincial- and district-level police officers to monitor and combat internal and transnational human trafficking.(64) Maintain an Integrated Border Management System.(67)
National Commission for Human Rights	Coordinate Pakistan's compliance with international treaty obligations, including those related to child labor.(29, 68)
Punjab Child Protection and Welfare Bureau	Coordinate the protection of destitute and neglected children by appointing child protection officers, supervising child protection units, and establishing child protection institutions and child protection courts.(46)
Khyber Pakhtunkhwa Child Protection and Welfare Commission	Coordinate efforts to enhance the safety, welfare, and well-being of children, including by running programs for the prevention of exploitative child labor practices.(69)
Sindh Child Protection Authority	Coordinate efforts to ensure the rights of children in need of special protection, including child laborers, by establishing child protection units and appointing child protection officers.(61) Members include the provincial minister, two parliamentarians, lawyers, social activists, and representatives from departments that deal with children's issues. Became operational in 2014.(70)

# Pakistan

## MODERATE ADVANCEMENT

Balochistan is the only province that does not have a coordination mechanism to ensure the welfare and protection of children at the provincial level. A draft of the Balochistan Child Welfare and Protection Bill was approved in 2011, but it has yet to be passed by the Provincial Assembly.(71)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Pakistan has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan for Children	Aims to prohibit, restrict, and regulate child labor with the eventual goal of its elimination.(72) Lays out 14 key strategies and actions, including harmonizing work among government agencies, NGOs, and donors; promoting research on child labor issues; developing nonformal education for child laborers; providing microcredit for families of child laborers; and conducting national surveys on child labor. Also addresses child trafficking and outlines key objectives for its elimination.(72)
National Education Policy	Focuses on increasing the literacy rate and providing livelihood skills to children, including those engaged in child labor. Aims to expand nonformal and vocational education programs to children, including child laborers.(73)
National Plan of Action to Accelerate Education-Related Millennium Development Goals (2013–2016)*	Aims to increase enrollment of out-of-school children in primary education, retain all children enrolled in school and ensure they complete their primary education, and improve the quality of primary education. Sets out province-level action plans to achieve these goals.(74)
National Action Plan for Combating Human Trafficking	Describes prevention, prosecution, and protection strategies for ending human trafficking, including child trafficking.(75)
One UN Program II (2013–2017)*	Identifies key strategic priority areas for UN development assistance, including increased access to social services and food security, development of sustainable livelihoods, and strengthened governance and social protections for excluded and vulnerable populations.(76)
Provincial Plans of Action to Combat Child Labor	Details how each province plans to revise child labor legislation, including by strengthening the capacity of labor inspectors, generating awareness of child labor, improving reporting, and computerizing labor inspection data.(63, 66)
Sindh and Punjab Provincial Plans of Action to Combat Bonded Labor	Details how the Sindh and Punjab Provinces plan to revise their bonded labor laws. Includes plans to strengthen the capacity of labor inspectors, generate awareness of bonded labor, improve reporting, and computerize labor inspection data.(63, 77)
Federally Administered Tribal Areas (FATA) Child Protection Policy	Describes how FATA will promote and create a protective environment for all children. Includes actions to be taken toward the prevention and elimination of child labor.(78)
Balochistan Education Sector Plan (2013–2017)*	Seeks to increase the quality and relevance of school curriculum and increase inclusion of excluded communities and children in primary, secondary, and nonformal educational institutions.(79) In 2014, Balochistan Province was awarded \$34 million from the Global Partnership for Education to implement its State Action Plan.(80)
Punjab Reforms Road Map*	Aims to achieve 100 percent enrollment of all school-aged children, 100 percent retention of all enrolled children up to age 16, and free and compulsory education for all in the Punjab province.(81)
Sindh Education Sector Plan (2014–2018)*†	Aims to increase equitable access to education and improve the quality of the teachers and curriculum.(82) In 2014, the Sindh Provincial Government was awarded \$66 million from the Global Partnership for Education to implement the Plan.(83)
Khyber Pakhtunkhwa Education Sector Plan (2010–2015)*	Sets out strategies to increase student enrollment, improve the quality of education, and improve school infrastructure and learning environments.(84)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Pakistan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).



**Table 8. Social Programs to Address Child Labor**

Program	Description
National Centers for Rehabilitation of Child Labor‡	Pakistan Bait-ul-Mal program that aims to remove children ages 5 to 14 from hazardous labor and provide them with education, clothing, and a stipend. Provides primary education to 19,574 students at 158 centers operating across the provinces.(11, 85)
Child Support Program*‡	Pakistan Bait-ul-Mal program that distributes conditional cash transfers to families living below the poverty line to send their children ages 5 to 16 to primary school. Approximately \$3 million has been disbursed.(86)
Benazir Bhutto Income Support Program‡	Federal Government scheme that provides financial assistance to underprivileged families and offers incentives for parents to keep their children in school and out of work.(30)
Decent Work Country Program (2010–2015)	ILO technical assistance program that includes strategies to reduce the worst forms of child labor by strengthening institutions and taking direct action to withdraw children from the workforce. Program also seeks to combat forced labor by strengthening law enforcement interventions in cases of internal human trafficking and bonded labor in the Sindh and Punjab Provinces.(87)
Sabawoon Rehabilitation Center‡	Pakistan Army center that rehabilitates children who were recruited and ideologically influenced by terrorist organizations and militant groups. Reintegrated more than 2,200 youth into society.(64)
Project to Combat the Worst Forms of Child Labor#	Punjab Provincial Child Labor Unit program that provides nonformal education and literacy services to children in the worst forms of child labor in four Punjab districts. Provides livelihood services to target families and improve working conditions.(88)
Elimination of Bonded Labor in Brick Kilns#	Punjab Provincial Government project that provided nonformal education, interest-free loans, national identity cards, and health services to assist bonded laborers. Established 200 nonformal education centers where 9,717 students were enrolled. Project completed in July 2014.(63, 89)
Education Voucher Scheme*#	Punjab Educational Foundation program that provides stipends to students from low-income areas to attend private schools.(11, 90)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Pakistan.

# Program is funded by the Provincial Government of Punjab.

The social programs of the Federal and Provincial Governments are insufficient to address the prevalence and scope of Pakistan's child labor problem. Existing programs also do not provide enough protection and rehabilitation services for bonded laborers and victims of human trafficking.(1) Government initiatives are needed to specifically target child domestic workers. Additional social programs are also necessary to raise awareness and provide assistance to children used by non-state militant groups to engage in armed conflict.(52)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Pakistan (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict and the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Establish a minimum age for employment that is harmonized with the compulsory education age.	2009 – 2014
	Create comprehensive prohibitions against additional specific hazardous activities and clearly establish a minimum age of 18 for hazardous work.	2009 – 2014
	Ensure that relevant child labor laws and regulations apply equally to children working in all sectors, regardless of the size of the establishment.	2011 – 2014
	Ensure that the laws criminalize child pornography, internal child trafficking, and the use of children in illicit activities in all provinces.	2011 – 2014
Enforcement	Collect and publish enforcement data for child labor violations and criminal violations of laws prohibiting the worst forms of child labor.	2010 – 2014
	Provide the funding necessary to adequately hire, train, and equip inspectors and investigators to enforce laws prohibiting the worst forms of child labor.	2010 – 2014
	Allow labor inspectors in all provinces to conduct inspections at any time, without notice, and to assess penalties without restriction and interference.	2011 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that fines and penalties are sufficient to deter employers from violating child labor laws.	2014
	Ensure that vigilance committees are established and active throughout Pakistan.	2013 – 2014
	Ensure that referral mechanisms exist among labor investigators, law enforcement officers, and child protection services in all provinces.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the education and development policies of the Federal and Provincial Governments.	2014
Social Programs	Ensure that all children have access to free and compulsory education as required by law.	2011 – 2014
	Assess the impact that existing programs may have on child labor.	2013 – 2014
	Increase the size and scope of government programs to reach children working in the worst forms of child labor, including domestic work, bonded child laborers, and victims of human trafficking.	2009 – 2014
	Implement programs to raise awareness of and provide assistance to children used by non-state militant groups to engage in armed conflict.	2011 – 2014
	Conduct child labor surveys at the federal and/or provincial levels.	2009 – 2014

## REFERENCES

- U.S. Department of State. "Pakistan," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
- U.S. Department of State. "Pakistan," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220614.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from LFS Survey, 2010-2011. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Provincial Child Labour Unit Punjab. *Rapid Assessment Survey of Children's Involvement in Worst Forms of Child Labour in Mianwali District, Punjab*. Geneva, ILO; 2013.
- ILO-IPEC. *The Effect of Work on Children's Health: Report of Research on Ten Occupational Sectors in Pakistan*. Geneva; 2013. [http://www.ilo.org/ipcec/Informationresources/WCMS\\_IPEC\\_PUB\\_22375/lang-en/index.htm](http://www.ilo.org/ipcec/Informationresources/WCMS_IPEC_PUB_22375/lang-en/index.htm).
- Provincial Child Labour Unit Punjab. *Rapid Assessment Survey of Children's Involvement in Worst Forms of Child Labour in Vehari District, Punjab*. Geneva, ILO; 2013.
- U.S. Embassy- Islamabad. *reporting, January 17, 2014*.
- Provincial Child Labour Unit Punjab. *Rapid Assessment Survey of Children's Involvement in Worst Forms of Child Labour in Muzaffargarh District, Punjab*. Geneva, ILO; 2013.
- Akhtar Abdul Hai, Ambreen Fatima, and Mahpara Sadaqat. "Socio-economic conditions of child labor: A case study for the fishing sector on Balochistan coast." *International Journal of Social Economics*, 37(4):316 - 338 (2010); [www.emeraldinsight.com/0306-8293.htm](http://www.emeraldinsight.com/0306-8293.htm).
- U.S. Embassy- Islamabad. *reporting, January 31, 2012*.
- Serena Chaudhry. "Millions pushed into child labor in Pakistan." *reuters.com* [online] February 7, 2012 [cited March 18, 2014]; <http://www.reuters.com/article/2012/02/07/us-pakistan-childlabour-idUSTRE8160LA20120207>.
- Provincial Child Labour Unit Punjab. *Rapid Assessment Survey of Children's Involvement in Worst Forms of Child Labour in Gujranwala District, Punjab*. Geneva, ILO; 2013.
- Ernst & Young. *Sustainability in the Leather Supply Chain*; June 2013. [http://www.mvonderland.nl/sites/default/files/research\\_on\\_sustainability\\_in\\_the\\_leather\\_supply\\_chain\\_final\\_report\\_june\\_2013.pdf](http://www.mvonderland.nl/sites/default/files/research_on_sustainability_in_the_leather_supply_chain_final_report_june_2013.pdf).
- "Looming disaster for worker's rights." *Express Tribune*, Karachi, March 25, 2011; Pakistan. <http://tribune.com.pk/story/137461/looming-disaster-for-workers-rights/>.
- SALAR Development Foundation. *Rapid Assessment Survey of Children's Involvement in Worst Forms of Child Labour in District Loralai*; 2013.
- Ghosh, P. "Balochistan, Pakistan: Where Children Work, And Do Not Attend School." *ibtimes.com* [online] November 21, 2013 [cited January 24, 2014]; <http://www.ibtimes.com/balochistan-pakistan-where-children-work-do-not-attend-school-1480666>.
- Mirza, I. "EU, ILO support project against abusive child labour in Sukkur." *brecorder.com* [online] November 5, 2013 [cited January 24, 2014]; <http://www.brecorder.com/general-news/172/1248183/>.
- "Violence against child workers condemned." *Express Tribune*, Karachi, January 24, 2014; Pakistan. <http://tribune.com.pk/story/662587/violence-against-child-workers-condemned/>.
- Murtaza, A. *Pakistan: Child labor -- Who are the ultimate losers?*, Asian Human Rights Commission, [online] November 7, 2013 [cited January 24, 2014]; <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-203-2013>.
- Provincial Child Labour Unit Khyber Pakhtunkhwa. *Rapid Assessment Survey of Children's Involvement in Worst Forms of Child Labour in District Haripur, KPK*. Geneva, ILO; 2013.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Pakistan (ratification: 2001) Published: 2011*; accessed January 24, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ICF International. *Children Working in the Carpet Industry in India, Nepal and Pakistan: Summary Report of the Carpet Research Project*; May 2012. [http://www.dol.gov/ilab/icire/Downloads/Research/Report/Summary\\_Regional\\_Report.pdf](http://www.dol.gov/ilab/icire/Downloads/Research/Report/Summary_Regional_Report.pdf).
- SPARC. *Coal Mines in Balochistan*; June 23, 2013. <http://www.sparcpk.org/Publications/Coal-Mines-in-Balochistan.pdf>.
- SPARC. *Child Labor*. Islamabad, Society for the Protection of the Rights of the Child; n.d. <http://www.sparcpk.org/Other-Publications/childLabor.pdf>.
- Faiza Mirza. "When Silence Screams." *Dawn*, July 23, 2012. <http://www.dawn.com/news/736642/when-silence-screams>.

27. Izah Shahid. "Forced Child Beggars: Future of Pakistan in Danger." Times of Pakistan, May 23, 2014. <http://timesofpakistan.pk/opinion/2014-05-23/forced-child-beggars-future-pakistan-danger/86145/>.
28. General Assembly Security Council. *Children and armed conflict: Report of the Secretary-General*. New York; April 23, 2011. Report No. A/65/820-S/2011/250.
29. U.S. Embassy- Islamabad. *reporting, February 8, 2013*.
30. U.S. Embassy- Islamabad. *reporting, January 22, 2014*.
31. Richard C.W.Miller. "Work or Starve: Child Labour in Pakistan's Brick Kilns." The Huffington Post, January 30, 2014. [http://www.huffingtonpost.co.uk/richard-cw-miller/child-labour-pakistan\\_b\\_4694541.html](http://www.huffingtonpost.co.uk/richard-cw-miller/child-labour-pakistan_b_4694541.html).
32. Gillani, W. "The Maid Story." tns.thenews.com [online] January 12, 2014 [cited January 24, 2014]; <http://tns.thenews.com.pk/maid-story/#.UuVvNPso7Jo>.
33. Integrated Regional Information Networks. "Pakistan: Disabled and at risk of being trafficked." IRINnews.org [online] March 14, 2011 [cited January 26, 2014]; [www.irinnews.org/PrintReport.aspx?ReportID=92183](http://www.irinnews.org/PrintReport.aspx?ReportID=92183).
34. U.S. Department of State. "Pakistan," in *Trafficking in Persons Report-2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210741.pdf>.
35. Integrated Regional Information Networks. "Military Operations in NW Pakistan Disrupt Education." IRINnews.org [online] September 10, 2014 [cited <http://www.irinnews.org/printreport.aspx?reportid=100594>].
36. General Assembly Security Council. *Children and armed conflict: Report of the Secretary-General*. New York; June 8, 2015. Report No. A/65/820-S/2011/250.
37. Government of Pakistan. *Pakistan Employment of Children Act, Act No. V of 1991, enacted 1991*. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/22707/64834/E91PAK01.htm>.
38. Government of Pakistan *The Punjab Employment of Children (Amendment) Act, enacted 2011*. <http://www.punjablaws.punjab.gov.pk/public/dr/THE%20EMPLOYMENT%20OF%20CHILDREN%20%28AMENDMENT%29%20ACT%202011.doc.pdf>.
39. Pakistan. *Bonded Labour System (Abolition) Act, enacted March 17*. [http://www.na.gov.pk/uploads/documents/1334287962\\_481.pdf](http://www.na.gov.pk/uploads/documents/1334287962_481.pdf).
40. Government of Pakistan. *Pakistan Penal Code, XLV of 1860, enacted October 6, 1860*. <http://www.pakistan.org/pakistan/legislation/1860/actXLVof1860.html>.
41. Government of Pakistan. *The Constitution of Pakistan, enacted April 12, 1973*. <http://www.pakistan.org/pakistan/constitution/part2.ch1.html>.
42. Government of Pakistan. *The Punjab Bonded Labor System (Abolition) (Amendment) Act, enacted 2012*. <http://punjablaws.punjab.gov.pk/public/dr/PUNJAB%20BONDED%20LABOUR%20SYSTEM%20%28ABOLITION%29%20%28AMENDMENT%29%20ACT%202012.doc.pdf>.
43. Pakistan. *Prevention and Control of Human Trafficking Ordinance, enacted* <http://www.fia.gov.pk/pchto2002.htm>.
44. Government of Pakistan. *The Emigration Ordinance, enacted July 5, 1979*. [http://www.fia.gov.pk/The\\_Emigration\\_Ordinance\\_1979.htm](http://www.fia.gov.pk/The_Emigration_Ordinance_1979.htm).
45. Pakistan. *Khyber Pakhtunkhwa Child Protection and Welfare Act, enacted* <http://www.pakistansocietyofcriminology.com/articles/TheKhyberPakhtunkhwaChildProtectionandWelfareAct2010.pdf>.
46. Pakistan. *Punjab Destitute and Neglected Children (Amendment) Act, enacted* <http://cpwb.punjab.gov.pk/PDNC.htm>.
47. Pakistan. *National Service Ordinance, enacted* <http://molaw.bizz.pk/body.php?sg=&id=32190#4>.
48. Government of Pakistan. *The Right to Free and Compulsory Education Act, 2012, No. XXIV, enacted December 19, 2012*. [http://www.na.gov.pk/uploads/documents/1357015194\\_179.pdf](http://www.na.gov.pk/uploads/documents/1357015194_179.pdf).
49. *The Sindh Right of Children to Free and Compulsory Education Act, 2013, enacted* [http://unesco.org.pk/education/documents/2013/rte\\_sindh\\_feb/Sindh\\_Act\\_RTFC.pdf](http://unesco.org.pk/education/documents/2013/rte_sindh_feb/Sindh_Act_RTFC.pdf).
50. *The Compulsory Education in the Province of Balochistan Act, No. 5 of 2014, enacted February 6, 2014*. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/96221/113658/F-955909891/PAK96221.pdf>.
51. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Pakistan (ratification: 2006) Published: 2011; accessed February 15, 2013; http://www.ilo.org/ilolex/english/iloquery.htm*.
52. U.S. Embassy Islamabad official. E-mail communication to USDOL official. April 16, 2015.
53. Government of Pakistan. *The Factories Act, enacted January 1, 1935*. <http://www.pakistanlaw.net/pakistan-law/Factories-Act-1934.pdf>.
54. SPARC. *Child Labor*. Islamabad, Society for the Protection of the Rights of the Child. <http://www.sparcpk.org/Other-Publications/childLabor.pdf>.
55. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Pakistan (ratification: 2001) Submitted: 2011; accessed February 15, 2013; http://www.ilo.org/ilolex/english/iloquery.htm*.
56. U.S. Embassy- Islamabad. *reporting, March 26, 2010*.
57. ILO. *Police Officers trained to address legal needs of bonded labourers*. Press Release. Karachi; April 24, 2013. [http://www.ilo.org/islamabad/info/public/pr/WCMS\\_212605/lang-en/index.htm](http://www.ilo.org/islamabad/info/public/pr/WCMS_212605/lang-en/index.htm).
58. ILO NATLEX National Labor Law Database. *Bonded Labour System (Abolition) Act, 1992; accessed February 15, 2013; http://www.ilo.org/dyn/natlex/natlex\_browse.home*.
59. U.S. Embassy- Islamabad. *reporting, January 26, 2011*.
60. U.S. Embassy- Islamabad. *reporting, February 19, 2009*.
61. Provincial Assembly of Sindh. *The Sindh Child Protection Authority Act, XIV of 2011, enacted June 9, 2011*. <http://www.pas.gov.pk/uploads/acts/Sindh%20Act%20No.XIV%20of%202011.pdf>.
62. ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Pakistan (ratification: 1953) Published: 2014; accessed October 26, 2014; http://www.ilo.org/ilolex/english/iloquery.htm*.
63. International Labor Conference. *Report of the Committee of Experts on the Application of Conventions and Recommendations, 103rd Session, 2014*. Geneva. [http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS\\_235054/lang-en/index.htm](http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS_235054/lang-en/index.htm).
64. U.S. Embassy- Islamabad. *reporting, February 11, 2015*.
65. U.S. Department of State. "Pakistan," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dldid=204409>.
66. ILO. *Provinces Finalize Action Plans against Child Labour & Bonded Labour and Agree to improve Reporting on ILO Conventions*. Geneva; 2013. <http://www.unic.org.pk/pdf/PR-ILO-20130603.pdf>.
67. U.S. Embassy- Islamabad. *reporting, February 24, 2014*.
68. Government of Pakistan. *The National Commission of Human Rights Act, 2012, No. XVI, enacted May 30, 2012*. [http://www.na.gov.pk/uploads/documents/1342437418\\_845.pdf](http://www.na.gov.pk/uploads/documents/1342437418_845.pdf).
69. Khyber Pakhtunkhwa Child Protection and Welfare Commission. *Introduction, Government of Pakistan, [online] 2012 [cited January 24, 2014]; http://kpcpwc.gov.pk/*.
70. Our Correspondent. "Progress made: Children in Sindh inch closer to rights protection authority." The Express Tribune, January 21, 2014. <http://tribune.com.pk/story/661270/progress-made-children-in-sindh-inch-closer-to-rights-protection-authority/>.
71. Dawn. "Child-related laws in Balochistan." dawn.com [online] July 26, 2012 [cited January 16, 2015]; <http://www.dawn.com/news/737317/child-related-laws-in-balochistan>.
72. Ministry of Social Welfare and Special Education, Government of Pakistan. *National Plan of Action for Children*. Islamabad; 2006. [pakistan.childrightsdesk.com/doc1/NPA%2520for%2520Children.pdf](http://pakistan.childrightsdesk.com/doc1/NPA%2520for%2520Children.pdf).
73. Ministry of Education. *National Education Policy*. Islamabad; 2009. <http://unesco.org.pk/education/teachereducation/files/National%20Education%20Policy.pdf>.
74. Ministry of Education, Trainings and Standards in Higher Education, Government of Pakistan. *National Plan of Action to Accelerate Education-Related MDGs, 2013-2016*; September 2013. <http://moent.gov.pk/gop/index.php?q=aHR0cDovLzE5Mi4xNjguNzAuMTM2L1vcHR0bS91c2VyZmlsZXMxL2ZpbGUCvCvHVibGJlYXRpb25zL01ER3MlMjBCb29rLnBkZg%3D%3D>.
75. Federal Investigation Agency. *Pakistan National Action Plan for combating Human Trafficking*, Government of Pakistan, [online] [cited January 26, 2014]; [www.fia.gov.pk/HUMAN.htm](http://www.fia.gov.pk/HUMAN.htm).

# Pakistan

## MODERATE ADVANCEMENT

76. UNICEF. *Pakistan One United Nations Programme 2013-2017*. [http://www.unicef.org/about/execboard/files/PAK\\_One\\_UN\\_Programme\\_II\\_\(2013\\_-\\_2017\)\\_Document\\_12\\_June\\_2012.pdf](http://www.unicef.org/about/execboard/files/PAK_One_UN_Programme_II_(2013_-_2017)_Document_12_June_2012.pdf).
77. ILO Committee of Experts. *Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Pakistan (ratification: 1957) Published: 2014*; accessed October 26, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
78. Social Welfare, Women Empowerment, Zakat & Ushr Department, and FATA Secretariat. *Child Protection Policy*. Islamabad; 2012. <http://pakistan.childrightsdesk.com/wp-content/uploads/2012/04/CP-Policy-Printed-version-Final-f.pdf>.
79. Education Department, Government of Balochistan. *Balochistan Education Sector Plan, 2013-2017*; 2014. [http://www.aserpakistan.org/document/learning-resources/2014/Sector\\_Plans/Balochistan%20Sector%20Plan%202013-2017.pdf](http://www.aserpakistan.org/document/learning-resources/2014/Sector_Plans/Balochistan%20Sector%20Plan%202013-2017.pdf).
80. Global Partnership for Education. *Pakistan*, Global Partnership, [online] [cited January 22 2015]; <http://www.globalpartnership.org/country/pakistan>.
81. School Education Department. *Chief Minister's School Reforms Road Map*; 2011. <http://schoolportal.punjab.gov.pk/pdf/roadmap.pdf>.
82. Education and Literacy Department. *Sindh Education Sector Plan, 2014-2018*. [http://www.itacec.org/document/sector\\_plans/Sindh%20Education%20Sector%20Plan.pdf](http://www.itacec.org/document/sector_plans/Sindh%20Education%20Sector%20Plan.pdf).
83. Global Partnership for Education. *Pakistan: Sindh Education Sector Plan 2014-18 Launched*, Global Partnership, [online] [cited January 22 2015]; <http://www.globalpartnership.org/news/pakistan-sindh-education-sector-plan-2014-18-launched>.
84. Department of Elementary and Secondary Education. *Education Sector Plan*; April 2012. <http://www.kpese.gov.pk/Downloads/Education%20Sector%20Plan.pdf>.
85. Pakistan Bait-ul-Mal. *National Center(s) for Rehabilitation of Child Labour (NCsRCL)*, NCsRCL, [online] [cited January 20 2015]; <http://pbm.gov.pk/ncrcl.html#>.
86. Pakistan Bait-ul-Mal. *Child Support Programme*, Government of Pakistan, [online] [cited January 15, 2015]; <http://www.pbm.gov.pk/csp.html#>.
87. ILO. *Decent Work Country Programme- ILO Country Office for Pakistan 2010-2015*. <http://www.ilo.org/public/english/bureau/program/dwcp/download/pakistan2010-15.pdf>.
88. Punjab Provincial Child Labor Unit. *PCLU Punjab mobilizes 180 million rupees from government to launch the first ever project against worst forms of child labour*, [online] June 27, 2012 [cited January 26, 2014]; <http://www.pclupunjab.org.pk/pclu-punjab-mobilizes-180-million-rupees-from-government-to-launch-the-first-ever-project-against-worst-forms-of-child-labour>.
89. Directorate General Monitoring and Evaluation. *Evaluation Report on Project "ELIMINATION OF BONDED LABOUR IN BRICK KILNS"*; May 2014. file:///C:/Users/Oetken-Jennifer-L/Downloads/project-id241-eval-report-on-elimination-of-bonded-labour-in-brick-kilns%20(2).pdf.
90. Pakistan Education Foundation. *Education Voucher Scheme*, Pakistan Education Foundation, [online] 2012 [cited January 26, 2014]; <http://www.pef.edu.pk/pef-departments-evs-overview.html>.

In 2014, Panama made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Panama initiated its biennial national child labor survey, created a subcommittee to address the causes of child labor in the province of Bocas del Toro, and expanded the Direct Government Action Program to provide nationwide social and economic services aimed at preventing and eliminating child labor. However, children in Panama are engaged in the worst forms of child labor, including in commercial sexual exploitation. The law does not adequately define light work and fails to prohibit minors under 16 from engaging in hazardous work within training establishments. Moreover, the law does not clearly sanction violations related to the hazardous work in which children are prohibited to engage.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Panama are engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-4) Table 1 provides key indicators on children's work and education in Panama.

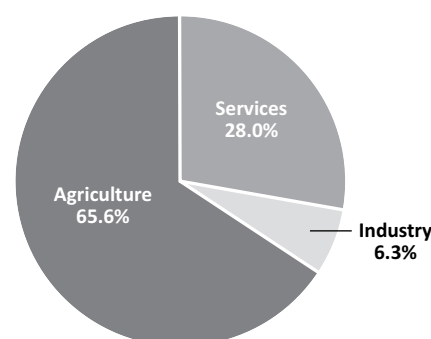
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.7 (25,545)
Attending School (%)	5-14 yrs.	95.2
Combining Work and School (%)	7-14 yrs.	3.7
Primary Completion Rate (%)		97.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2012.(6)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of coffee, tomatoes,* melons, sugarcane, beans,* rice,* bananas,* corn,* yucca,* pineapple,* oilseeds,* cereal grains,* and onions* (7-20)
	Fishing,*† including harvesting shellfish* (2, 4, 7, 10, 19, 21-23)
Industry	Construction, activities unknown*† (1, 4, 19, 24)
	Scavenging the ocean for metal and other items*† (10, 25)
	Domestic work*† (1-4, 10, 11, 17, 19, 21, 22, 24, 26)
Services	Assisting bus drivers by collecting fares*† (10, 27)
	Bagging in supermarkets*(2, 16, 19, 27-29)
	Street work including selling goods on the street,† washing cars,† shoe shining,† and collecting recyclables*† (2, 4, 10, 16, 19, 21, 22, 24, 27-34)
Categorical Worst Forms of Child Labor‡	Forced domestic work*† (3)
	Commercial sexual exploitation sometimes as a result of trafficking*† (3, 19)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

According to the results of Panama's 2014 biennial Survey on Child Labor, the highest prevalence of child labor is in autonomous indigenous areas, followed by the provinces of Bocas del Toro and Darién.(35) Children of indigenous descent face greater barriers



# Panama

## MODERATE ADVANCEMENT




to accessing education services, including having to travel significant distances to reach school.(31, 36) Additionally, children from indigenous communities frequently migrate with their families to work in agriculture.(9, 10) Farm owners often pay wages according to the amount of crops harvested, leading families to bring their children to work alongside them to harvest more crops.(10, 34) Girls from indigenous communities are also subjected to forced domestic work.(3) Moreover, the ILO Committee of Experts has noted that children from indigenous and Afro-Panamanian communities are particularly vulnerable to the worst forms of child labor and recommends government efforts to ensure their social integration and access to education.(37)

Commercial sexual exploitation of children occurs mainly in tourist areas of Panama City and beach communities.(19)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Panama has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 70 of the Constitution; Articles 508-509, 716 of the Family Code; Articles 117, 119, 123 of the Labor Code (38-40)
Minimum Age for Hazardous Work	Yes	18	Article 510 of the Family Code; Article 203 of the Penal Code; Article 4 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code (39-42)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 2-3 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code; Article 510 of the Family Code (39, 40, 42)
Prohibition of Forced Labor	Yes		Articles 157-158 and 456 of the Penal Code; Article 21 of the Constitution; Article 489 of the Family Code (38, 39, 41, 43)
Prohibition of Child Trafficking	Yes		Articles 205-208, 456 of the Penal Code; Article 489.17 of the Family Code; Article 21 of the Constitution (38, 39, 41, 43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179-187, 189-191, 202-203, 207, 456 of the Penal Code (41, 43)
Prohibition of Using Children in Illicit Activities	Yes		Article 318, 333 of the Penal Code; Article 489.16 of the Family Code; Article 2.16 of Executive Decree No. 19 of 2006 (39, 41, 42)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	15	Article 34, 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (38, 39, 44, 45)
Free Public Education	Yes		Article 34, 41 of the Law on Education; Article 95 of the Constitution (38, 44, 45)

† No standing military (38, 46)

While the Constitution, Family Code, and Labor Code set the minimum age for employment at 14, Article 70 of the Constitution

allows children below the minimum age to work under conditions established by law.(38-40) Article 716 of the Family Code permits children ages 12 to 14 to perform domestic and agricultural work as regulated by the Labor Code.(39) Article 119 of the Labor Code allows children ages 12 to 15 to perform light work in agriculture if the work is outside regular school hours and Article 123 allows children over the age of 12 to perform light domestic work. However, the Labor Code does not define the kinds of tasks children may perform as light work.(40)

Article 118 of the Labor Code and Article 510 of the Family Code allow minors to perform hazardous work in training establishments when the work is approved by the competent government authority and carried out under its supervision, but neither law establishes a minimum age for this work.(39, 40) Article 5 of Executive Decree No. 19 indicates that violations related to hazardous child labor will be sanctioned in accordance with existing laws, and the Government of Panama has stated that the penalties established in Article 215 of the original Penal Code apply to the worst forms of child labor.(4, 42) However, these penalties are not present in the updated Penal Code and it is unclear whether the penalties provided for in Article 202 and 203 of the updated Penal Code or Article 125 of the Labor Code are applicable.(40, 41)

In 2014, several government agencies continued to review and comment on the updated draft of the List of Hazardous Occupations Prohibited for Children.(2, 4, 19, 47, 48)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MITRADEL)	Enforce child labor laws. Contains two directorates with direct authority over child labor matters: the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) and the Labor Inspection Directorate.(2) The Labor Inspection Directorate carries out labor inspections in establishments and sites where children may be working, particularly in the formal sector. DIRETIPPAT is a supervising entity responsible for overseeing the fulfillment of laws related to working children in the formal and informal sectors and plans and executes public policies; carries out education programs on child labor for employers, parents, and children; and coordinates the implementation of the National Plan for the Eradication of Child Labor and the Protection of Young Workers.(2, 7, 49-51) Refers cases of children found in exploitative work to the Child and Adolescent Courts or to the National Secretariat for Childhood, Adolescence, and Family (SENNIAF).(2, 7)
Attorney General's Office	Investigate and prosecute crimes of sexual exploitation. Investigations initiated by the Judicial Investigative Directorate; cases passed to the prosecutors.(52)
Public Ministry's Organized Crime Unit	Investigate trafficking cases and operate a unit dedicated to investigating trafficking in persons for sexual exploitation.(7, 53)
National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES)	Investigate cases of commercial sexual exploitation.(25) Coordinate, advise, and implement policies related to sexual exploitation, as well as study related trends and prevalence. Promote public policies for the prevention and eradication of sexual exploitation through specific actions, projects, and programs.(54) Members include the Attorney General as well as the ministries of Labor, Education, Social Development, and Health. Refer cases of sexual exploitation to the Attorney General's Office.(22, 54)
National Secretariat for Childhood, Adolescence, and Family (SENNIAF)	Carry out inspections to identify children and adolescents engaged in child labor, particularly in the informal sector.(4) Enhance government agencies' and NGOs' capacity to address child labor by monitoring and coordinating a network of government services that address the needs of vulnerable populations. Promote education as a means to eliminate poverty.(2, 29)
Childhood and Adolescence Police	Carry out inspections to identify children and adolescents engaged in child labor, particularly in the informal sector.(4) Support SENNIAF inspections in areas with high rates of child labor.(29)

Law enforcement agencies in Panama took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor (MITRADEL) employed 251 staff, including 10 labor inspectors and 8 child labor inspectors.(4, 19) All labor inspectors are trained to look for evidence of child labor; in 2014, MITRADEL inspectors received four trainings related to child labor.(4, 19, 55, 56) MITRADEL's Labor Inspection Directorate allocated \$1,739,942 in 2014.

# Panama

## MODERATE ADVANCEMENT

The Government reported that the 2014 budget of \$83,475,300 allocated to the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) was insufficient to meet their commitments for coordination, implementation, and monitoring related to child labor.(4, 19) Both DIRETIPPAT and the Labor Inspection Directorate had access to vehicles and computers.(4, 19)

Complaints related to child labor may be filed through the “311” citizen complaint telephone hotline run by MITRADEL, or they can be filed in person at one of the MITRADEL offices or social service centers throughout the country.(4, 7, 19, 53) The complaints are assigned a case number and are processed by the appropriate government agency.(2) The Government reports that 10 complaints were received during 2014.(29)

During the reporting period, MITRADEL carried out 908 child labor inspections and 2,244 general labor inspections.(4) Additionally, MITRADEL conducted 34 operations to investigate child labor in such activities as washing cars, working in and around taxi and bus stops, fishing, working in ports, and working in public landfills.(4)

In 2014, DIRETIPPAT visited several communities, including the indigenous *comarcas* Ngäbe Buglé, Guna Yala, and Embera-Wounaan, as well as San Miguel Island and Esmeralda Island. DIRETIPPAT identified 1,508 children and adolescents engaged in street work and other hazardous labor, including 695 children engaged in informal work, 398 in agricultural activities, and 114 in fishing.(4, 19) DIRETIPPAT removed 1,426 working children and incorporated them into the Direct Government Action Program. The children will receive school scholarships and academic monitoring for 3 years.(4) The Labor Inspection Directorate removed an additional 16 children engaged in child labor, and the National Secretariat for Childhood, Adolescence, and Family (SENNIAF) identified 673 child laborers.(4, 29) Despite these efforts, civil society groups note that labor inspections focus primarily on the formal sector, leaving children in the informal sector vulnerable.(19)

In 2014, MITRADEL received and investigated 18 complaints for violations of child labor laws. From this total, 7 were sanctioned, 10 are in process, and 1 was cleared.(4, 19) MITRADEL noted that Article 125 of the Labor Code sanctions fines ranging from \$50 to \$700 for child labor violations but does not specify whether the employer can be charged this amount per each affected worker.(4, 19)

### *Criminal Law Enforcement*

The National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES) developed training workshops on the legal framework related to commercial sexual exploitation and reached approximately 300 law enforcement officials in the provinces of Coclé, Colón, Veraguas, Herrera, Los Santos, Panamá, Chorrera, and San Miguelito.(57) Although CONAPREDES member agencies receive training to carry out covert organized crime operations related to commercial sexual exploitation, turnover in personnel has resulted in a lack of permanently trained staff at CONAPREDES.(25) SENNIAF trained police on the risks and consequences of child labor.(29)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT)	Coordinate various efforts to combat child labor. Led by the First Lady of Panama and includes MITRADEL; the ministries of Education, Health, and Agriculture; as well as representatives from civil society and organizations of workers and employers.(54)
CONAPREDES	Coordinate government efforts to combat the commercial sexual exploitation of children. Led by the Office of the Attorney General and includes members from the ministries of Labor, Education, Social Development, and Health.(58) Conduct investigations in the area of sexual exploitation.(25)
SENNIAF	Enhance government and NGO capacity to address child labor by creating a network of services that addresses the needs of vulnerable populations and promoting education as a means to eliminate poverty.(2, 29)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Subcommittee to Combat Child Labor*	Incorporate Panamanian Institute for Sports and the Ministry of Education in efforts to address child labor and its causes. The first agreement was managed by MITRADEL for the province of Bocas del Toro, which had the highest rates of child labor in the 2012 survey on child labor and 6 percent of child laborers identified by DIRETIPPAT in 2014.(19, 51, 59)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT) prepared a study on the status of implementation of the Bilateral Agreement between Costa Rica and Panama for the protection of child labor migrants and began building a child labor monitoring system based on the Unique Registration of Child Labor system developed in Ecuador.(19)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Panama has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Roadmap towards the Elimination of Child Labor (2011 – 2019)	Aims to eliminate the worst forms of child labor by 2015 and all child labor in Panama by 2020 by strengthening anti-poverty, health, and educational programs and policies.(22, 60, 61)
National Action Plan for the Prevention and Elimination of Sexual Commercial Exploitation of Children and Adolescents	Aims to prevent and eliminate the sexual commercial exploitation of children and adolescents, including through the provision of services to victims, strengthening CONAPREDES, and raising awareness. Implemented by CONAPREDES with support from the Public Ministry.(2, 22, 54, 62)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014 – 2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Panama at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(63, 64)

† Policy was approved during the reporting period.

In September 2014, Panama participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(65, 66)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Panama funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Direct Government Action Program for the Prevention and Eradication of Child Labor‡	MITRADEL program implemented through the Institute for Training and Utilization of Human Resources that provides a network of social and economic services to child workers and children at risk of child labor. Services include provision of food and scholarships, support of sports activities, and social monitoring.(8, 19, 67, 68) Scholarships for schooling provided to approximately 5,500 children.(69) During 2014, achieved nationwide coverage.(4, 19)
Prevention and Eradication of Child Labor‡	SENNIAF program that identifies children engaged in the worst forms of child labor, removes them from exploitative situations, and connects them to a network of social and economic services offered by the Government.(22, 29)

# Panama

## MODERATE ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Prevention and Care for Child and Adolescent Victims of Sexual Violence‡	SENNIAF program that identifies children engaged in commercial sexual exploitation, removes them from exploitative situations, and provides them with social services. Conducts training workshops nationwide for professionals providing direct care to child and adolescent victims of sexual violence.(70)
National Council of Private Businesses (CoNEP) Corporate Social Responsibility Program	Joint effort created by MITRADEL and CoNEP that involves a partnership with businesses across Panama to sign the Voluntary Agreement of Corporate Social Responsibility to prevent and eradicate child labor.(71, 72) During the reporting period, launched the Red Card to Child Labor social campaign to coincide with the FIFA World Cup.(73) As of 2014, 250 businesses participated.(52)
Public Policy and Strategies to Prevent and Eradicate Child Labor Certificate Program	Certificate program created in partnership with the Government of Panama, Telefónica Movistar, and the University of the Americas to train government employees in MITRADEL, the Judicial Secretariat, the Labor Inspectorate, and CETIPPAT on child labor issues. Ended in 2014.(51, 52, 74, 75).
MITRADEL and Fundación Telefónica Cooperative Agreement (2014 – 2016)†	MITRADEL public-private partnership with Telefónica Móviles Panamá S.A. to prevent and eliminate child labor by improving access to education and providing trainings to teachers and private employers. The 2-year agreement was signed in December 2014.(19, 76)
Network of Opportunities*‡	Ministry of Social Development program that provides conditional cash transfers to families in extreme poverty, conditioned on their children's participation in health and education services and acquisition of a birth certificate. Offers training to beneficiaries to improve income-generating opportunities.(10, 22, 77, 78)
Blue Heart Campaign against Human Trafficking†	Government of Panama and UNODC campaign to raise awareness to combat human trafficking. Activities include social media campaigns, workshops, forums, and trainings for civil society and government officials.(79, 80)
Building Effective Policies Against Child Labor in Ecuador and Panama (2012 – 2016)	USDOL-funded, \$3.5 million, 4-year project implemented by ILO-IPEC to strengthen policies for the identification and referral of child labor cases and the enforcement of child labor and occupational safety laws in Panama.(81, 82)
EducaFuturo (2012 – 2016)	USDOL-funded, \$6.5 million, 4-year project implemented by Partners of the Americas to combat the worst forms of child labor among the most vulnerable populations, including Afro-descendants and migrant and indigenous children, by providing them with educational and livelihood services in Panama. The project targets approximately 1,800 children, 500 youth, and 600 households.(83)
Global Action Program on Child Labor Issues (2011 – 2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to strengthen legal protections and social service delivery for child domestic workers in Panama.(84)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Panama.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Panama (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish regulations that identify the types of agricultural activities that children between the ages of 12 and 15 can undertake as light work to ensure they are not exposed to hazardous labor.	2009 – 2014
	Ensure that only minors age 16 and older who have received adequate, specific instruction or vocational training are permitted to perform hazardous work, and that their health, safety, and morals are fully protected.	2013 – 2014
	Clarify which penalties apply under the Penal or Labor Code for violations of hazardous child labor provisions under Executive Decree No. 19 of 2006.	2011 – 2014
Enforcement	Allocate sufficient funding for DIRETIPPAT to meet its commitments for coordination, implementation, and monitoring related to child labor.	2014
	Build enforcement capacity to address children's work in the informal sector.	2014



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Clarify whether fines for child labor violations as sanctioned in Article 125 of the Labor Code may be applied for each affected worker.	2014
	Revise CONAPREDES assignment policies to address high turnover in personnel and ensure staff are trained to investigate cases of commercial sexual exploitation.	2011 – 2014
Social Programs	Ensure children from indigenous and Afro-Panamanian communities have access to education.	2014
	Assess the impact that existing programs such as the Network of Opportunities may have on child labor.	2012 – 2014

## REFERENCES

- República de Panamá-Contraloría General de la República- Instituto Nacional de Estadísticas y Censo. *Comentarios de la Encuesta de Trabajo Infantil (ETI) 2012* previously online. Panama; 2012. [source on file].
- U.S. Embassy- Panama City. *reporting, January 23, 2014*.
- U.S. Department of State. "Panama," in *Trafficking in Persons Report 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
- Ministerio de Trabajo y Desarrollo Laboral. *Respuesta a Cuestionario sobre Erradicación del Trabajo Infantil*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Panama City; January 29, 2015.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from ETI, 2012. Analysis received January 15, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Panama City. *reporting, February 22, 2011*.
- La Estrella. "Mitradel refuerza medidas contra trabajo infantil peligroso." La Estrella, Panama City, February 21, 2011. [http://www.laestrella.com.pa/online/noticias/2011/02/21/mitradel\\_refuerza\\_medidas\\_contra\\_trabajo\\_infantil\\_peligroso.asp](http://www.laestrella.com.pa/online/noticias/2011/02/21/mitradel_refuerza_medidas_contra_trabajo_infantil_peligroso.asp) [source on file].
- Lopez, R. "Fincas de café con aroma a trabajo infantil " La Estrella, Comarca Ngöbe Buglé, January 16, 2011. <http://www.laestrella.com.pa/mensual/2011/01/16/contenido/321200.asp>.
- U.S. Department of State. "Panama," in *Country Reports on Human Rights Practices for 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- López Guía, Á. "Mil niños heridos al trabajar no recibieron atención médica." La Prensa, Panama City, April 15, 2013. <http://www.prensa.com/impreso/panorama/mil-ninos-heridos-al-trabajar-no-recibieron-ate> [source on file].
- Cortez, A. "Productores de tomate piden autorización para contratar a menores." La Prensa, Panama City, December 12, 2010. [http://mensual.prensa.com/mensual/contenido/2010/12/12/uhora/local\\_2010121208461537.asp](http://mensual.prensa.com/mensual/contenido/2010/12/12/uhora/local_2010121208461537.asp).
- Casa Esperanza. *Fincas de café comprometidas con la erradicación del trabajo infantil*, Casa Esperanza, [online] August 23, 2011 [cited February 1, 2013]; <http://www.casaesperanza.org.pa/2011/08/hello-world/>.
- Government of Panama. *Primera Dama y caficultores abordan tema del trabajo infantil en Chiriquí*, Government of Panama, [previously online] February 2, 2012 [cited February 1, 2013]; [http://www.presidencia.gob.pa/ver\\_nodo.php?cod=3264](http://www.presidencia.gob.pa/ver_nodo.php?cod=3264) [source on file].
- Santamaría, E. "Programa Socio Educativo Contribuye a Erradicar el Trabajo Infantil en Fincas Cafetaleras " [pnnoticiaspanama.com](http://www.pnnoticiaspanama.com) [online] July 7, 2011 [cited February 4, 2013]; [http://www.pnnoticiaspanama.com/index.php?option=com\\_content&view=article&id=5471:programa-socio-educativo-contribuye-a-erradicar-el-trabajo-infantil-en-fincas-cafetaleras&catid=18:rsc&Itemid=33](http://www.pnnoticiaspanama.com/index.php?option=com_content&view=article&id=5471:programa-socio-educativo-contribuye-a-erradicar-el-trabajo-infantil-en-fincas-cafetaleras&catid=18:rsc&Itemid=33).
- Gonzalez, E. "Luchan para erradicar el trabajo infantil en la provincia de Coclé." Panamá América, Panama City, March 21, 2010. <http://backend.panamaamerica.com.pa/notas/900913-luchan-para-erradicar-el-trabajo-infant>.
- MITRADEL. *Detecta niños en actividades prohibidas por leyes laborales*, Government of Panama, [previously online] March 12, 2013 [cited March 20, 2013]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/En%20%20Herrera](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/En%20%20Herrera) [source on file].
- MITRADEL. *Jóvenes se suman a lucha contra el trabajo infantil liderada por el MITRADEL*, Government of Panama, [online] January 25, 2013 [cited March 20, 2013]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/EN%20VERAGUAS](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/EN%20VERAGUAS).
- U.S. Embassy- Panama City. *reporting, January 15, 2015*.
- UCW. *Entendiendo el trabajo infantil y el empleo juvenil en Panamá*. UCW Country Studies. Rome; 2014. [http://www.ucw-project.org/attachment/informe\\_trabajo\\_infantil\\_empleo\\_juvenil20141016\\_165422.pdf](http://www.ucw-project.org/attachment/informe_trabajo_infantil_empleo_juvenil20141016_165422.pdf).
- MITRADEL. *97 menores retirados de las faenas laborales en la provincia de Darién*, Government of Panama, [previously online] March 5, 2013 [cited March 20, 2013]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/Contin%C3%BA](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/Contin%C3%BA) [source on file].
- U.S. Embassy- Panama City. *reporting, February 14, 2013*.
- MITRADEL. *Captó 165 niños y niñas en la Comarca Guna Yala*, Government of Panama, [previously online] February 18, 2013 [cited March 20, 2013]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/Personal%20%C3%A9cnico%20del%20MITRADEL](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/Personal%20%C3%A9cnico%20del%20MITRADEL) [source on file].
- MITRADEL. *Retiró MITRADEL del trabajo infantil en Colón*, Government of Panama, [previously online] February 26, 2013 [cited March 2, 2013]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/88%20ni%C3%25B](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/88%20ni%C3%25B) [source on file].
- U.S. Embassy- Panama City. *reporting, January 27, 2012*.
- Government of Panama. *Comentarios de la Encuesta de Trabajo Infantil*. previously online. Panama City; 2010. <http://www.contraloria.gob.pa/incec/Publicaciones/05-03-33/Comentario.pdf> (hardcopy on file).
- MITRADEL. *MITRADEL Detecta 37 Menores Trabajando en Chiriquí*, MITRADEL, [online] July 11, 2014 [cited December 10 2014]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/Operativo%20contra%20trabajo%20infantil](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/Operativo%20contra%20trabajo%20infantil).
- Quiñones, EE. *Incremento de casos de niños trabajando en la calle alerta a autoridades*, Panama America, [online] [cited December 3, 2014]; <http://backend.panamaamerica.com.pa/notas/1622856-incremento-de-casos-de-ninos-trabajando-en-la-calle-alerta-a-autoridades> [source on file].
- La Secretaría Nacional de Ninez Adolescencia y Familia. *Respuesta a Cuestionario sobre Erradicación del Trabajo Infantil*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Panama City; January 29, 2015.

30. Guevara, V. "En Panamá hay unos 50 mil niños en las calles trabajando." telemetro.com [online] June 16, 2013 [cited April 7, 2014]; [http://www.telemetro.com/nacionales/Panama-mil-ninos-calles-trabajando\\_0\\_597840251.html](http://www.telemetro.com/nacionales/Panama-mil-ninos-calles-trabajando_0_597840251.html).
31. Nybo, T. *In Panama, Casa Esperanza helps children become students and leaders*, UNICEF, [online] September 3, 2010 [cited December 6, 2013]; [http://www.unicef.org/infobycountry/panama\\_55914.html](http://www.unicef.org/infobycountry/panama_55914.html).
32. Panama America. "En el 2015 Panamá erradicará el trabajo infantil." panamaamerica.com.pa [previously online] June 12, 2012 [cited December 6, 2013]; <http://www.panamaamerica.com.pa/notas/1190420-en-el-2015-panama-tiene-el-compromiso-estado-erradicar-el-trabajo-infantil> [source on file].
33. Panama America. "Del mes pasado a la fecha 75 niños han sido recogidos de las calles." panamaamerica.com.pa [online] December 17, 2012 [cited March 22, 2013]; <http://www.panamaamerica.com.pa/notas/1407450-75-ninos-noviembre-la-fecha-han-sido-recogidos-trabajar-las-calles>.
34. U.S. Department of Homeland Security. *Response to request for information for TDA 2013*. Panama City, Homeland Security Investigations (HSI)- Panama; 2014.
35. República de Panamá-Contraloría General de la República- Instituto Nacional de Estadísticas y Censo. *Comentarios de la Encuesta de Trabajo Infantil (ETI) 2014* online. Panama; 2015. <https://www.contraloria.gob.pa/inec/archivos/P6621comentarios%20ETI%202014.pdf>.
36. UNICEF. *La niña indígena y el adolescente urbano: Entre riesgos y oportunidades*. Geneva; May 2011. <http://www.unicef.org/panama/spanish/Sitan2011-web.pdf>.
37. ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Panama (ratification: 2000)* Published: 2014; accessed October 30, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>
38. Government of Panama. *Constitución Política de la República de Panamá con reformas hasta 2004*, enacted 1972. <http://pdba.georgetown.edu/Constitutions/Panama/constitucion2004.pdf>.
39. Government of Panama. *Código de la Familia*, Ley No. 3, enacted 1994. [http://www.legalinfo-panama.com/legislacion/familia/codfam\\_index.htm](http://www.legalinfo-panama.com/legislacion/familia/codfam_index.htm).
40. Government of Panama. *Código de Trabajo*, No. 44, enacted August 12, 1995. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/42679/67564/S95PAN01.htm>.
41. Government of Panama. *Código Penal de la República de Panamá Adoptado por la Ley 14 de 2007, con las modificaciones y adiciones introducidas por la Ley 26 de 2008, la Ley S de 2009, la Ley 68 de 2009 y la Ley 14 de 2010*, enacted April 26, 2010. [http://www.oas.org/juridico/mla/sp/pan/sp\\_pan-int-text-cp.pdf](http://www.oas.org/juridico/mla/sp/pan/sp_pan-int-text-cp.pdf).
42. Government of Panama. *Decreto Ejecutivo Número 19 Que aprueba la lista del trabajo infantil peligroso, en el marco de las peores formas del trabajo infantil*, No. 25569, enacted June 12, 2006. [http://www.asamblea.gob.pa/legispan/PDF/NORMAS/2000/2006/2006\\_548\\_0012.pdf](http://www.asamblea.gob.pa/legispan/PDF/NORMAS/2000/2006/2006_548_0012.pdf).
43. Government of Panama. *Ley Numero 79 Sobre Trata de Personas y Actividades Conexas*, No. 79, enacted November 9, 2011.
44. Government of Panama. *Ley Orgánica de Educación*, enacted September 24, 1946. <http://www.meduca.gob.pa/>.
45. Government of Panama. *LEY 34 POR LA CUAL SE DEROGA, MODIFICAN, ADICIONAN Y SUBROGAN ARTÍCULOS DE LA LEY 47 DE 1946*, enacted July 6, 1995. <http://docs.panama.justia.com/federales/leyes/34-de-1995-jul-11-1995.pdf>.
46. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to end State Use of Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
47. Government of Panama. *Decreto Ejecutivo Numero 107* enacted June 11, 2013 [source on file].
48. MITRADEL. *MITRADEL-OIT-CASA ESPERANZA REALIZAN TALLER DE PRESENTACIÓN Y VALIDACIÓN DEL LISTADO DE TRABAJO INFANTIL PELIGROSO*, MITRADEL, [online] [cited December 5, 2014]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/MITRADEL-OIT-CASA%20ESPERANZA](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/MITRADEL-OIT-CASA%20ESPERANZA) [source on file].
49. Government of Panama. *Decreto DM57-2010- Crea el Comité para la Erradicación del Trabajo Infantil y Protección al Menor Trabajador (CETIPPAT)*, No. DM57-2010, enacted February 23, 2010. [http://white.oit.org/pe/ipecl/documentos/decreto\\_creacion\\_direccion\\_trabajo\\_infantil\\_panama\\_2010.pdf](http://white.oit.org/pe/ipecl/documentos/decreto_creacion_direccion_trabajo_infantil_panama_2010.pdf).
50. Ministerio de Trabajo y Desarrollo Laboral. *Dirección Nacional Contra el Trabajo Infantil y Protección de la Persona Adolescente Trabajadora*, Ministerio de Trabajo y Desarrollo Laboral, [online] [cited February 1, 2013]; <http://www.mitradel.gob.pa/>.
51. U.S. Embassy- Panama City. E-mail communication to USDOL official. May 6, 2015.
52. U.S. Embassy- Panama City. E-mail communication to USDOL official. March 10, 2014.
53. U.S. Embassy- Panama City. *reporting, February 23, 2010*.
54. Government of Panama. *Plan Nacional De Erradicación Del Trabajo Infantil Y Protección De Las Personas Adolescentes Trabajadoras 2007 – 2011*. Panama City, Comité para la Erradicación de trabajo Infantil y la Protección del Trabajador Adolescente (CETIPPAT); June 2006. [http://white.oit.org/pe/ipecl/documentos/plan\\_nacional\\_cetippat\\_completo.pdf](http://white.oit.org/pe/ipecl/documentos/plan_nacional_cetippat_completo.pdf).
55. U.S. Embassy- Panama City. *reporting, March 1, 2012*.
56. U.S. Embassy- Panama City. *reporting, April 13, 2012*.
57. Comisión Nacional para la Prevención de Delitos de Explotación Sexual Comercial. *Respuesta a Cuestionario sobre Erradicación del Trabajo Infantil*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Panama City; March 23, 2015.
58. Government of Panama. *Plan Nacional para la Prevención y Eliminación de la Explotación Sexual Comercial de Niños, Niñas y Adolescentes, 2008-2010*. Panama, Comisión Nacional para la Prevención de los Delitos de Explotación Sexual (CONAPREDES); 2008. [http://white.oit.org/pe/ipecl/documentos/plan\\_nacional\\_pana.pdf](http://white.oit.org/pe/ipecl/documentos/plan_nacional_pana.pdf).
59. MITRADEL. *Mitradel crea Sub comisión Contra el trabajo infantil en Bocas del Toro*, MITRADEL, [online] [cited December 5, 2014]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/Mitradel%20crea%20Sub%20comisi%C3%B3n%20Contra](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/Mitradel%20crea%20Sub%20comisi%C3%B3n%20Contra) [source on file].
60. ILO-IPEC, Boletín Encuentros. "Panamá lanza la Hoja de Ruta para eliminar el trabajo infantil y hace pública la creación de la Dirección Nacional contra el Trabajo Infantil y Protección de la Persona Adolescente Trabajadora." oit.org.pe [online] February 25, 2010 [cited <http://white.oit.org/pe/ipecl/alcencuentros/interior.php?notCodigo=1769>].
61. ILO-IPEC. *Hoja de Ruta para hacer de Panamá un país libre de trabajo infantil y sus peores formas: Programación 2011-2013*. previously online. Geneva; 2011. [http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Direccion\\_Diretippat/INICIO/HojaRuta.pdf](http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Direccion_Diretippat/INICIO/HojaRuta.pdf) [source on file].
62. La Prensa. "Se presenta nuevo plan para erradicar trabajo infantil." La Prensa, Panama City, April 4, 2011. <http://mensual.prensa.com/mensual/contenido/2011/04/04/hoy/panorama/2554303.asp>.
63. ILO. *18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour*, ILO, [online] [cited December 1, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm) [source on file].
64. United Nations News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." un.org [online] October 15, 2014 [cited 2014]; <http://www.un.org/apps/news/story.asp?NewsID=49082#.VHyeYdLF98E>.
65. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
66. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
67. MITRADEL. Programa de Acción Directa Gubernamental para la Prevención y Erradicación del Trabajo Infantil [Power Point Presentation]. Panama City; August 7 & 8, 2012, February 1, 2013; [http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Asuntos\\_Laborales/RELATORIA](http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Asuntos_Laborales/RELATORIA).

68. Redacción La Estrella Online. "Becas para erradicar el trabajo infantil." La Estrella, Darién, August 6, 2011; Impreso. <http://laestrella.com.pa/economia/becas-para-erradicar-trabajo-infantil/23579830>.
69. Panama America. "Inicia pago de becas del programa contra trabajo infantil." panamaamerica.com.pa [online] October 27, 2014 [cited December 15, 2014]; <http://www.panamaamerica.com.pa/economia/inicia-pago-de-becas-del-programa-contra-trabajo-infantil>.
70. *Violencia Sexual: PREVENCIÓN Y ATENCIÓN A NIÑAS, NIÑOS Y ADOLESCENTES VÍCTIMAS DE VIOLENCIA SEXUAL*, Secretaría Nacional de Niñez, Adolescencia y Familia, [online] [cited February 18, 2014]; [http://www.senniaf.gob.pa/?page\\_id=24](http://www.senniaf.gob.pa/?page_id=24) [source on file].
71. Moreno, J. "Aún persiste el trabajo infantil en Panamá " El Siglo, Panama City, April 12, 2013. <http://elsiglo.com/mensual/2013/04/12/contenido/637366.asp> [source on file].
72. Consejo Nacional De la Empresa Privada. *EL CoNEP y 105 Empresas Forman la Alianza Social Empresarial para la Erradicación del trabajo infantil*, Consejo Nacional De la Empresa Privada, [previously online] August 8, 2012 [cited January 31, 2013]; <http://www.conep.org.pa/eventos-y-noticias/291-el-conep-y-105-empresas-forman-la-alianza-social-empresarial-para-la-erradicacion-del-trabajo-infantil.html> [source on file].
73. Rodríguez, N. *CONAPREDES participa en la final del Mundialito "Sácale Tarjeta Roja al Trabajo Infantil"*, Ministerio Público, [online] [cited December 12, 2014]; <http://ministeriopublico.gob.pa/minpub/conapredes/Inicio/TabId/912/ArtMID/2955/ArticleID/717/CONAPREDES-participa-en-la-final-del-Mundialito-quotS225cale-Tarjeta-Roja-al-Trabajo-Infantilquot.aspx> [source on file].
74. La Estrella. "Firman convenio para erradicar trabajo infantil." La Estrella, Panama City, May 5, 2011. [http://www.laestrella.com.pa/online/al\\_minuto/2011/05/12/al\\_min\\_firman\\_convenio\\_para\\_erradicar\\_trabajo\\_infantil.asp](http://www.laestrella.com.pa/online/al_minuto/2011/05/12/al_min_firman_convenio_para_erradicar_trabajo_infantil.asp).
75. Government of Panama. *Primera Dama se reúne con directivas de Fundación Telefónica para abordar tema del trabajo infantil*, Government of Panama, [previously online] May 18, 2012 [cited February 1, 2013]; <http://www.presidencia.gob.pa/noticia-presidente-numero-3534.html> [source on file].
76. MITRADEL. *MITRADEL Y FUNDACIÓN TELEFÓNICA S.A FIRMAN POSITIVO ACUERDO*, MITRADEL, [online] [cited December 10, 2014]; [http://www.mitradel.gob.pa/portal/page/portal/PG\\_Relaciones\\_Publicas/PARA%20ERRADICAR%20EL%20TRABAJO%20INFANTIL](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/PARA%20ERRADICAR%20EL%20TRABAJO%20INFANTIL) [source on file].
77. Ministerio de Desarrollo Social. *¿Que es la Red de Oportunidades?*, Ministerio de Desarrollo Social, [online] Jan. 18, 2012 [cited February 1, 2013]; [http://www.mides.gob.pa/?page\\_id=2927](http://www.mides.gob.pa/?page_id=2927).
78. Ministerio de Desarrollo Social. *Red de Oportunidades- Selección de Hogares*. Panama City; 2010.
79. Ministerio de Relaciones Exteriores. *Panamá lanza campaña Corazón Azul contra la Trata de Personas*, Ministerio de Relaciones Exteriores, [online] [cited December 15, 2014]; <http://www.mire.gob.pa/noticias/2014/11/12/panama-lanza-campana-corazon-azul-contra-la-trata-de-personas> [source on file].
80. U.S. Embassy- Panama City. *reporting, December 2, 2014*.
81. USDOL. *Building Effective Policies Against Child Labor in Ecuador and Panama*. Washington, DC; 2012. [www.dol.gov/ilab](http://www.dol.gov/ilab).
82. ILO-IPEC. *Building effective policies against child labor in Ecuador and Panama*. Technical Progress Report. Geneva; October 2014.
83. USDOL. *EDUCAFUTURO: Project to Combat Child Labor Among Vulnerable Populations in Ecuador and Panama by Providing Direct Education and Livelihood Services*. Project Summary. Washington, DC; 2012. [www.dol.gov/ilab](http://www.dol.gov/ilab).
84. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2013.

# Papua New Guinea

## MODERATE ADVANCEMENT

In 2014, Papua New Guinea made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government enacted the Criminal Code Amendment Act, which prohibits all forms of human trafficking and establishes penalties for trafficking children. To complement this new legislation, the Department of Justice and the Attorney General (DJAG) worked with the IOM to draft Papua New Guinea's first Trafficking in Persons National Action Plan (TiPNAP). The Government also launched an anti-trafficking training program in Port Moresby and seven border provinces to familiarize police officers and other relevant actors with the contents of the new anti-trafficking law and to facilitate its effective enforcement. However, children in Papua New Guinea are engaged in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. Papua New Guinea does not have legislation to comprehensively prohibit hazardous occupations and activities for children. Additionally, child labor laws are not effectively enforced and the lack of compulsory education may increase the risk of children's involvement in the worst forms of child labor. The Government lacks social programs to specifically assist children engaged in child labor in all relevant sectors.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Papua New Guinea are engaged in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation sometimes as a result of human trafficking.(1-4) Table 1 provides key indicators on children's work and education in Papua New Guinea. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		78.1

Source for primary completion rate: Data from 2012, UNESCO Institute for Statistics, 2015.(5)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Working on tea,* coffee,* cocoa,* copra,* oil palm,* and rubber plantations* (1, 2, 7) Domestic work (1, 2, 4, 8, 9)
Services	Street work, including vending, chopping firewood for sale, moving furniture, loading and unloading boxes from containers, carrying heavy bags of food, scavenging for scrap metal and scrap food for pig feed, and begging (1, 7, 10-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including working in bars, night clubs, and brothels, and used in the production of pornography,* each sometimes as a result of trafficking (1, 2, 4, 7, 8, 11, 13) Forced domestic work (1, 4, 7, 8, 11, 13)

\* Evidence of this activity is limited and/or extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

A number of children in urban areas, such as Mount Hagen, work as porters for market taxis and carry extremely heavy loads. Children living in informal settlements on the outskirts of Port Moresby, who have been orphaned by AIDS or abandoned by their families, are particularly vulnerable to this type of employment.(7, 11, 12, 14)




Some children engaged in domestic work are held in indentured servitude in order to pay off family debts.(1, 4, 8, 11, 13) These children work long hours, lack freedom of mobility, do not have access to medical treatment, and do not attend school.(8)

Limited evidence suggests that members of the Papua New Guinea police are responsible for committing acts of sexual violence against children, and for facilitating trafficking by accepting bribes and ignoring victims forced into commercial sexual exploitation or labor.(1, 3, 11, 15-17) There are reports that the threat of sexual violence against young girls, and the shame and stigma that follows this violence, prevents many girls from attending school.(3, 18, 19) Although free education through grade 10 has been a government policy since 2011, in practice, many schools charge fees for books, uniforms, and other supplies.(3, 20-23) These additional school fees may be a barrier to education for some children.(3, 11)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Papua New Guinea has ratified some key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 103 of the Employment Act (24)
Minimum Age for Hazardous Work	Yes	18	Articles 10 and 96 of the Child Bill ( <i>Lukautim Pikinini</i> ) (21)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 104 of the Employment Act; Articles 10 and 96 of the Child Bill ( <i>Lukautim Pikinini</i> ) (21)
Prohibition of Forced Labor	Yes		Article 43 of the Constitution of the Independent State of Papua New Guinea (20)
Prohibition of Child Trafficking	Yes		Article 208 of the Criminal Code Amendment Act (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 229J-229O and 229R-229T of the Criminal Code (Sexual Offenses and Crimes Against Children Act) (25)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	16	Defence Act (26)
Compulsory Education Age	No		
Free Public Education	No		

\* No conscription (27)



# Papua New Guinea

## MODERATE ADVANCEMENT

Although commercial sexual exploitation of children and human trafficking are a concern in Papua New Guinea, the Government has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography or the Palermo Protocol.

There is a lack of harmony among existing laws regarding the minimum age for hazardous work in Papua New Guinea, which may result in enforcement challenges. While the Child Bill prohibits and sets penalties for the engagement of a child (defined as a person under age 18) in “harmful child labor,” which includes hazardous work, the Employment Act does not prohibit injurious work by 16- and 17-year-olds.(3, 21, 24) The laws do not define the hazardous occupations and activities prohibited for children in a manner that is comprehensive or specific enough to facilitate the effective implementation of penalties for child labor violations and the removal of children from harmful work. The Department of Labor and Industrial Relations (DLIR) has been developing a hazardous list since late 2012 for inclusion in amendments to the Employment Act and the Occupational Safety and Health Act.(1, 10, 28). Over the past few years, the DLIR has also reviewed a subsidiary set of laws called the Common Rule, which may provide a better legal platform for developing stronger provisions related to the elimination of the worst forms of child labor.(7) However, Parliament did not consider either of these proposals in 2014.(7)

On July 7, 2014, Parliament enacted the Criminal Code Amendment Act of 2013 that contains specific provisions prohibiting domestic and international trafficking of men, women, and children for the purpose of both forced labor and sexual exploitation.(9, 29) The new legislation also contains provisions for victim assistance and protection, and augments penalties for smugglers and traffickers, such as increased terms of imprisonment, for offenses that involve children under the age of 18 years.(4, 30)

Papua New Guinea does not have laws that prohibit the use, procuring, or offering of a child for illicit activities, including for the production and trafficking of drugs.(31)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor and Industrial Relations (DLIR)	Implement and enforce child labor laws.(3)
Department of Religion, Youth, and Community Development (DRYC)	Enforce the Child Bill ( <i>Lukautim Pikinini</i> ). (3)
Royal Papua New Guinea Constabulary Sexual Offenses Squad	Enforce laws against commercial sexual exploitation of children and the use of children in illicit activities.(3)

Law enforcement agencies in Papua New Guinea took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, research did not find information on the number of labor inspectors in Papua New Guinea, but in the past, the ILO has reported that the Department of Labor and Industrial Relations (DLIR) employs approximately 30 general inspectors, 15 of whom focus on child labor. Research found that this number was inadequate to enforce child labor laws effectively, especially as inspectors are required to perform diverse functions.(3, 7) Some labor inspectors previously received training on child labor inspection techniques from the ILO, but not all inspectors have been trained, and research did not find evidence of more recent instruction.(7)

Research did not find information on the number of child labor inspections carried out in 2014. Labor inspectors have the authority to conduct unannounced inspections at any site where they have reason to believe a person is working for an employer.(24) However, due to limited capacity, the inspectorate carries out inspections only when specifically requested and rarely initiates routine or targeted inspections.(7) In collaboration with the ILO, the DLIR and provincial governments created Child

Labor Inspection and Referral Forms to identify and track child labor cases in Papua New Guinea. In 2014, the Government began using these forms throughout the provinces on a trial basis.(7)

The labor inspectorate is empowered to assess penalties if inspectors uncover labor violations, but research found that the DLIR did not pursue any child labor complaints during the reporting period and did not issue any citations or penalties for child labor violations.(3) Both the ILO Committee of Experts and senior staff at the Department of Religion, Youth, and Community Development have noted that enforcement is ineffective because of inadequate resources and cultural acceptance of child labor.(14, 16, 28, 31) Inadequate technical capacity and referral mechanisms among agencies constitute additional obstacles to effective enforcement.(3, 4, 16)

### *Criminal Law Enforcement*

In 2014, research did not find information on the number of investigators responsible for enforcing criminal laws related to the worst forms of child labor. Following the enactment of the Criminal Code Amendment Act, the Government of Papua New Guinea and the IOM activated a new anti-trafficking in persons training program for police officers, Papua New Guinea Customs, NGOs, and magistrates. At the close of the reporting period, trainings had been conducted in Port Moresby and in seven border provinces.(9)

In January 2014, the Government opened one investigation into a possible child trafficking case involving two girls in a rural village who were unwillingly given in marriage as recompense to the family of a deceased teacher. However, there have not been any charges filed. No additional prosecutions or convictions for crimes related to the worst forms of child labor were reported in 2014.(3, 16) The Government currently lacks a mechanism to refer children identified in the worst forms of child labor to appropriate social services.(9)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the Government has established a coordination mechanism to combat human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
National Human Trafficking Committee (NHTC)	Coordinate efforts to combat trafficking in persons. Chaired by the Department of Justice and the Attorney General (DJAG).(9) Includes representatives from the Office of the Prime Minister, the Department for National Planning and Monitoring, the Immigration and Citizenship Service Authority, Customs, the Royal Papua New Guinea Constabulary, the Department of Labor and Industrial Relations (DLIR), the Office of the Public Prosecutor, the National Council of Women, the Consultative Implementation and Monitoring Council, the State Solicitor's office, the Department of Provincial and Local Government Affairs, the Department for Community Development, various NGOs, IOM, UN Refugee Agency (UNHCR), UN High Commissioner for Refugees (UNHCHR), UNICEF, UN Women, and U.S. Embassy Port Moresby.(16)

Coordination mechanisms that were expected to launch in 2012 were still pending during the 2014 reporting period. The Department of Labor and Industrialized Relations (DLIR) Child Labor Desk, designed to track child labor cases and facilitate coordination among relevant agencies, was not yet in place.(3) Additionally, research did not find evidence that the Secretary of DLIR has signed the endorsement necessary to establish the Project Advisory Committee (PAC), a permanent, interagency committee on child labor.(3, 32)

In 2014, the National Human Trafficking Committee (NHTC) convened twice. With new anti-trafficking legislation now in place, the NHTC plans to focus on developing standard operating procedures and a national referral mechanism for trafficking victims.(9)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Papua New Guinea has established policies related to child labor, including its worst forms (Table 7).

# Papua New Guinea

## MODERATE ADVANCEMENT

**Table 7. Policies Related to Child Labor**

Policy	Description
Universal Basic Education Plan (2010–2019)*	Seeks to ensure that all children complete 9 years of basic, quality education starting at age 6; to reduce poverty through education; and to build government capacity to manage education.(22) Key objectives include building infrastructure, including more classrooms and staff housing; increasing access to safe drinking water and sanitation facilities at school; providing teacher training; providing over-age children access to basic education; and abolishing all school fees. Aims to provide full Government funding for basic education by 2015.(22, 33)
Tuition Fee-Free Policy*	Aims to improve access to education by abolishing school fees for children in grades 1 through 10 and providing subsidies for those in grades 11 and 12.(7, 34)
Vision 2050*	Sets a long-term strategy for Papua New Guinea's socioeconomic development; pillars of the plan include Human Capital Development, Gender, Youth, and People Empowerment.(35) Prioritizes access to education, knowledge, and improved technology; community empowerment; access to credit; the inclusion of more individuals in the formal economy; and equitable development in rural areas where poverty is most pronounced.(35)
Medium-Term Development Plan (2011–2015)*	Establishes a 5-year plan for national development, in line with Vision 2050, and including budgets, targets, and outputs.(36) Designates which authorities are responsible for implementation, and gives highest priority to education and public utility infrastructure improvements.(36)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

There is no overall policy to combat child labor in Papua New Guinea. The National Action Plan on Child Labor (NAP) has been in draft form since 2012. Sources expected that the Department of Labor and Industrialized Relations (DLIR) would finalize the NAP and submit it for Parliamentary approval in early 2014, but this did not occur.(3) During the reporting period, the Department of Justice and the Attorney General (DJAG) and the IOM drafted the first Trafficking in Persons National Action Plan (TiPNAP) for Papua New Guinea. The National Human Trafficking Committee is currently reviewing the draft, and it is expected to be finalized at their next meeting.(7, 9)

Although Papua New Guinea's Universal Basic Education Plan includes the goal of establishing 3 years of mandatory schooling for children until age 9, the Government has not yet enacted an enforceable policy for compulsory education. The lack of standards in this area may increase the risk of children's involvement in child labor, as children are not required to be in school nor are they allowed to legally work until age 16.(10, 32)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Papua New Guinea participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Decent Work Country Program (2013–2015)	Implemented by the Government, the Trade Union Congress, and the Employers' Federation through technical assistance from the ILO and cooperation with the Government of Australia. Seeks to establish a national employment strategy. Explicitly recognizes the relationship between education and child labor, and prioritizes youth employment services.(37) Concrete measures to be taken include finalizing child labor provisions in the draft Employment Bill, drafting a hazardous work list, and formalizing the Child Labor Unit in the Department of Labor and Industrial Relations (DLIR). Includes a youth employment initiative that provides business training to out-of-school youth, particularly those who are marginalized or disabled.(37)
Global Action Program on Child Labor Issues	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by The Hague Global Child Labor Conference in 2010. Aims to strengthen legal protections and social service delivery for child domestic workers.(38) Project was discontinued in Papua New Guinea in 2014 due to technical challenges in implementation.(39)
Urban Youth Employment Project*‡	Jointly -funded Government and World Bank project that aims to provide training, temporary jobs, skill development through apprenticeships, and 2-month placements on public works projects for youth. Targets 13,500 disadvantaged youth in and around Port Moresby.(40) To date, 1,300 youths have received basic life skills training and 250 youths have received pre-employment training, half of whom were subsequently placed in trainee positions.(40)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Papua New Guinea.

Although the Government has implemented programs that address child domestic workers and children engaged in street work, research found no evidence that it has carried out programs to assist children involved in commercial sexual exploitation or agriculture.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Papua New Guinea (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the Palermo Protocol on Trafficking in Persons.	2014
	Harmonize the Employment Act's minimum age for hazardous work with the Child Bill's minimum age for hazardous work to ensure that Papua New Guinea's legal framework consistently prohibits hazardous work for children under age 18.	2013 – 2014
	Ensure that hazardous occupations and/or activities prohibited for children are specific enough to facilitate enforcement.	2009 – 2014
	Ensure that the law specifically prohibits the use, procuring, and offering of children for illicit activities, including for the production and trafficking of drugs.	2014
Enforcement	Make data on child labor law enforcement efforts publicly available, including the number of labor inspectors; the number of labor inspections carried out; the number of citations, penalties, and convictions issued for child labor law violations; and the number of children removed from exploitative labor.	2014
	Strengthen the inspection system by conducting routine or targeted inspections in addition to those that are complaint driven.	2014
	Provide inspectors with the authority, training, and resources to enforce labor laws and other laws required to protect children from the worst forms of child labor.	2009 – 2014
	Establish a referral mechanism between law enforcement officials and social service agencies to ensure that victims of the worst forms of child labor receive appropriate support services.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014
	Finalize the draft National Action Plan to Eliminate Child Labor.	2009 – 2014
	Implement the Universal Basic Education Plan to ensure that basic education is compulsory for all children and that the compulsory education age is equivalent to or greater than the legal minimum age for employment.	2009 – 2014
Social Programs	Institute programs that address the issue of sexual violence in schools to ensure that children, especially girls, are able to safely access education.	2014
	Monitor schools to ensure that extra educational fees are not imposed on children for the mandated term of free education, as defined by national policy.	2014
	Assess the impact that the Urban Youth Employment Project may have on child labor in Papua New Guinea.	2013 – 2014
	Institute programs that assist children engaged in the worst forms of child labor in all relevant occupations or activities, especially commercial sexual exploitation.	2010 – 2014

# Papua New Guinea

## MODERATE ADVANCEMENT

### REFERENCES

1. ILO-IPEC. *Child Labour in Papua New Guinea: Report on the rapid assessment in Port Moresby on commercial sexual exploitation of children and children working on the streets*. Geneva; 2011. [http://www.ilo.org/suva/what-we-do/publications/WCMS\\_178379/lang-en/index.htm](http://www.ilo.org/suva/what-we-do/publications/WCMS_178379/lang-en/index.htm).
2. Child Labor Information Bank. *Child Labor by Industry or Occupation: Papua New Guinea*; accessed December 18, 2014; [http://www.endchildlabor.org/db\\_infoBank.cfm](http://www.endchildlabor.org/db_infoBank.cfm).
3. U.S. Embassy- Port Moresby. *reporting, January 16, 2014*.
4. U.S. Department of State. "Papua New Guinea," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226848.pdf>.
5. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
6. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
7. U.S. Embassy- Port Moresby. *reporting, December 28, 2014*.
8. ILO Committee of Experts. *Observation on the Worst Forms of Child Labor Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000) Published: 2014*; accessed April 7, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
9. U.S. Embassy- Port Moresby. *reporting, February 4, 2015*.
10. ILO Committee of Experts. *Observation Regarding Minimum Age Convention, 1973 (No. 138) Papua New Guinea (ratification: 2000) Published: 2014*; accessed April 7, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
11. U.S. Department of State. "Papua New Guinea," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; 2014; <http://www.hrw.org/world-report/2014/country-chapters/papua-new-guinea>.
12. ILO-IPEC. *Summary of KRA3 - Action Programmes in Papua New Guinea*. Geneva; July 2-3, 2013.
13. ITUC. *Report for the WTO General Council Review of the Trade Policies of Papua New Guinea*. Geneva; November 18, 2010. [http://www.ituc-csi.org/IMG/pdf/report\\_PNG-final.pdf](http://www.ituc-csi.org/IMG/pdf/report_PNG-final.pdf).
14. Wilson, C. "Poverty Drives Child Labour." Inter Press Service, Port Moresby, July 17, 2012. <http://www.ipsnews.net/2012/07/poverty-drives-child-labour/>.
15. Human Rights Watch. "Papua New Guinea," in *World Report- 2012*. Washington, DC; January 12, 2012; <http://www.hrw.org/world-report-2012>.
16. U.S. Embassy- Port Moresby. *reporting, January 21, 2014*.
17. ILO Committee of Experts. *Observation on the Forced Labor Convention, 1930 (No. 29) Papua New Guinea (ratification: 1976) Published: 2014*; accessed April 7, 2014; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3143205](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3143205).
18. International Regional Information Networks. "Papua New Guinea: Sexual violence forcing girls out of school." IRINnews.org [online] April 6, 2012 [cited January 15, 2013]; <http://www.irinnews.org/Report/95249/PAPUA-NEW-GUINEA-Sexual-violence-forcing-girls-out-of-school>.
19. U.S. Department of State. "Papua New Guinea," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/jl/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
20. Government of Papua New Guinea. *Constitution of the Independent State of Papua New Guinea*, enacted 1975. [http://www.pacii.org/pg/legis/consol\\_act/cotisopng534/](http://www.pacii.org/pg/legis/consol_act/cotisopng534/).
21. Government of Papua New Guinea. *Lukautim Pikinini (Child) Bill*, enacted April 2010.
22. Ministry of Education National Executive Council. *Achieving Universal Education for a Better Future: Universal Basic Education Plan 2010-2019*. Port Moresby; December 2009. <https://www.globalpartnership.org/content/papua-new-guinea-universal-basic-education-plan-2010-2019>.
23. U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. May 21, 2014.
24. Government of Papua New Guinea. *Employment Act*, enacted 1978.
25. Government of Papua New Guinea. *Criminal Code Act 1974*, No. 262 of 9999, enacted 2002.
26. Government of Papua New Guinea. *Defence Act*, enacted 1974. [http://www.geneva-academy.ch/RULAC/pdf\\_state/PNG-Defence-Act-da197456.pdf](http://www.geneva-academy.ch/RULAC/pdf_state/PNG-Defence-Act-da197456.pdf).
27. Child Soldiers International. *Louder than words: An agenda for action to end state use of child soldiers*. Oxford, United Kingdom; 2012. [www.child-soldiers.org](http://www.child-soldiers.org).
28. ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000) Published: 2012*; accessed <http://www.ilo.org/ilolex/english/iloquery.htm>.
29. International Organization for Migration. *First Counter-Trafficking Law Comes into Force in Papua New Guinea*. Press Release. Geneva; July 11, 2014. <https://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2014b/pbn-listing/first-counter-trafficking-law-co.html>.
30. U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. February 16, 2012.
31. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000) Published: 2011*; accessed January 11, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
32. U.S. Embassy- Port Moresby. *reporting, February 15, 2013*.
33. UNICEF. *Papua New Guinea Overview: Country Programme*, UNICEF, [online] [cited March 14, 2014]; <http://www.unicef.org/png/overview>.
34. Department of Education. *TFF Introduction*, Government of Papua New Guinea, [online] February 2014 [cited February 25, 2015]; <http://www.education.gov.pg/TFF/index.html>.
35. Government of Papua New Guinea. *Papua New Guinea Vision 2050*. National Strategic Plan Taskforce. Port Moresby; 2011. [http://www.treasury.gov.pg/html/publications/files/pub\\_files/2011/2011.png.vision.2050.pdf](http://www.treasury.gov.pg/html/publications/files/pub_files/2011/2011.png.vision.2050.pdf).
36. Government of Papua New Guinea. *Medium Term Development Plan 2011-2015: Building the Foundations for Prosperity*. Port Moresby; 2011. [http://www.treasury.gov.pg/html/publications/files/pub\\_files/2011/2011-2015.png.mtdp.pdf](http://www.treasury.gov.pg/html/publications/files/pub_files/2011/2011-2015.png.mtdp.pdf).
37. ILO. *Papua New Guinea Decent Work Country Programme*. Geneva; December 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/png.pdf>.
38. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2013.
39. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
40. World Bank. *Papua New Guinea: Urban Youth Employment Project*, World Bank, [online] August 11, 2013 [cited March 14, 2014]; <http://www.worldbank.org/en/results/2013/08/12/papua-new-guinea-urban-youth-employment-project>.



*In 2014, Paraguay made a significant advancement in efforts to eliminate the worst forms of child labor. The Government strengthened legal protections for incarcerated adolescents by specifying the circumstances and conditions under which they can work in the Penal Implementation Code, included funds in its 2015 budget to hire 40 additional labor inspectors, and established working groups to strengthen coordination among government agencies on child labor issues. In addition, the Government continued to fund conditional cash transfer programs to combat child labor. However, children in Paraguay are engaged in child labor, including in agriculture and in the worst forms of child labor, including in domestic work. Coordination mechanisms among government agencies working to eradicate child labor need strengthening and remain underfunded relative to the scope of the problem. In addition, the Government is unable to provide accurate statistics on whether businesses were fined for child labor infractions because labor inspectors report the fines in aggregate.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Paraguay are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in domestic service.(1, 2) The 2011 National Survey of Child and Adolescent Activities (EANA) found that 21 percent of all Paraguayan children are engaged in hazardous work, and that approximately 90 percent of all working children perform hazardous tasks, such as carrying heavy loads or using dangerous tools.(2) Table 1 provides key indicators on children's work and education in Paraguay.

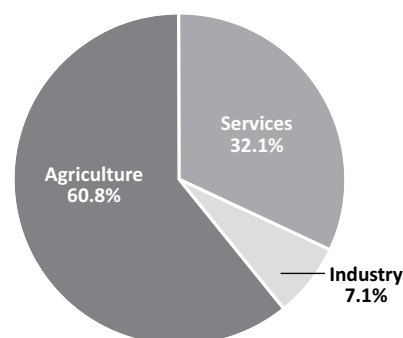
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	15.3 (113,072)
Attending School (%)	5-14 yrs.	90.3
Combining Work and School (%)	10-14 yrs.	12.1
Primary Completion Rate (%)		86.0

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Permanente de Hogares (EPH), 2005.(4)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cotton (5, 6)
	Harvesting of sugarcane (1, 7)
	Production of soy,* sesame,* wheat,* manioc,* peanuts,* beans,* and stevia*(7, 8)
	Cattle raising*† (1, 9)
	Production of charcoal* (6, 10, 11)

# Paraguay

## SIGNIFICANT ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Production of bricks (1, 11)
	Gold mining*† (1)
	Limestone quarrying† (1, 2)
	Manufacturing soccer balls* (1)
	Construction,* activities unknown (1)
Services	Domestic service† (1, 9, 12)
	Transportation activities,* including collecting bus fare* (8)
	Street work,† including vending, shoe shining,* and begging (2, 9, 11, 13-15)
	Garbage dump scavenging*(15-17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 13, 18, 19)
	Forced domestic service, sometimes as a result of human trafficking (1, 17)
	Used in illicit activities, including smuggling and drug trafficking* (5, 17, 20)
	Debt bondage in cattle raising* (1)
	Used in the production of child pornography (21, 22)
	Recruited by armed groups to perform logistical activities* (23)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3 (a) – (c) of ILO C. 182.



The 2011 EANA indicated that children who speak Guarani exclusively are more likely to be involved in child labor and have higher rates of school absence as compared to other working children; poverty is pervasive in rural Paraguay, where Guarani is the predominant language.(2, 24) Children work alongside their parents in debt bondage on cattle ranches in the remote region of the Chaco.(1, 9) A 2011 quantitative study on child labor in Paraguay’s sugarcane sector estimated that children comprise more than 25 percent of the sugarcane workforce, and about one out of four of those children suffer injuries twice a year, on average, while working.(7) There is limited evidence of children engaged in gold mining in small family-run mining operations in Paso Yobái, Guairá.(1)

The practice of *criadazgo*, a system whereby middle-class and wealthy families informally employ and house young domestic workers from impoverished families, is pervasive in Paraguay. The NGOs have noted that domestic workers are particularly vulnerable to being trafficked for sexual exploitation, and reported that 60 percent of rescued trafficking victims began working as domestic servants as minors.(6, 25) Children from poor rural areas, in particular the Departments of Caaguazú and Alto Parana, are subjected to forced commercial sexual exploitation and domestic servitude, each sometimes as a result of human trafficking, in the border areas with Argentina and Brazil and in urban areas, including Asunción, Ciudad del Este, Encarnación, and Filadelfia.(12, 18, 25) The Government acknowledged the recruitment and use of several child soldiers by armed groups, including the Paraguayan People’s Army and the Armed Peasant Association. Some children were recruited at the age of 14 or younger and, in 2014, two child soldiers were killed.(25)


## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Paraguay has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓

**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

Paraguay ratified ILO Convention 189 Concerning Decent Work for Domestic Workers in 2013. The Paraguayan Congress drafted a Domestic Workers Law in 2014 that remains under review.(1)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 1 of Law No. 2332; Article 58 of the Childhood and Adolescence Code (26, 27)
Minimum Age for Hazardous Work	Yes	18	Article 54 of the Childhood and Adolescence Code; Article 3 of Decree No. 4951; Article 125 of the Labor Code (26, 28, 29)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 54 of the Childhood and Adolescence Code; Article 2 of Decree No. 4951; Article 122 of the Labor Code (26, 28, 30)
Prohibition of Forced Labor	Yes		Article 10 of the Constitution; Article 320 of the Penal Code (31, 32)
Prohibition of Child Trafficking	Yes		Articles 6-7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, and 223 of the Penal Code; Articles 10 and 54 of the Constitution (31, 33, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 135 and 223 of the Penal Code; Article 2.19 of Decree No. 4951; Article 31 of the Childhood and Adolescence Code (26, 28, 32, 34)
Prohibition of Using Children in Illicit Activities	Yes		Articles 135 and 223 of the Penal Code; Article 25 of the Childhood and Adolescence Code (26, 32, 34, 35)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 2 of Law No. 3360 (36)
Minimum Age for Voluntary Military Service	Yes	18	Article 2 of Law No. 3360 (36)
Compulsory Education Age	Yes	15	Article 2 of Law No. 4088; Article 32 of the General Education Law No. 1264 (37, 38)
Free Public Education	Yes		Article 76 of the Constitution; Article 32 of the General Education Law No. 1264 (31, 37)

The Government has not yet adopted regulations governing the nature and conditions of light work that is permitted for children between ages 12 and 14. Moreover, the ILO Committee of Experts has recommended that Paraguay strengthen its laws regarding light work for children.(39) Research did not find specific legal provisions that stipulate penalties for violations of the List of Work Endangering Children (Decree No. 4951) or which ministries are responsible for enforcing this law.

In October 2014, the Government modified the Penal Implementation Code to include articles specifying the circumstances and conditions under which incarcerated adolescents can work.(6, 40) The updated law stipulates that such work must be compensated and must prepare adolescents for employment opportunities after their release; it also prohibits coerced labor. The code did not previously regulate work for minors within the incarceration system.(6, 40)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

# Paraguay

## SIGNIFICANT ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Work and Social Security (MLWS)*	Enforce laws related to child labor and hazardous child labor, inspect workplaces for child labor, and fine companies found in violation of labor laws.(1) Refer cases involving criminal violation of child labor to the Public Ministry or the National Secretariat for Children and Adolescents (SNNA).(1) In 2014, a General Directorate for Working Children and Adolescents was created.(41)
National Police	Maintain a special unit of 33 police officers that handle complaints regarding trafficking in persons, including children, with offices in five cities.(1)
The Public Ministry (Prosecutor's Office)	Enforce criminal laws, including those related to the worst forms of child labor. Investigate and prosecute violators based on complaints, its own information, or referrals from the MLWS and other agencies, such as the SNNA and the Public Defender's Office.(1) Maintain a Special Directorate to Fight the Trafficking of Persons and Commercial Sexual Exploitation of Children that works with local prosecutors nationwide to prosecute human trafficking and commercial sexual exploitation crimes.(1)
SNNA	Maintain a unit dedicated to fighting child trafficking.(1) Sponsor a hotline to report cases of human trafficking and the commercial sexual exploitation of children; provide social services to trafficking victims upon receiving referrals from law enforcement agencies.(20) In 2014, provided services to eight children identified in sex trafficking and four children in labor trafficking.(42)
The Public Defender's Office	Protect the due process of law. Endowed with legal, administrative, and budgetary autonomy within the judicial system.(5) Established a permanent Observatory Unit on Torture and an Observatory Unit on Penal Conditions. Employs 200 attorneys.(5)
Ministry of Women's Affairs (MWA)	Provide services to female victims of trafficking, half of whom are estimated to be children. House an office dedicated to combating trafficking of children. Handle most social services for trafficking victims. Have five dedicated personnel.(1, 20)

\* Agency responsible for child labor enforcement was created during the reporting period.

Law enforcement agencies in Paraguay took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor, Work and Social Security (MLWS) employed 26 inspectors nationwide in eight state-level branch offices to conduct all labor inspections, including for child labor violations.(6) Given the extent of child labor in Paraguay, the number of labor inspectors is inadequate.(6) In 2014, the ILO provided various trainings for MLWS labor inspectors that were not child labor specific, and held a September workshop in Asunción for Southern Cone representatives, including MLWS officials, on rural poverty and child labor in agriculture.(6, 43)

On January 1, 2014, the Ministry of Justice and Labor split into two ministries: the Ministry of Justice and Human Rights, and the MLWS.(1) During the operational transition after its creation, the MLWS relied on funds previously assigned to the Vice Ministry of Labor and did not have its own operational budget for 2014. Throughout the reporting period, the MLWS lacked adequate resources to enforce child labor laws, including dedicated vehicles and travel funds.(6) The 2015 budget of nearly \$35 million was approved at the end of the reporting period and allows the MLWS to hire 40 additional labor inspectors.(6)

The MLWS conducted 30 labor inspections in 2014, including in charcoal factories, agricultural markets, supermarkets, restaurants, and a poultry farm. The MLWS noted that many inspections were reduced or suspended due to internal investigations and ongoing reorganization of its Office of the Inspectorate; government officials considered the number of inspections in 2014 to be inadequate.(6) The MLWS targets certain sectors and industries for general labor inspections but usually carries out child labor inspections in reaction to complaints rather than specifically targeting child labor.(6) Five labor inspections in 2014 directly targeted child labor in San Pedro, Paraguari, Asunción, and Central but did not identify any violations.(6) Enforcement of child labor laws is inadequate in the informal sector, and the MLWS is unable to provide accurate statistics on the number of citations or penalties issued for child labor law violations because labor inspectors report the fines in aggregate.(6)

An additional constraint to labor law enforcement is the legal requirement that the Public Ministry and the MLWS secure a search warrant from a judge if an employer does not permit them to enter a workplace, including the workplace of domestic servants, to inspect it. There is a lack of efficient and timely cooperation by judicial authorities in granting search warrants for workplace inspections; the system is paper-based and orders routinely take over 3 months to arrive.(1, 6, 44) In 2014, the MLWS proposed a

cooperative agreement with the Supreme Court to create an electronic filing and communication system to allow judges to submit and receive legal orders and information requests more quickly.(6)

### ***Criminal Law Enforcement***

In 2014, the Public Ministry employed three specialized prosecutors in its Special Directorate to Fight the Trafficking of Persons and Commercial Sexual Exploitation of Children.(6) These prosecutors were based in Asunción and had a staff of 35 assistants.(6) The Directorate reported that more specialized prosecutors were needed to support local prosecutors nationwide and to increase the Public Ministry's ability to investigate and prosecute child labor cases.(6) The National Police maintained a department for complaints regarding trafficking in persons, including children; the department was staffed with 33 police officers and maintained offices in five cities.(6) In 2014, 13 human trafficking workshops were held, for a total of 80 Attorney General Prosecutors and employees.(25) The Ministry of Women's Affairs' (MWA) Anti-trafficking in Persons Unit organized training seminars for 20 judges, 18 police officers, 2 prosecutors, and 32 employees from various government agencies.(25)

The Special Directorate to Fight the Trafficking of Persons and Commercial Sexual Exploitation of Children has insufficient resources, including vehicles, fuel, and logistical support, to carry out investigations, particularly in remote areas such as the Chaco region, where the worst forms of child labor, human trafficking, and debt bondage are most prevalent. Overall, Paraguay's law enforcement agencies lack resources, including staff and training, to sufficiently identify, investigate, and prosecute cases of the worst forms of child labor; as a result, the number of convictions of crimes related to the worst forms of child labor is insufficient, and existing penalties are inadequate deterrents.(1, 6, 45)

In 2014, the Attorney General's Anti-trafficking in Persons Unit reported 173 child pornography cases, including 120 that originated from the National Center for Missing and Exploited Children cyber tip line. The Anti-trafficking in Persons Unit reported an increase in the number of investigations and convictions related to human trafficking during the reporting period, including 80 trafficking in persons cases, 28 prosecutions, and 16 convictions.(25) There is a lack of formal referral mechanisms between prosecutors in the Attorney General's Office and other agencies that receive complaints related to the worst forms of child labor, such as the National Secretariat for Children and Adolescents (SNNA).(1)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
The National Commission to Prevent and Eradicate the Exploitation of Children (CONAETI)	Lead government efforts against child labor and include representatives from the MLWS, the Ministry of Justice and Human Rights, the MWA, the SNNA, and other government agencies, as well as labor union representatives, industry associations, and NGOs.(1, 46)
National Council for Children and Adolescents (National Council)	Establish policies to protect children's rights and approve specific programs aimed at children and adolescents.(1, 46)
Inter-Institutional Working Group on Preventing and Combating Human Trafficking	Coordinate inter-agency efforts to combat all forms of trafficking in persons, including child trafficking. Headed by the Ministry of Foreign Relations.(1, 12, 46)
Defense Councils for the Rights of Children and Adolescents (CODENI)	Coordinate government efforts to protect children's rights at the municipal level, including by maintaining a registry of children and youth involved in economic activities and coordinating with vocational training programs for adolescent workers.(1, 26)
National Commission of Fundamental Labor Rights and Prevention of Forced Labor	Include representatives of employers, unions, and government agencies, such as the MLWS.(6)

In 2014, the MLWS signed a framework agreement with several ministries to define and coordinate the responsibilities of each agency and to create a national registry of adolescent workers.(6) The National Commission to Prevent and Eradicate the Exploitation of Children (CONAETI) held regular meetings during the reporting period and created working groups to establish coordinating mechanisms among government agencies. CONAETI organized several workshops with employers, unions, and adolescent workers to discuss regulations governing the nature and conditions of light work.(6) CONAETI continued to work closely with the Sugarcane Growers' Association to implement several ILO/USDOL-funded programs aimed at eradicating child



# Paraguay

## SIGNIFICANT ADVANCEMENT

labor in sugar plantations.(1) Despite these efforts, Government coordination—including between CONAETI, the MLWS, and other agencies, such as the Prosecutor’s Office, Public Defender’s Office, and the Judicial branch, and particularly at the local level—is done on an informal basis and remains insufficient to combat child labor.(1)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Paraguay has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents (2010 – 2015)	Serves as the Government’s main policy framework to address child labor. CONAETI-approved plan, aims to combat the worst forms of child labor. Provides access to free, quality education for child laborers and livelihood alternatives for their families. Raises public awareness of child labor and improves enforcement of child labor laws.(1, 46)
National Plan for Development (2014 – 2030)†	Includes goals for reducing child labor as part of broader efforts to reduce social exclusion and poverty. Includes the Embrace Program, which specifically aims to reduce the worst forms of child labor.(6, 47)
National Plan on Human Rights	Includes components on child labor, forced labor, and indigenous child labor. Established in 2012, the plan has no expiration date.(1)
Inter-Institutional Agreement on Government Procurement	Seeks to ensure that any goods or services procured by the Government are not produced through child labor. Established between SNNA and the National Bureau for Public Contracts.(48)
MERCOSUR United Against Child Labor Campaign	Develops public awareness about the need to combat child labor in MERCOSUR. Addresses child labor in agriculture, domestic work, and sexual exploitation, with particular emphasis on communities along country borders.(49)
Second Presidential Declaration on the Prevention and Eradication of Child Labor in MERCOSUR (2012)	Promotes greater coordination between governmental agencies, levels of government, and with civil society among MERCOSUR members.(50, 51)
MERCOSUR Southern Child Initiative	Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding the commercial sexual exploitation of children, child trafficking and pornography, child labor, and migrant labor; by improving country legal frameworks to harmonize them with international conventions affecting children; and by exchanging best practices.(52)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014 – 2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories’ efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Paraguay at the ILO’s 18th Regional Meeting of the Americas in Lima, Peru, in October 2014.(53, 54)

† Policy was approved during the reporting period.

In September 2014, Paraguay participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers’ rights, and prevent and eliminate child labor.(55, 56) In October, the Governments of Paraguay and Colombia signed a memorandum of understanding for the Prevention and Investigation of the Crime of Human Trafficking and Assistance for Victims.(57)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Paraguay funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Embrace Program ( <i>Programa Abrazo</i> ) (2005 – 2014)‡	SNNA program that assists children engaged in exploitative work by providing them and their families with health and education services and cash transfers conditioned on children's school attendance and withdrawal from work.(46) Works closely with NGO Fortalecer in the implementation of ILO-IPEC programs, and with the Sugarcane Growers' Association, Ministry of Education and Culture (MEC), and CONAETI to set up programs tailored to at-risk children who work during the sugarcane harvesting season.(1) As of November 2014, provided support to 8,531 children ages 0–14. The Government budgeted \$6.7 million in 2014 and provided monetary and in-kind support, particularly in direct food distribution.(6)
Well-Being Conditional Cash Transfer Program ( <i>Tekopará</i> )‡	Government-administered program through the Secretariat for Social Action.(1) Provides conditional cash transfers to families in moderate to extreme poverty in the Concepción, San Pedro, Canindeyú, Caaguazú, and Caazapá departments.(1) Incorporates aspects of the <i>Abrazo</i> program, such as the family monitoring methodology, to ensure beneficiary families do not allow their children to engage in child labor.(1) As of October 2014, served 81,741 families.(6)
Mutual Aid Conditional Cash Transfer Program ( <i>Nopytyvó</i> )‡	Government program that provides conditional cash transfers to impoverished indigenous families in the Chaco region.(58) Cash transfer is conditioned on families withdrawing children from child labor and meeting education and health requirements. Program assists approximately 774 families, including 1,256 children and adolescents.(6, 58)
Shout Program (2008 – 2014)	MEC/ILO program that carries out child labor awareness-raising activities among students and teachers to help school administrators identify child laborers and prevent children from engaging in the worst forms of child labor.(6, 46)
Comprehensive Attention Program for Street Children and Adolescents*‡	SNNA program that provides assistance and services to children living on the streets. Program's goal is to assist approximately 200 children.(46)
Country Level Engagement and Assistance to Reduce Child Labor (2013 – 2017)	USDOL-funded capacity-building project implemented by the ILO in at least 10 countries to build local and national capacity of the Government to address child labor. Aims to improve legislation addressing child labor issues, including by bringing local or national laws into compliance with international standards; improve monitoring and enforcement of laws and policies related to child labor; and enhance the implementation of national and local policies and programs aimed at the reduction and prevention of child labor in Paraguay.(59) In 2014, held four workshops on light work and hired a consultant to lead discussions on hazardous work.(41)
Global Research on Child Labor Measurement and Policy Development (2013 – 2017)	USDOL-funded research project implemented by the ILO in 10 countries to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity of the Government to conduct research in this area. In 2014, began preparatory discussions on a sectoral survey of child labor in agriculture.(60)
Global Action Program on Child Labor Issues (2011 – 2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and forced labor in Paraguay.(61)
Regional Action Group for the Americas ( <i>Grupo de Acción Regional para las Américas</i> )	Regional initiative that conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(62)
Southern Child Initiative ( <i>Niñ@sur</i> )	Regional initiative that carries out public campaigns against commercial sexual exploitation, trafficking, and child labor; facilitates technical assistance to improve domestic legal frameworks to comply with international standards on those issues; and supports the exchange of best practices related to victim protection and assistance.(63, 64)
Global Program on the Eradication of Child Labor	\$4.5 million Government of Spain-funded, 3-year project implemented by the ILO-IPEC to combat child labor.(65)
Partnership Program to Eliminate Child Labor	\$2.3 million Government of Brazil-funded, 4-year project implemented by the ILO-IPEC to combat child labor.(65)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Paraguay.

# Paraguay

## SIGNIFICANT ADVANCEMENT

The 2012 Law Against Trafficking in Persons requires the MWA to provide compensation and financial assistance to victims of sexual and labor trafficking, including minors. However, the Government has not allocated funding for the MWA to implement such a program, and most victims did not have access to comprehensive care.(6, 33, 42) MWA ran a temporary shelter in Asunción for female victims of human trafficking and domestic violence that provided lodging and counseling to 18 teenage girls in 2014.(42) Although Paraguay has programs that target child labor, the scope and funding level of these programs is insufficient to fully address the extent of the problem. Additional programs are needed to reach the large numbers of working children, especially in agriculture and domestic service.(6)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Paraguay (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Adopt regulations governing the nature and conditions of the light work permitted to children between ages 12 and 14.	2009 – 2014
	Adopt and publicize the legislation that establishes sanctions for violations of Decree No. 4951, the List of Work Endangering Children.	2010 – 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor and the resources available to them in order to provide adequate coverage of the workforce.	2009 – 2014
	Make information regarding the total annual number of labor inspections publicly available.	2013 – 2014
	Build enforcement capacity to address children’s work in the informal sector.	2014
	Make information publicly available on citations and penalties issued to employers for child labor infractions.	2012 – 2014
	Improve cooperation mechanisms among judicial authorities and labor enforcement officials in order to grant search warrants for workplace inspections in a more efficient and timely manner.	2013 – 2014
	Increase efforts to prosecute crimes related to employing children in the worst forms of child labor, including by hiring more specialized prosecutors and developing coordination and referral mechanisms for government agencies likely to receive child labor complaints to refer relevant complaints to the Public Ministry.	2012 – 2014
Coordination	Strengthen coordinating mechanisms among CONAETI, the MLWS, and other agencies to combat child labor, including its worst forms.	2013 – 2014
Policies	Conduct research to determine the activities carried out by children working in construction, transportation, and the informal sector in order to inform policies and programs.	2013 – 2014
Social Programs	Increase access to education, particularly for children working in domestic service and in rural and indigenous communities, including in the Chaco region.	2014
	Assess the impact that the Comprehensive Attention Program for Street Children and Adolescents has on reducing the worst forms of child labor.	2012 – 2014
	Further expand government programs to assist more families and children affected by the worst forms of child labor, especially in agriculture, domestic service, and human trafficking cases.	2010 – 2014

## REFERENCES

1. U.S. Embassy- Asunción. *reporting, February 3, 2014.*
2. ILO and DGEEC. *Magnitud y características del trabajo infantil y adolescente en el Paraguay*; 2013.
3. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
4. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from Encuesta Permanente de Hogares (EPH), 2005. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.

5. U.S. Department of State. "Paraguay," in *Country Reports on Human Rights Practices-2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dliid=204470>.
6. U.S. Embassy- Asunción. *reporting, January 15, 2015*.
7. ICF Macro. *Child Labor in the Sugarcane Industry in Paraguay: Quantitative Research and Data Collection*. Calverton, MD; October 2011.
8. U.S. Department of State. "Paraguay," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
9. International Trade Union Confederation. *Internationally Recognised Core Labour Standards in Paraguay*. Geneva; 2011. [http://www.ituc-csi.org/IMG/pdf/Paraguay\\_cls.pdf](http://www.ituc-csi.org/IMG/pdf/Paraguay_cls.pdf).
10. La Coordinadora para la Eliminación del Trabajo Infantil and IPEEC. *Dejame ser niño, Dejame ser niña* [DVD]. Paraguay; 2011, 13 min., 21 sec.,
11. Dequeni Foundation. Interview with USDOL official. July 5, 2011.
12. U.S. Embassy- Asunción. *reporting, March 5, 2014*.
13. Vasquez, A. *Construyendo una estrategia de supervivencia que no las lleve a la calle*. Asunción, Grupo Luna Nueva; April 2011.
14. ILO Committee of Experts. *Individual direct request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Paraguay (ratification: 2001) Published: 2014*; accessed April 17, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:13100:COMMENT\\_ID:3149343:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:13100:COMMENT_ID:3149343:NO).
15. UNICEF. *At a glance: Paraguay. Amidst severe poverty, community centres aid families in Paraguay*, [online] October 21, 2010 [cited May 4, 2015]; [http://www.unicef.org/infobycountry/paraguay\\_56594.html](http://www.unicef.org/infobycountry/paraguay_56594.html).
16. ABC Color. "Muchas "Liz" siguen en Cateura." ABC Color [online] February 10 2014 [cited March 25, 2015]; <http://www.abc.com.py/nacionales/muchas-liz-siguen-en-cateura-1213703.html>.
17. UNICEF. *Situación del Derecho a la Protección Infantil y Adolescente en Paraguay*. Asunción; December 2014. <http://www.unicef.org/paraguay/spanish/unicef-situacionderechoproteccion.pdf>.
18. U.S. Department of State. "Paraguay," in *Trafficking in Persons Report-2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210741.pdf>.
19. Secretaría Nacional de la Niñez y la Adolescencia. *Situación sobre CRIADAZGO en nuestro país*, [online] [cited April 16, 2015]; <http://www.sna.gov.py/noticia/142-situacion-sobre-criadazgo-en-nuestro-pas.html#.VTARp9zF98F>.
20. U.S. Embassy- Asunción. *reporting, February 1, 2013*.
21. Paraguay.com. "Ediles denuncian inacción de Evanhy ante pornografía infantil." [paraguay.com](http://www.paraguay.com/nacionales/ediles-denuncian-inaccion-de-evanhy-ante-pornografia-infantil-24703) [online] May 11, 2010 [cited April 3, 2013]; <http://www.paraguay.com/nacionales/ediles-denuncian-inaccion-de-evanhy-ante-pornografia-infantil-24703>.
22. Vivaparaguay.com. "Primer Condena por Pornografía Infantil en Paraguay." [vivaparaguay.com](http://www.vivaparaguay.com/new/index.php?option=com_content&view=article&id=23750:primer-condena-por-pornografia-infantil-en-paraguay&catid=4:nacionales&Itemid=7) [online] March 31, 2010 [cited February 2, 2013]; [http://www.vivaparaguay.com/new/index.php?option=com\\_content&view=article&id=23750:primer-condena-por-pornografia-infantil-en-paraguay&catid=4:nacionales&Itemid=7](http://www.vivaparaguay.com/new/index.php?option=com_content&view=article&id=23750:primer-condena-por-pornografia-infantil-en-paraguay&catid=4:nacionales&Itemid=7).
23. U.S. Department of State. "Paraguay," in *Trafficking in Persons Report-2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
24. Rural Poverty Portal. *Rural poverty in Paraguay*, International Fund for Agricultural Development, [online] [cited May 4, 2015]; <http://www.ruralpovertyportal.org/country/home/tags/paraguay>.
25. U.S. Embassy- Asunción. *reporting, February 17, 2015*.
26. Government of Paraguay. *Código de la Niñez y la Adolescencia*, No. 1680, enacted May 30, 2001. <http://www.senado.gov.py/leyes/ups/leyes/26031680.doc>.
27. Government of Paraguay. *Ley N 2332*, enacted December 19, 2003. <http://paraguay.justia.com/nacionales/leyes/ley-2332-dec-19-2003/gdoc/>.
28. Government of Paraguay. *El Listado de Trabajo Infantil Peligroso*, Decree 4951, enacted March 22, 2005. [http://white.oit.org.pe/ipecc/boletin/documentos/decreto\\_tip\\_adoptado.pdf](http://white.oit.org.pe/ipecc/boletin/documentos/decreto_tip_adoptado.pdf).
29. Government of Paraguay. *Código del Trabajo*, No. 213, enacted June 15, 1993. <http://www.bacn.gov.py/MjYwOA==&ley-n-213>.
30. Government of Paraguay. *Ley 496 Que Modifica, Amplia y Deroga Artículos de la Ley, Código del Trabajo*, 213/93, enacted June 15, 1993. <http://www.senado.gov.py/leyes/ups/leyes/2648Ley496.DOC>.
31. Government of Paraguay. *Constitución Política de 1992*, enacted June 20, 1992.
32. Government of Paraguay. *Código Penal de Paraguay*, No. 1.160/97, enacted November 26, 1997.
33. Government of Paraguay. *Ley Integral Contra la Trata de Personas*, No. 4788, enacted September 6, 2012.
34. Government of Paraguay. *Ley N° 3.440/08 Que Modifica Varias Disposiciones de la Ley N° 1.160/97, Código Penal*, enacted July 16, 2008. <http://www.pj.gov.py/images/contenido/ddpi/leyes/ley-3440-2008-que-modifica-el-codigo-penal.pdf>.
35. U.S. Embassy- Asunción. *reporting, January 17, 2012*.
36. Government of Paraguay. *Ley que Deroga el Artículo 10 y Modifica el Artículo 5 de la Ley Número 569/75 "Del Servicio Militar Obligatorio"*, No. 3360, enacted November 6, 2007. <http://paraguay.justia.com/nacionales/leyes/ley-3360-nov-2-2007/gdoc/>.
37. Government of Paraguay. *Ley General de Educación*, No. 1264/98, enacted April 21, 1998.
38. Government of Paraguay. *Ley N 4088 Que Establece la Gratuidad de la Educacion Inicial y de la Educacion Media*, enacted May 20, 2010. <http://www.bacn.gov.py/NTg5&ley-n-4088>.
39. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Paraguay (ratification: 2004) Submitted: 2012*; accessed March 19, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:NO::>.
40. Government of Paraguay. *Código de Ejecución Penal para la República del Paraguay*, Public Law Number 5.162, enacted October 17, 2014. <http://www.escritosdederecho.com/2014/11/ley-5162-de-2014-codigo-de-ejecucion-penal.html>.
41. ILO-IPEEC. *Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) project*. Technical Progress Report. Geneva; October 2014.
42. U.S. Embassy- Asunción. *reporting, April 30, 2015*.
43. ILO. *Taller sobre trabajo infantil en la agricultura y pobreza rural en los países del Cono Sur*, ILO, [online] [cited February 2, 2015]; [http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-santiago/documents/genericdocument/wcms\\_310298.pdf](http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-santiago/documents/genericdocument/wcms_310298.pdf).
44. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Paraguay (ratification: 1967) Published: 2014*; accessed October 31, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:NO::>.
45. ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Paraguay (ratification: 2001) Published: 2014*; accessed October 31, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:NO::>.
46. Government of Paraguay. *Written Communication*. Submitted in response to U.S. Department of Labor Request for Information. Asunción; February 01, 2013.
47. Government of Paraguay. *Paraguay para todos y todas: Propuesta de Política Pública para el Desarrollo Social 2010-2020*. Asunción; 2010. [http://www.sas.gov.py/xhtml/notisas/archivo/2010/abr/noti\\_amplio/PLAN\\_DESARROLLO\\_06+abr+2010.pdf](http://www.sas.gov.py/xhtml/notisas/archivo/2010/abr/noti_amplio/PLAN_DESARROLLO_06+abr+2010.pdf).
48. Secretaría Nacional de la Niñez y la Adolescencia and Dirección Nacional de Contrataciones Públicas. *Convenio de Cooperación Interinstitucional entre la Secretaría de la Niñez y la Adolescencia (SNNa) y la Dirección Nacional de Contrataciones Públicas (DNCP)*; 2010. <http://white.oit.org.pe/ipecc/alcencuentros/interior.php?notCodigo=1778>.
49. ILO. "El MERCOSUR unido contra el trabajo infantil." [ilo.org](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_178923/lang-es/index.htm) [online] April 13, 2012 [cited May 15, 2014]; [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_178923/lang-es/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_178923/lang-es/index.htm).
50. International Labour Organization. *Tercer Programa de Trabajo Decente por País para Argentina, período 2012 a 2015*, ILO, [online] [cited July 31, 2014]; [http://www.oit.org.ar/WDMS/bib/publ/documentos/ptdp\\_2012\\_2015\\_web.pdf](http://www.oit.org.ar/WDMS/bib/publ/documentos/ptdp_2012_2015_web.pdf).
51. MERCOSUR. *Segunda declaración presidencial sobre prevención y erradicación del trabajo infantil en el Mercosur*. Mendoza, Argentina; June 29, 2012 [http://www.mercosur.int/innovaportal/file/4506/1/segunda\\_declaracion\\_presidencial\\_sobre\\_prevenccion\\_trabajo\\_infantil.pdf](http://www.mercosur.int/innovaportal/file/4506/1/segunda_declaracion_presidencial_sobre_prevenccion_trabajo_infantil.pdf).

# Paraguay

## SIGNIFICANT ADVANCEMENT

52. Iniciativa Niñ@Sur. *Recomendaciones sobre derechos y asistencia a las niñas, niños, y adolescentes víctimas de trata, tráfico, explotación sexual y/o venta*, UNICEF, [online] [cited July 31, 2014]; [http://www.unicef.org/argentina/spanish/iniciativa\\_ninio\\_sur.pdf](http://www.unicef.org/argentina/spanish/iniciativa_ninio_sur.pdf).
53. ILO. *18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour*, ILO, [online] [cited December 1, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm) [source on file].
54. United Nations News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." October 15, 2014. <http://www.un.org/apps/news/story.asp?NewsID=49082#.VHyeYdLF98E>.
55. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
56. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
57. Consulado de Colombia en Asunción. *Ministros de Relaciones Exteriores de Colombia y Paraguay firman instrumentos de cooperación para combatir la trata de personas y para brindar asistencia y protección consular*, Government of Columbia, [online] [cited January 12, 2015]; <http://asuncion.consulado.gov.co/en/newsroom/news/2014-10-31/8939> [source on file].
58. Secretaría de Acción Social. *Programa ÑOPYTYVÓ de la (SAS)*, Secretaría de Acción Social [online] [cited July 31, 2014]; <http://www.scribd.com/doc/162771944/PROGRAMA-NOPYTYVO>.
59. ILO-IPEC. *Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) project*. Geneva; April 2014.
60. ILO-IPEC. *Technical Progress Report [MAP]*. Geneva; October 2014.
61. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
62. Grupo de Acción Regional. *Grupo de acción regional de las Américas, quienes somos*; 2010.
63. Child Rights Information Network. *MERCOSUR, CRIN*, [online] [cited June 3, 2015]; <http://www.bettercarenetwork.org/espanol/RM/mercosur.asp>.
64. Argentine Secretary of Human Rights. *Iniciativa Niñ@Sur*, Argentine Secretary of Human Rights, [previously online] [cited January 17, 2013]; <http://www.niniosur.com/index.asp>.
65. ILO-IPEC Geneva official. E-mail communication to USDOL official. April 4, 2014.



In 2014, Peru made a significant advancement in efforts to eliminate the worst forms of child labor. The Government of Peru approved the Intersectoral Protocol against Forced Labor and strengthened the Penal Code's penalties for human trafficking. Peru also joined the UNODC Blue Heart Campaign Against Human Trafficking and engaged with officials in Ecuador, Colombia, and Brazil on child labor issues. The Public Ministry opened a criminal prosecution office in Lima to specialize in human trafficking cases, and the National Labor Inspection Superintendency hired over 90 new labor inspectors and opened 8 regional offices. However, children in Peru continue to engage in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. Peruvian law does not fully comply with international standards to protect children engaged in night work and hazardous work. Labor inspectorates remain underfunded and the number of child labor inspections is insufficient, especially in regions with the highest rates of child labor. In addition, not all Regional Commissions for the Prevention and Eradication of Child Labor have drafted and funded action plans to combat child labor, although they are mandated to do so.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Peru are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-7) According to the Government's 2011 National Household Survey, 68 percent of child laborers under the legal working age work in rural areas, principally on farms.(1, 8) According to the same survey, approximately 31 percent of child laborers in urban areas work in the service sector, including in hazardous occupations such as street work. Official statistics indicate that the rates of child labor are significantly higher in the highland and jungle regions of Peru than in the coastal regions.(8) Table 1 provides key indicators on children's work and education in Peru.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	6-14 yrs.	19.4 (1,014,688)
Attending School (%)	6-14 yrs.	79.4
Combining Work and School (%)	7-14 yrs.	14.4
Primary Completion Rate (%)		91.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Hogares (ENAH), 2011.(10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
	Production of Brazil nuts/chestnuts* (4, 5)
Agriculture	Planting and harvesting avocados,* barley,* beans,* cocoa,* coffee,* corn,* grass,* passion fruit,* pineapples,* plantains,* potatoes,* rocoto chili peppers,*rice,* and yucca* (11-14)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Agriculture	Herding and caring for farm animals*† (8, 15)
	Fishing,† including deep sea fishing,† organizing tools, throwing fishing lines and nets,† harvesting crabs and shrimp eggs,*† and cleaning shrimp and prawns for packaging*†(14)
	Logging *† and clearing forestland for mining, including cutting down and burning trees*† (4-6)
Industry	Mining,† including silver mining* and particularly gold mining (4-6, 12, 16, 17)
	Production of bricks and fireworks† (4, 5)
Services	Street work,† including vending, begging, shoe shining, unloading ships, carrying loads, and car washing (3-5, 8, 14, 18)
	Collecting fares on public buses† (14)
	Repairing motor vehicles† (6)
	Garbage scavenging† and battery recycling* (4, 5, 16)
	Domestic work† (4, 15)
Categorical Worst Forms of Child Labor‡	Forced labor in mining,* particularly gold mining* (3-7)
	Forced labor in logging,* street vending, and begging (2-7)
	Forced domestic work sometimes as a result of human trafficking(3, 4)
	Working in bars and brothels, commercial sexual exploitation sometimes as a result of human trafficking (2, 4-7, 19-21)
	Growing and processing coca (stimulant plant) sometimes as a result of human trafficking, transporting drugs, and smuggling gas and gasoline* (2-5, 7, 14, 20, 21)
	Used in armed conflict sometimes as a result of forced or compulsory recruitment* (2, 3, 5)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Remnants of the terrorist group Shining Path use children as soldiers. The Shining Path, as well as other drug traffickers, use children to produce coca and transport drugs.(2-5, 7) Colombian children from the departments of Amazonas and Nariño frequently travel across the border to Peru to work in the cultivation of coca and illegal drug production. Sometimes these children, including indigenous children, are trafficked to perform these activities.(22, 23)

Evidence suggests that children in Peru work in informal mining, particularly in informal gold mines and peripheral services. Informal and small-scale mining companies have higher risks of being exposed to hazardous incidents including wall and mine collapses, landslides, explosives accidents, and exposure to harmful gases.(4, 14, 24) Children engaged in fishing often work at night, leading to frequent absences from school, and face risks including entanglement in nets, falls, and exposure to the elements.(14)

Domestic work is principally carried out by girls, who often migrate from impoverished areas in the highland and jungle regions to the coastal areas to work in third-party homes.(4) Girls are found in commercial sexual exploitation across the country, in particular in mining communities.(19, 25) Commercial sexual exploitation of children is also a problem in the tourist zones of Cuzco, Iquitos, and Lima.(2, 26) Research indicates that young Colombian girls and boys often enter Santa Rosa, Peru by canoe where they engage in commercial sexual exploitation and illicit activities and are further exploited in commercial sexual exploitation because they are unable to return to Colombia at night, as canoe access to Colombia closes from 6 pm to 6 am every day.(20, 21)




Adolescents from indigenous communities had a 42.5 percent secondary school completion rate in 2013, compared to the 67.6 percent completion rate of non-indigenous youth. Only 42.1 percent of girls ages 17 to 18 from rural communities completed secondary school in 2013, as opposed to 75.7 percent of girls in urban areas.(27) Some parents choose not to send their daughters to high school because of the distance, cost, and concerns over sexual violence and teen pregnancy.(28) A 2012 family health survey indicated that 34.9 percent of girls who have only completed primary school are pregnant or already have a child.(29) School authorities reportedly deny girls admission to school if they are pregnant or dating, despite legislation requiring school directors to ensure that students who are pregnant or have children remain in school and do not face discrimination.(28, 30)

In 2014, the Government signed legislation for the Complete School Day, which aims to increase instruction time from 35 to 45 hours per week in 1,000 public high schools in 2015 and to all public high schools by 2021. The Complete School Day aims to strengthen the quality of education, particularly in mathematics and English.(31, 32)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Peru has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 51 of the Child and Adolescent Code (33)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Child and Adolescent Code (34)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Sections A–B of the Supreme Decree No. 003-2010-MIMDES (35)
Prohibition of Forced Labor	Yes		Article 2 of the Constitution; Articles 128–129, 153, and 168 of the Penal Code (36, 37)
Prohibition of Child Trafficking	Yes		Article 4 of the Child and Adolescent Code; Articles 153 and 182 of the Penal Code (34, 36, 38, 39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 4 of the Child and Adolescent Code ; Articles 153 and 179–183 of the Penal Code (34, 39, 40)
Prohibition of Using Children in Illicit Activities	Yes		Articles 153, 179–180, 182–183, and 297 of the Penal Code (36, 39, 41)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 42 of the Military Service Law (42)
Minimum Age for Voluntary Military Service	Yes	18	Article 42 of the Military Service Law (42, 43)
Compulsory Education Age	Yes	16	Article 17 of the Constitution; Article 12 of the General Education Law (37, 44, 45)
Free Public Education	Yes		Article 17 of the Constitution; Article 4 of the General Education Law (37, 44)

Article 57 of the Child and Adolescent Code prohibits children under age 18 from working between the hours of 7 p.m. and 7 a.m., with the exception that a judge may authorize children age 15 and older to engage in night work not exceeding 4 hours a day. The Government of Peru has indicated that the pending bill to amend the Child and Adolescent Code may raise the minimum age for authorized night work to 16, which would bring the law into compliance with international standards on hazardous work.(34, 46)

Although Section A of the Supreme Decree No. 003-2010-MIMDES designates fishing and mining as work that is hazardous by nature, Article 51 of the Child and Adolescent Code allows children to perform work in mining at age 16 and in commercial fishing at age 17, without provisions to ensure that their health, safety, and morals are fully protected, or that they receive specific instruction or training in these activities.(33, 35)

# Peru

## SIGNIFICANT ADVANCEMENT

In 2014, the Government updated Article 153 of the Penal Code to increase the maximum penalties applicable to perpetrators of human trafficking crimes and to require anyone who facilitates trafficking in persons to be charged as a principal offender. The modifications to the Penal Code also add forced labor as a form of human trafficking.(39)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Promotion of Employment (MTPE)	Set national policies and guidelines for labor law enforcement, including for inspections. Responsible for supporting and overseeing the National Labor Inspection Superintendency (SUNAFIL).(47)
National Labor Inspection Superintendency	Enforce child labor laws, including prohibitions on the worst forms of child labor.(48) Carry out labor inspections in the Lima region, as well as inspections of employers outside of Lima with more than 10 registered workers, in coordination with regional labor inspectorates.(49) Maintain a Special Inspection Group against Forced Labor and Child Labor, composed of 15 inspectors who conduct inspections targeting forced labor and child labor violations, and train other inspectors on these topics.(14, 42, 50) Address possible child labor violations during all inspections and refer cases of child labor to the Ministry of Women and Vulnerable Populations (MIMP) and the Public Ministry, as appropriate.(51, 52) In 2014, opened regional administrative units in Huánuco, Loreto, Ica, Moquegua, Tumbes, La Libertad, Cajamarca and Áncash.(7, 53)
Regional Labor Inspectorates	Inspect employers in regions outside of Lima with 10 or fewer registered workers, in coordination with SUNAFIL.(47, 49)
Public Ministry	Coordinate with the MTPE, SUNAFIL, and the National Police to investigate and prosecute cases of criminal violations of child labor laws.(52)
Ministry of Women and Vulnerable Populations	Maintain a Children's Bureau that coordinates with the MTPE and SUNAFIL to document complaints of violations of child labor laws.(48, 54) Maintain a hotline for exploited children, including child laborers, and provide social services to children found working in the worst forms of child labor.(50, 52)
National Police	Enforce criminal laws regarding child labor and child exploitation and maintain a Trafficking Investigation Unit to investigate cases of child trafficking for labor and sexual exploitation.(48, 52) Coordinate with the Public Ministry and MIMP to place rescued minors in the care of family members or state social services.(1)
Ministry of the Interior (MININTER)	Maintain a hotline functioning during office hours to receive reports of trafficking in persons. Provide victims and the general public with information on human trafficking; communicate cases of human trafficking to relevant government offices; and coordinate services for victims.(1, 55)

Law enforcement agencies in Peru took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the National Labor Inspection Superintendency (SUNAFIL) employed 295 labor inspectors focused on the formal sector, 83 of whom were based in regional inspectorates outside of Lima.(7) In October, SUNAFIL announced the hiring of more than 90 new labor inspectors assigned to the regional administrative units of Huánuco, Loreto, Ica, Moquegua, Tumbes, La Libertad, Cajamarca and Áncash.(56) The MTPE and SUNAFIL provided training on child labor to 258 labor inspectors in 2014.(7, 54)

The 2014 budget for MTPE efforts to prevent and eliminate child labor was approximately \$552,729. (14) SUNAFIL reported that its 2014 Budget was \$24,647,980.(7) In general, inspectors lack sufficient resources, such as transportation and fuel, to address the problem of child labor, and inspections did not take place in the informal sector.(3, 14, 48) Many Regional Labor Inspectorates outside of Lima and Callao are particularly understaffed and underfunded, and the MTPE has reported that the number of inspectors is insufficient to conduct inspections effectively. Moreover, the ILO Committee of Experts has noted that the number of labor inspectors is also inadequate to monitor the informal economy, in which the majority of child labor in Peru occurs.(7, 57)

As of November 2014, SUNAFIL inspectors had carried out 692 labor inspections.(54) Inspections included routine, unannounced visits to areas with reported child labor problems, including in the agriculture, fishing, mining, construction, commerce, hotels and restaurants, and transportation sectors, as well as inspections responding to specific complaints. The number of child labor

violations found as a result of these inspections was not available, although the MTPE reported that child labor was found mainly in the mining, agriculture, fishing, and commerce sectors.(7) Regional inspectorates conducted inspections only as a result of child labor complaints.(7) In May 2014, Peru's Office of the Ombudsman published a study on the MTPE's actions on child labor, with a focus on the inspection system. The study produced recommendations to improve government actions on child labor, including by increasing supervision in the informal sector and coordinating with social protection agencies before, during, and after labor inspections.(58)

As of November 2014, the Government had imposed fines on 23 employers for child labor violations, totaling approximately \$5,292,000 and assisted 15 children working illegally, all in the Lima metropolitan area. Fines were insufficient to prevent child labor violations, however, particularly as NGOs estimate that only 10 percent of fines were collected.(7)

### *Criminal Law Enforcement*

In 2014, the MTPE, the National Police, and the Public Ministry worked together to investigate and prosecute criminal cases of the worst forms of child labor. The National Police's Trafficking in Persons Unit (DIRINTRAP) expanded from a small division to a directorate investigating cases involving the trafficking of minors for labor and hired 65 new officers in 2014, for a total of 110 National Police personnel.(7)

The Public Ministry investigated and prosecuted 110 cases involving trafficking in persons, and coordinated legal and psychological assistance for 177 victims; however, these data do not distinguish between children and adults.(14) In October, the Public Ministry converted a Lima office for criminal prosecution into an office specializing in human trafficking cases.(14, 59) There are 11 trafficking in persons prosecutors.(7) The Ministry of the Interior (MININTER) and the National Police participated in three bilateral operations with Ecuador, resulting in the repatriation to Ecuador of four adolescent victims trafficked into sexual exploitation and three adolescent victims of migrant trafficking.(60) MININTER reported having received approximately 1,099 calls to the trafficking in persons hotline, but information is unavailable on the number of these calls that were related to the trafficking of children. (14) The Judiciary reported having convicted 19 people for trafficking in persons between January and November of 2014, although the number of these cases involving children is unknown.(61) DIRINTRAP identified 25 minor victims of trafficking in persons; however, information was not available on the total number of children who were rescued or had received services in 2014.(61, 62)

The Public Defender's Office has recommended increasing the penalty for child endangerment beyond the maximum sentence of 4 years.(63, 64)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
National Commission for the Prevention and Eradication of Child Labor (CPETI)	Propose public policies and coordinate, evaluate, and monitor government actions to combat child labor.(3) Maintain several subcommittees, including one on informal mining and one on child labor in indigenous villages.(3) Led by the MTPE and includes 17 government agencies, including MININTER, the Ministry of Education, the Ministry of Justice, as well as representatives from business associations, unions, and NGOs.(3)
Regional Commissions for the Prevention and Eradication of Child Labor	Carry out CPETI's mandate at the regional level.(65) Created in all 25 regions of Peru.(14) In 2014, a total of 1,700 public officials involved in efforts to address child labor in 24 regions received training.(54)
National Commission against Forced Labor	Coordinate government efforts to combat forced labor, including conducting research on forced labor, awareness-raising efforts, developing legislation, and strengthening Peru's institutional capacity to address forced labor. Led by the MTPE with participation of eight additional government ministries.(48)
Permanent Multi-Sectoral Commission on Illegal Mining	Coordinate the Government's efforts to address illegal mining, including by developing programs to eradicate child labor and child prostitution in mining areas. Led by the Prime Minister's Office and includes the participation of regional governments and six national government agencies, including the Ministry of Energy and Mines and MININTER.(66)



**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Multi-Sector Committee Against Trafficking in Persons	Lead and coordinate government efforts to combat trafficking in persons. Chaired by MININTER and includes 12 government agencies, including the Ministry of Justice, MIMP, and the MTPE.(48)

In October 2014, the Ministry of Women and Vulnerable Populations and five other ministries met to develop strategies to combat child labor in the streets of Lima, focusing on preventative actions to be implemented in child laborers' communities of origin. The MTPE plans to provide additional funding to this initiative in 2015.(67)

In general, government agencies that identify and assist child laborers, as well as law enforcement agencies that investigate child labor cases, do not consistently coordinate with one another or share information about planned interventions or raids.(7, 62) The National Commission Against Forced Labor met infrequently throughout the reporting period.(7) The failure of law enforcement officials in different parts of the country to coordinate with one another on child trafficking cases also led to significant delays in both investigating the crimes and rescuing the victims.(2)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Peru has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor for 2012–2021	Aims to eliminate the worst forms of child labor by improving the livelihoods of low-income families, improving education opportunities, raising awareness of child labor, improving work conditions for adolescents, and increasing child labor law enforcement.(8, 54) Also seeks to improve the quality of child labor data in Peru. Includes the objective of carrying out pilot programs to combat child labor in urban and rural areas.(8)
National Action Plan for Children and Adolescents for 2012–2021	Establishes a comprehensive set of government policies for children and adolescents, including the goal of eradicating the worst forms of child labor.(1, 48, 54)
Sector Strategy on the Prevention and Eradication of Child Labor	Includes the objectives of increasing the availability of child labor data, raising public awareness, strengthening coordination between public and private entities on child labor issues, and improving investigations of child labor violations. Developed jointly by the MTPE and the ILO.(52, 68)
Second National Plan to Combat Forced Labor for 2013–2017	Establishes the Government's policies and priorities for combatting forced labor. Includes the goal of reducing children's vulnerability to becoming engaged in forced labor.(24)
Intersectoral Protocol against Forced Labor (2014)†	Outlines the Government's role in combatting forced labor and provides for the housing, legal defense, and educational reintegration of children and adolescent victims of forced labor. Monitored by the National Commission Against Forced Labor.(7, 69)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Peru at the ILO's 18th Regional Meeting of the Americas in Lima (October 2014).(70, 71)
A Peru without Child Labor (2014)†	Aims to prevent and eradicate child labor through a partnership between the Government and a network of private businesses committed to supporting the National Strategy by investing in child development and building a skilled workforce. Signed by the MTPE and principal business associations in June 2014.(54, 72)
Illegal Mining, Drug Trafficking, Inequality, and Poverty Elimination Agreement Between the Government of Colombia and the Government of Peru†	Outlines 11 agreements between the 2 nations, including several that focus on child and adolescent labor protection issues, such as identifying and assisting children and adolescents who work in mining activities and are in vulnerable situations.(73) In addition, establishes a roadmap to apply concepts from the Cooperation Agreement on the Exchange of Experiences and Good Practices regarding labor and labor relations, including child labor.(73)

† Policy was launched during the reporting period.

As a part of the agreement with the Government of Colombia, the Government of Peru met with officials from Colombia and developed a workshop for an information and coordination exchange on the development of a Binational Peru-Colombia Child Labor Registration System. The Government also met with civil society partners and officials from Colombia and Brazil to coordinate efforts to prevent the sexual exploitation of minors in border areas.(74) In addition, the Governments of Peru and

Ecuador participated in a workshop to develop a bilateral protocol on the eradication of child labor.(75, 76)

Although the Second National Plan to Combat Forced Labor for 2013–2017 has been approved, the Government has not allocated funding to implement many components of the Plan.(3, 7) Regional Commissions for the Prevention and Eradication of Child Labor are mandated to create action plans to combat child labor, but not all regional commissions have action plans in place and some regions have not provided funding to their commissions to carry out the action plans.(51, 77)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Peru funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Seed Project ( <i>Proyecto Semilla</i> ) (2011–2015)	\$13 million USDOL-funded, 4-year project implemented by the NGO Desarrollo y Autogestión to combat rural child labor. Supports the national and regional governments in developing child labor policies, carries out awareness-raising campaigns, and aims to provide 6,000 children and 3,500 families with education and livelihood services to reduce the incidence of child labor.(15, 78) As of October 2014, had assisted 4,422 children and 2,707 families.(79) In 2014, the Ministry of Education hired 23 teachers for the project's high school tutoring program in Junín and Huancavelica, funded 3 workshops for the project, and hired 2 staff members to conduct a study on expanding the project to additional schools in 2015.(79, 80)
Global Research on Child Labor Measurement and Policy Development (2013–2017)	USDOL-funded research project implemented by the ILO in 10 countries, including Peru, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building the capacity of the Government to conduct research in this area.(81)
Project to Consolidate Efforts to Combat Forced Labor in Brazil and Peru (2012–2016)	\$6 million USDOL-funded, 4-year project implemented by the ILO to combat forced labor, including forced child labor, in Brazil and Peru, and to share Brazil's good practices with the Government of Peru and Peruvian stakeholders. In 2014, the project began to develop a monitoring tool to track the implementation of the National Plan to Combat Forced Labor, and supported activities to promote the exchange of good practices to Combat Forced Labor.(82–84) It also carried out an exchange activity between the Brazilian and Peruvian Commissions to Combat Forced Labor to share good practices and develop an agenda for further information-sharing activities.(83, 84)
Carabayllo Project (2012–2014)‡	2-year pilot project implemented by the Government that provides scholarships, education assistance, psychological help, and other services to 1,000 families and 1,500 children, with the aim of reducing urban child labor, especially in garbage dumps.(1, 8, 50)
Huánuco Project (2012–2014)‡	2-year pilot project implemented by the Government that seeks to improve school retention and attendance rates among child laborers in rural areas. In conjunction with the Together Program, assists approximately 4,000 children and 3,200 families by providing them with cash transfers, education, and livelihood services.(1, 8, 50)
Together Program ( <i>Juntos</i> )*‡	Ministry of Social Development program to provide cash transfers to approximately 650,000 low-income households in 14 of the country's 25 departments.(85, 86)
Peru Works ( <i>Trabaja Perú</i> )‡	MTPE program that offers temporary work and technical training to low-income households. Requires beneficiaries to ensure their children attend school and do not engage in child labor.(48, 52)
Youth to Work ( <i>Jóvenes a la Obra</i> )*‡	MTPE program to provide youth ages 16 to 24 with free job training, including on-the-job training in companies.(3)
Go Peru (Vamos Perú)*‡	MTPE program to provide job training and assistance to entrepreneurs, and job placement services to the unemployed, including youth.(3)
Street Educators ( <i>Educadores de Calle</i> )‡	MIMP program to provide counseling and training to children engaged in begging and street work in 20 cities throughout Peru.(87) Connects working children and their families to educational and social services with the goal of withdrawing them from exploitative work and improving family welfare.(51, 87) In October 2014, 122 Street Educators members attended a national meeting to exchange experiences and strengthen intervention efforts.(88) Coordinated with the MTPE to provide workshops on the prevention of trafficking in persons to more than 1,000 children in 2014.(61)
Regional Action Group for the Americas ( <i>Grupo de Acción Regional para las Américas</i> )	Regional initiative that conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(89, 90)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Education and Monitoring Program for the Eradication of Child Labor (2012–2014)	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aimed to strengthen public policies and government capacity to combat child labor in 19 countries in the Americas, including Peru. Included the objective of developing information systems on the worst forms of child labor.(91)
Blue Heart Campaign against Human Trafficking (2014)†‡	Government of Peru and UNODC campaign that aims to raise awareness of combatting human trafficking.(92) Funded by the Government of Peru.(14)

\*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Peru.

Although Peru has programs that reach children who work in agriculture in rural areas, the scope of these programs is still insufficient to fully address the large numbers of children engaged in hazardous occupations in agriculture. Peru also lacks targeted programs to assist children who are subjected to forced labor, commercial sexual exploitation, and child soldiering, as well as children who work in mining, logging, and domestic work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Peru (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that only children age 16 and older are authorized to work between the hours of 7 p.m. and 7 a.m.	2014
	Ensure that minors engaged in fishing and mining receive adequate, specific instruction or training in these activities, and that their health, safety, and morals are fully protected.	2014
Enforcement	Increase the level of funding allocated to the MTPE, SUNAFIL, and Regional Labor Inspectorates to help ensure effective enforcement of child labor laws, particularly in the informal sector and regions with high rates of child labor.	2009 – 2014
	Increase the amount of information that is publicly available about child labor law enforcement efforts, particularly at the regional level, including the number of child laborers identified and assisted as a result of inspections, the number of fines imposed and collected for child labor violations, and the number of criminal cases involving the worst forms of child labor that were investigated, prosecuted, or convicted.	2012 – 2014
Coordination	Strengthen coordination and information-sharing mechanisms among government agencies dealing with child labor issues.	2012 – 2014
Government Policies	Allocate sufficient funding to fully implement the Second National Plan to Combat Forced Labor.	2013 – 2014
	Ensure that regional CPETI commissions develop action plans to combat child labor, and allocate sufficient funding to implement these plans.	2010 – 2014
Social Programs	Improve access to education for girls in rural and indigenous communities.	2014
	Assess the impact that existing social programs, such as the Juntos conditional cash transfer program, may have on addressing child labor.	2013 – 2014
	Expand social programs to reach a greater number of children working in hazardous occupations in agriculture, and initiate social programs to address forced child labor, child commercial sexual exploitation, child soldiering, child labor in mining, child labor in logging, and child domestic work.	2009 – 2014

## REFERENCES

- Government of Peru. *Written Communication*. Submitted in response to USDOL Request for Information about Child and Forced Labor. Lima; January 28, 2013.
- U.S. Department of State. "Peru," in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/documents/organization/226848.pdf>.
- U.S. Embassy- Lima. *reporting, January 10, 2014*.
- UN Human Rights Council. *Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian*. New York; August 15, 2011.
- U.S. Department of State. "Peru," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Verite. *Risk Analysis of Indicators of Forced Labor and Human Trafficking in Illegal Gold Mining in Peru*. Amherst; 2013. [http://www.verite.org/sites/default/files/images/Indicators%20of%20Forced%20Labor%20in%20Gold%20Mining%20in%20Peru\\_0.pdf](http://www.verite.org/sites/default/files/images/Indicators%20of%20Forced%20Labor%20in%20Gold%20Mining%20in%20Peru_0.pdf).
- U.S. Embassy- Lima. *reporting, January 13, 2015*.
- Government of Peru. *Estrategia Nacional para la Prevención y Erradicación del Trabajo Infantil 2012-2021*. Lima; 2012.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from ENAHO, 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Proyecto Semilla. *Documento de Línea de Base*. Project Document. Lima, Desarrollo y Autogestión, DESCO, World Learning; December, 2012.
- El Comercio. "Investigan denuncias de trabajo infantil en tres regiones." El Comercio, Lima, August 21, 2014. <http://elcomercio.pe/peru/pais/investigand-denuncias-trabajo-infantil-tres-regiones-noticia-1751626>.
- Government of Peru. *Ministerio de Trabajo continúa con acciones para erradicar explotación laboral infantil en el norte del país*, Ministerio de Trabajo, [online] [cited March 27, 2015]; <http://www.mintra.gob.pe/mostrarnoticias.php?codNoticia=4471> [source on file].
- U.S. Embassy- Lima official. E-mail communication to USDOL official. April 16, 2015.
- Centro de Desarrollo y Autogestión. *Combating Exploitative Rural Child Labor in Perú*. Project Document. Lima; November 2011.
- UN Committee on Economic Social and Cultural Rights. *Consideration of Reports Submitted by States Parties Under Articles 16 and 17 of the Covenant: Peru*. Geneva; May 30, 2012. Report No. E/C.12/PER/CO/2-4. <http://www.unhcr.org/refworld/publisher/CESCR/CONCOBSERVATIONS..506447ed2.0.html>.
- Villavicencio, E. "La Libertad: Mineros informales depredan cerro Ragash de Salpo." El Comercio, Trujillo, September 23, 2013. <http://elcomercio.pe/actualidad/1635112/noticia-libertad-mineros-informales-depredan-cerro-ragash-salpo>.
- El Comercio. "Mayoría de niños trabajadores del Cercado son de Huancavelica." El Comercio, Lima, October 1, 2014. <http://elcomercio.pe/lima/sucesos/mayoria-ninos-trabajadores-cercado-son-huancavelica-noticia-1761030>.
- U.S. Embassy- Lima official. E-mail communication to USDOL official. June 3, 2013.
- Governorship of Amazonas official Interview with USDOL official (June 1, 2015).
- Ministry of Labor official Interview with USDOL official (June 3, 2015).
- Colombian District Attorney's Office official Interview with USDOL official (June 2, 2015).
- Colombian Institute for Family Well-Being (ICBF) official Interview with USDOL official (June 2, 2015).
- Government of Peru. *II Plan Nacional para la Lucha contra el Trabajo Forzoso 2013 - 2017*. Lima; 2013.
- Cardenas, MA. "Son las familias las que involucran a sus niños en la trata de personas." El Comercio, Lima, December 5, 2011. <http://elcomercio.pe/peru/1343756/noticia-son-familias-que-involucran-sus-ninos-trata-personas-1>.
- U.S. Embassy- Lima. *reporting, February 15, 2013*.
- ESCALE. *Tasa de conclusión, secundaria, grupo de edades 17-18*, Ministerio de Educación, [online] June 23, 2014 [cited February 27, 2015]; <http://escale.minedu.gob.pe/tendencias>.
- Hildebrandt Chávez, C. La Escuela del Silencio [Youtube]. Peru: UNICEF; March 25, 2014, 24 min., 16 sec., accessed February 27, 2015; [http://www.unicef.org/peru/spanish/media\\_26884.htm](http://www.unicef.org/peru/spanish/media_26884.htm).
- Instituto Nacional de Estadística e Informática. *Peru Encuesta Demográfica y de Salud Familiar 2012*. Lima; April 2013. <http://proyectos.inei.gob.pe/endes/2012/>.
- Government of Peru. *Ley que Fomenta la Reinsercion Escolar por Embarazo*, Law Number 29600, enacted March 26, 2013. <http://www.minedu.gob.pe/ditoe/xtras/DS-002-2013-ED.pdf>.
- El Comercio. "En mil colegios las clases durarán hasta las 3:30 p.m." El Comercio, Lima, October 3, 2014. <http://elcomercio.pe/lima/ciudad/mil-colegios-clases-duraran-hasta-330-pm-noticia-1761411>.
- Government of Peru. *Jornada Escolar Completa*, Ministerio de Educación, [online] [cited December 31, 2014]; <http://www.minedu.gob.pe/a/006.php> [source on file].
- Government of Peru. *Ley que Modifica el Artículo 51 de la Ley No. 27337, 27571*, enacted December 4, 2001. [http://www.mintra.gob.pe/contenidos/legislacion/dispositivos\\_legales/ley\\_27571.htm](http://www.mintra.gob.pe/contenidos/legislacion/dispositivos_legales/ley_27571.htm).
- Government of Peru. *Ley que Aprueba el Nuevo Código de los Niños y Adolescentes*, No. 27337, enacted August 2, 2000. <http://www.acnur.org/biblioteca/pdf/01163.pdf>.
- Government of Peru. *Decreto Supremo*, No. 003-2010-MIMDES, enacted 2010. [http://www.chsalternativo.org/upload/archivos/archivo\\_424.pdf](http://www.chsalternativo.org/upload/archivos/archivo_424.pdf).
- Government of Peru. *Código Penal* No. 635, enacted August 4, 1991. <http://spij.minjus.gob.pe/CLP/contenidos.dll?f=templates&fn=default-codpenal.htm&cvid=Ciclope:CLPdemo>.
- Government of Peru. *Constitución Política del Perú* enacted 1993. <http://www2.congreso.gob.pe/congreso/Constitución-Política-08-09-09.doc>.
- Government of Peru. *Ley contra la Trata de Personas y el Tráfico Ilícito de Migrantes*, Law No. 28950, enacted January 16, 2007. [http://white.oit.org.pe/ipecd/documentos/ley\\_trata\\_peru\\_06.pdf](http://white.oit.org.pe/ipecd/documentos/ley_trata_peru_06.pdf).
- Government of Peru. *Ley que perfecciona la tipificación del delito de trata de personas*, Ley N 30251, enacted October 20, 2014. [http://www.mef.gob.pe/contenidos/servicios\\_web/conectamef/pdf/normas\\_legales\\_2012/NL20141021.pdf](http://www.mef.gob.pe/contenidos/servicios_web/conectamef/pdf/normas_legales_2012/NL20141021.pdf).
- Government of Peru. *Modificación del Código Penal* No. 28251, enacted August 4, 2004. [http://www.oit.org.pe/ipecd/documentos/ley\\_28251\\_esci\\_pe.pdf](http://www.oit.org.pe/ipecd/documentos/ley_28251_esci_pe.pdf).
- Peruvian Ministry of Labor. Official communication to USDOL. January 21, 2014.
- Government of Peru. *Ley del Servicio Militar*, No. 27178, enacted September 28, 1999. <http://www.resdal.org/Archivo/d0000281.htm>.
- Child Soldiers International. *Louder than words: An agenda for action to end state use of child soldiers*. London; 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- Government of Peru. *Ley General de Educación*, Ley N 28044, enacted July 28, 2003. [http://www.minedu.gob.pe/pl/ley\\_general\\_de\\_educacion\\_28044.pdf](http://www.minedu.gob.pe/pl/ley_general_de_educacion_28044.pdf).
- Government of Peru. *Written Communication*. Lima; April 5, 2013.
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Peru (ratification: 2002) Published: 2014*; accessed November 5, 2014; <http://www.ilo.org/dyn/normlex/en/>.
- Government of Peru. *Gobierno promulgó ley de creación de la Superintendencia Nacional de Fiscalización Laboral*, Ministry of Labor and Employment Promotion, [online] [cited April 15, 2014]; <http://www.mintra.gob.pe/mostrarnoticias.php?codNoticia=3871>.
- U.S. Embassy- Lima. *reporting, January 30, 2013*.
- USDOL official. *Observation Report*; January 27, 2014.
- Government of Peru. *Written Communication*. Submitted in response to USDOL Request for Information about Child and Forced Labor. Lima; January 20, 2014.
- U.S. Embassy- Lima. *reporting, January 24, 2012*.



52. Government of Peru. *Written Communication*. Submitted in response to USDOL Request for Information about Child and Forced Labor. Lima; May 30, 2011.
53. Government of Peru. *SUNAFIL: Fiscalizaciones laborales llegarán a 16 regiones del país*, SUNAFIL, [online] [cited November 10, 2014]; <http://www.sunafil.gob.pe/noticias/sunafil-fiscalizaciones-laborales-llegaran-a-16-regiones-del-pais/> [source on file].
54. Government of Peru. *Written Communication*. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Lima; January 27, 2015.
55. Government of Peru. *Línea contra la trata de personas 0800-2-3232*, Ministry of the Interior, [online] [cited April 15, 2014]; <http://dgsd.mininter.gob.pe/dpdfg/lineatrata.html>.
56. Government of Peru. *Mas de noventa inspectores de trabajo ingresarán a SUNAFIL*, SUNAFIL, [online] [cited November 10, 2014]; <http://www.sunafil.gob.pe/noticias/mas-de-noventa-inspectores-de-trabajo-ingresaran-a-sunafil-2/> [source on file].
57. ILO Committee of Experts. *Observation concerning Minimum Age Convention, 1973 (No. 138) Peru (ratification: 2002) Published: 2014*; accessed November 5, 2014; <http://www.ilo.org/dyn/normlex/en/>.
58. Government of Peru. *Trabajo infantil y derechos fundamentales de los niños, niñas y adolescentes en el Perú*. Lima; May 2014. [http://www.defensoria.gob.pe/modules/Downloads/informes/defensoriales/id\\_166.pdf](http://www.defensoria.gob.pe/modules/Downloads/informes/defensoriales/id_166.pdf).
59. Government of Peru. *Fiscal de la nación inaugura nuevas fiscalías especializadas en delitos de trata de personas*, Ministerio Público Fiscalía de la Nación, [online] [cited January 5, 2015]; <http://www.mpfj.gob.pe/index.php/prensa/informacion-de-prensa/363-fiscal-de-la-nacion-inaugura-nuevas-fiscalias-especializadas-en-delitos-de-trata-de-personas> [source on file].
60. Government of Peru. *Lucha contra la trata de personas permite repatriar siete víctimas Ecuatorianas* Ministerio del Interior, [online] [cited November 3, 2014]; <https://www.mininter.gob.pe/content/lucha-contra-la-trata-de-personas-permite-repatriar-siete-victimas-ecuatorianas> [source on file].
61. U.S. Embassy- Lima. *reporting, February 12, 2015*.
62. U.S. Embassy- Lima official. E-mail communication to USDOL official. July 21, 2014.
63. AFP. "Perú: Condenados por Trata de Niños Reciben Penas Menores a Ley (Defensoría)." [afpnet.org](http://afpnet.org) [online] December 11, 2012 [cited December 1, 2013]; <http://bit.ly/1ajoY07>.
64. RPP. "Defensoría del Pueblo: 'Trabajo infantil no está tipificado'." [rpp.com.pe](http://www.rpp.com.pe) [online] May 23, 2014 [cited December 29, 2014]; [http://www.rpp.com.pe/2014-05-23-defensoria-del-pueblo--trabajo-infantil-no-esta-tipificado-noticia\\_694465.html](http://www.rpp.com.pe/2014-05-23-defensoria-del-pueblo--trabajo-infantil-no-esta-tipificado-noticia_694465.html)
65. Government of Peru. *Decreto Supremo 052-2011-PCM*, enacted June 21, 2011. <http://spji.minjus.gob.pe/Normas/textos/210611T.pdf>.
66. Government of Peru, Public Defender's Office. *Gestión del Estado frente a la Minería Informal e Ilegal en el Perú*. Lima; 2013. <http://www.defensoria.gob.pe/modules/Downloads/informes/varios/2013/Informe-N-001-2013-DP-AMASPP-MA.pdf>.
67. Gestion. "Elaboran estrategia para evitar trabajo infantil en calles de Lima." [gestion.pe](http://gestion.pe) [online] October 1, 2014 [cited December 29, 2014]; <http://gestion.pe/politica/elaboran-estrategia-evitar-trabajo-infantil-calles-lima-2110084>.
68. Government of Peru, and Ministry of Labor and Employment Promotion. *Informe Anual de la Inspección del Trabajo en el Perú: Año 2008*. Lima; November 2009. [http://www.mintra.gob.pe/archivos/file/gestion/informe\\_anual\\_inspeccion\\_%202008.pdf](http://www.mintra.gob.pe/archivos/file/gestion/informe_anual_inspeccion_%202008.pdf).
69. Government of Peru. *Decreto Supremo que aprueba el protocolo intersectorial contra el trabajo forzoso*, Decreto Supremo N° 011-2014-TR, enacted October 2, 2014. [http://www.mintra.gob.pe/archivos/file/SNIL/normas/2014-10-03\\_011-2014-TR\\_3715.pdf](http://www.mintra.gob.pe/archivos/file/SNIL/normas/2014-10-03_011-2014-TR_3715.pdf).
70. ILO. *18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour*, ILO, [online] [cited December 1, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm) [source on file].
71. United Nations News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." [un.org](http://www.un.org/apps/news/story.asp?NewsID=49082#.VHyeYdLF98E) [online] October 15, 2014 [cited 2014]; <http://www.un.org/apps/news/story.asp?NewsID=49082#.VHyeYdLF98E>.
72. Government of Peru. *Ministra de Trabajo y empresarios unen esfuerzos para combatir el trabajo infantil en el Perú*, Ministerio de Trabajo, [online] [cited February 20, 2015]; <http://www.mintra.gob.pe/mostranNoticias.php?codNoticia=4163> [source on file].
73. La W Radio. "Colombia y Perú firmaron 11 acuerdos de cooperación binacional." [wradio.com.co](http://www.wradio.com.co) [online] September 30, 2014 [cited May 5, 2015]; <http://www.wradio.com.co/noticias/actualidad/8203colombia-y-peru-firmaron-11-acuerdos-de-cooperacion-binacional/20140930/nota/2440352.aspx>.
74. Fox News Latino. "Perú, Colombia y Brasil coordinan ofensiva contra la explotación sexual de menores." [foxnews.com](http://foxnews.com) [online] November 14, 2014 [cited November 17, 2014]; <http://latino.foxnews.com/latino/espanol/2014/11/14/peru-colombia-y-brasil-coordinan-ofensiva-contra-la-explotacion-sexual-de/>.
75. Andina. "Perú y Ecuador buscan articular lucha para erradicar trabajo infantil." [andina.com](http://www.andina.com.pe) [online] November 7, 2014 [cited December 24, 2014]; <http://www.andina.com.pe/agencia/noticia-peru-y-ecuador-buscan-articular-lucha-para-erradicar-trabajo-infantil-530702.aspx>.
76. Andina. "Perú y Ecuador trabajan protocolo binacional de erradicación del trabajo infantil." [andina.com](http://www.andina.com.pe) [online] October 30, 2014 [cited December 24, 2014]; <http://www.andina.com.pe/agencia/noticia-peru-y-ecuador-trabajan-protocolo-binacional-erradicacion-del-trabajo-infantil-529618.aspx>.
77. U.S. Embassy- Lima. *reporting, February 22, 2011*.
78. Centro de Desarrollo y Autogestión. *Combating Exploitative Rural Child Labor in Perú*. Technical Progress Report. Lima; October 2012.
79. Centro de Desarrollo y Autogestión. *Combating Exploitative Rural Child Labor in Perú*. Technical Progress Report. Lima; October 2014.
80. Centro de Desarrollo y Autogestión official. E-mail communication to USDOL official. January 12, 2015.
81. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP)*. Technical Progress Report. Geneva; April 2014.
82. USDOL and ILO. *Cooperative Agreement No. IL 23986-13-75-K*. Washington, DC; December 18, 2012.
83. ILO. *Consolidating and Disseminating Efforts to Combat Forced Labour in Brazil and Peru*. Grant Modification No. 2; July 18, 2014.
84. ILO. *Consolidating and Disseminating Efforts to Combat Forced Labor in Brazil and Peru*. Technical Progress Report. Geneva; October 2014.
85. Government of Peru. *Tablero de Control- JUNTOS*, Government of Peru, [online] [cited April 15, 2014]; [http://infomidis.midis.gob.pe/tablero/JUNTOS/P\\_Descripcion.html](http://infomidis.midis.gob.pe/tablero/JUNTOS/P_Descripcion.html).
86. Romulo Paes-Sousa, Ferdinando Regalia, and Marco Stampini. *Conditions for Success in Implementing CCT Programs: Lessons for Asia from Latin America and the Caribbean*. Washington, DC, Inter-American Development Bank; June 2013. <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=37839386>.
87. Government of Peru. *Programa Educadores de Calle*, Government of Peru, [online] [cited April 15, 2014]; [http://www.inabif.gob.pe/portalinabif/02\\_lineas/pec/pec.htm](http://www.inabif.gob.pe/portalinabif/02_lineas/pec/pec.htm).
88. Andina. "122 educadores de Yachay participan en Primer Encuentro Nacional de Educadores de Calle." [andina.com](http://www.andina.com.pe) [online] October 29, 2014 [cited November 3, 2014]; <http://www.andina.com.pe/agencia/noticia-122-educadores-yachay-participan-primer-encuentro-nacional-educadores-calle-529501.aspx>.
89. Grupo de Acción Regional de las Américas. *Países Participantes, Grupo de Acción Regional de las Américas*, Grupo de Acción Regional de las Américas, [online] 2010 [cited June 6, 2014]; [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=article&id=52%3AQuienes-somos&catid=38&Itemid=73&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=article&id=52%3AQuienes-somos&catid=38&Itemid=73&lang=es).
90. Feitosa, W. *Ecuador Assume Dirección de Grupo Latino-Americano para a Proteção Infante-Juvenil*, Brazilian Ministry of Tourism, [online] November 26, 2008 [cited June 6, 2014]; <http://www.turismo.gov.br/turismo/noticias/todas-noticias/200811262.html>.
91. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
92. UNODC. *Peru joins Blue Heart Campaign against Human Trafficking*, UNODC, [online] [cited December 9, 2014]; <http://www.unodc.org/unodc/en/frontpage/2014/September/peru-joins-blue-heart-campaign-against-human-trafficking.html?ref=fs1> [source on file].



In 2014, the Philippines made a significant advancement in efforts to eliminate the worst forms of child labor. The National Child Labor Committee (NCLC) finalized its Strategic Plan for 2014–2016, which will serve as the operational framework to address components of the Philippine Program Against Child Labor (PPACL). Four NCLC subcommittees conducted year-end assessments on the accomplishments of their respective 2014 strategic plans to identify the implementation gaps and formulate their 2015 strategic plans under the PPACL Strategic Framework. The Inter-Agency Council Against Trafficking (IACAT) trained over 5,000 service providers to ensure the protection, prevention, and prosecution of human trafficking cases, and established three additional regional task forces bringing the countrywide total to 19. However, children in the Philippines are engaged in child labor, including in agriculture and domestic work. Despite nearly doubling the number of Labor Law Compliance Officers (LLCO), enforcement of child labor laws remains challenging due to the limited number of inspectors and lack of resources for inspections.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Philippines are engaged in child labor, including in agriculture and domestic service.(1-5) The 2011 National Survey on Children indicated that 3.2 million children are engaged in child labor, of which approximately 3 million work in hazardous labor.(6) Most child labor occurs in the informal sector, with approximately 60 percent working in agriculture.(7) Table 1 provides key indicators on children’s work and education in the Philippines.

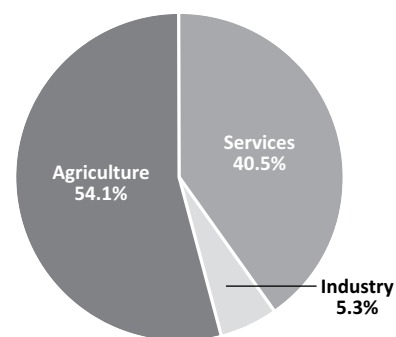
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	7.5 (1,549,677)
Attending School (%)	5-14 yrs.	93.7
Combining Work and School (%)	7-14 yrs.	7.8
Primary Completion Rate (%)		91.3

Source for primary completion rate: Data from 2009, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Survey on Children, 2011.(9)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of sugarcane, bananas, coconuts, corn, hogs, palm oil,* rice, rubber, and tobacco (1, 10-14)
	Mining† and quarrying,† including gold extraction (1-3, 11, 13, 15-17)
Industry	Deep-sea fishing† (1, 3, 15, 18)
	Manufacturing pyrotechnics† (1, 15, 19, 20)

# Philippines

## SIGNIFICANT ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Construction,*† activities unknown (1, 3)
	Used in the production of fashion accessories (21)
Services	Domestic work (1, 5, 11, 15, 22-24)
	Street work, including scavenging and begging* (1, 3, 7)
	Scavenging in dumpsites† (1, 11, 15, 19)
	Commercial sexual exploitation sometimes as a result of human trafficking (7, 11, 24-27)
Categorical Worst Forms of Child Labor‡	Forced labor, including domestic work, sometimes as a result of human trafficking (7, 24, 28-30)
	Used in the production of pornography (7, 11, 25, 27)
	Used in armed conflict as combatants, human shields, guides, messengers, and porters, sometimes as a result of forced recruitment (7, 25, 31, 32)
	Forced begging* (11)
	Used in illicit activities, including the trafficking of drugs (2, 11, 15, 33)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children, primarily girls, are trafficked from rural to urban areas for domestic work and commercial sexual exploitation.(7, 24, 29) Emerging reports indicate that boys are increasingly trafficked for commercial sexual exploitation, particularly for child pornography.(25, 29) In addition, very young Filipino children are coerced to perform sex acts for live Internet broadcast to paying foreigners. This typically occurs in private residences or Internet cafés, and it is often facilitated by family members.(27) The Philippine National Police (PNP) noted that child trafficking for labor is prevalent from Lanao del Sur Province in Mindanao.(11, 34)

Children commonly work as domestic workers or *kasambahays*.(1, 22, 23) Many child domestic workers work long hours, and their isolation in the homes where they work creates the potential for sexual harassment and verbal and physical abuse.(24, 27, 30, 35) Child domestic workers are often denied access to education.(22, 23, 35) Some children end up in situations of forced labor, especially those who receive no pay or have their wages withheld.(23, 29, 35)

Child soldiering is a problem, particularly among antigovernment and terrorist organizations.(7, 24, 25, 31, 32) Sources indicate that children continue to be found in the Moro Islamic Liberation Front (MILF), working as guides, messengers, and porters.(7, 25, 31) In early 2014, the Government of the Philippines signed a peace agreement with the MILF, completing negotiations that had been ongoing for more than a decade.(32, 36) UNICEF conducted preventative programs with the group on the recruitment and use of children. The MILF also reconstituted a panel to monitor implementation of the UN-MILF Action Plan to monitor cases of grave child rights violations.(32, 33)

Children have been found in the Moro National Liberation Front where abductions have been reported, including for the use of children as human shields, as well as in the Bangsamoro Islamic Freedom Fighters (BIFF) and the New People’s Army. Children have also been used as both combatants and non-combatants by the Abu Sayyaf Group.(7, 31-33, 37) In September, combatants from the BIFF attended workshops led by UNICEF, the Bangsamoro Development Agency, and Plan International on topics including children in armed conflict, the framework for child protection, and monitoring and reporting grave violations.(33) In addition, the UN has raised concerns about the use of children by security forces of the state.(7, 25)




Although the law mandates free education, many children do not attend school because the costs of books, uniforms, meals, and transportation are prohibitive for many families.(1, 2, 38) In addition, distant school locations are often not accessible to rural students, especially at the secondary school level.(7, 38, 39)

Typhoon *Haiyan* hit the Philippines in late 2013, leaving behind devastation that affected millions of people.(40, 41) Prior to the typhoon, children were already heavily involved in agriculture; the loss of family livelihoods and incomes has increased child labor in hazardous work.(42-44) Adult migration for work and displacement from their homes have made children more vulnerable to exploitation in hazardous work and/or human trafficking.(25, 27, 42, 43, 45, 46)

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Philippines has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 139 of the Labor Code; Section 16 of Republic Act No. 10361: An Act Instituting Policies for the Protection and Welfare of Domestic Workers (47, 48)
Minimum Age for Hazardous Work	Yes	18	Article 139 of the Labor Code (48)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Republic Act No. 679, as further amended by Presidential Decree No. 148, Woman and Child Labor Law, Department Order 4 (49)
Prohibition of Forced Labor	Yes		Section 4 of Republic Act No. 10364: Expanded Anti-Trafficking in Persons Act of 2012 (50)
Prohibition of Child Trafficking	Yes		Section 12-D of Republic Act No. 9231: Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child; Sections 4-5 of Republic Act No. 10364: Expanded Anti-Trafficking in Persons Act of 2012; Article 4 of Republic Act No. 7610: Special Protection of Children Against Abuse, Exploitation and Discrimination Act (50-52)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 12-D of Republic Act No. 9231: Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child; Article 3 of Republic Act No. 7610: Special Protection of Children Against Abuse, Exploitation and Discrimination Act; Section 4 of Republic Act No. 9775: Anti-Child Pornography Act of 2009; Chapter 2, Section 4 of Republic Act No. 10175: Cybercrime Prevention Act (19, 51-54)
Prohibition of Using Children in Illicit Activities	Yes		Section 12-D of Republic Act No. 9231: Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child; Articles 6 and 10 of Republic Act No. 7610: Special Protection of Children Against Abuse, Exploitation, and Discrimination Act; Sections 5 and 8 of Republic Act No. 9165: Comprehensive Dangerous Drugs Act (51, 52, 55)
Minimum Age for Compulsory Military Recruitment	Yes	18	Memorandum Circular No. 13 on Selective Enlistment/ Reenlistment of the Department of National Defense and the Armed Forces of the Philippines; Article 10 of Republic Act No. 7610: Special Protection of Children Against Abuse, Exploitation and Discrimination Act (51, 56)

# Philippines

## SIGNIFICANT ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Combat: Yes	18	Section 5.A.4 of Memorandum Circular No. 13 on Selective Enlistment/Reenlistment of the Department of National Defense and the Armed Forces of the Philippines; 2003 Declaration on Ratifying the Optional Protocol (56, 57)
	Noncombat: Yes	17	
Compulsory Education Age	Yes	18	Section 4 of the Enhanced Basic Education Act of 2013 (8, 58)
Free Public Education	Yes		Section 2 of the Philippine Constitution (59)

During the reporting period, the Department of Labor and Employment (DOLE) received approval from stakeholders for the revised Department Order No. 4, the hazardous work list for children.(60) The draft document is pending review by the tripartite executive committee and the tripartite industrial peace committee, both of which are required prior to endorsement to the Secretary.(61)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor and Employment (DOLE), Bureau of Working Conditions (BWC)	Enforce child labor laws and regularly train inspectors and regional personnel. Inspect establishments and monitor compliance with labor laws in all sectors, including the informal sector, nontraditional and informal establishments, and agricultural and mining operations.(11)
Rescue the Child Laborers Quick Action Teams ( <i>Sagip Batang Manggagawa – SBM</i> )	Lead the regional mechanism for rescuing children who work in exploitative and dangerous situations. (15) Interagency quick action mechanism partnering with the Philippine National Police (PNP); the National Bureau of Investigation (NBI); the Department of Social Welfare and Development (DSWD); local representatives of various government agencies; local NGOs; labor unions; and the business community in a cooperative effort to detect, monitor, and respond to instances of child labor in the formal and informal sectors.(11, 33) Exchange information on child labor cases in meetings of the Regional Child Labor Committees and in conferences of regional SBM Quick Action Teams. Refer child laborers to DSWD for rehabilitation and reintegration.(33)
Department of Social Welfare and Development (DSWD)	Rehabilitate and reintegrate children.(2, 15) Coordinate regional Special Action Units, with at least one dedicated staff member per region to conduct rescue operations for child laborers and cooperate with social workers to manage the ongoing cases of victims.(15) Maintain 16 Crisis Intervention Units and 30 residential facilities nationwide to address cases of child abuse and support child abuse victims, including children exploited in hazardous labor.(11, 33)
Philippine National Police (PNP)	Investigate and prosecute child labor cases.(29, 62) Lead the enforcement of child trafficking and commercial sexual exploitation of children laws as well as other tasks related to the protection of children by the PNP's Women and Children's Protection Center.(11) Maintain 1,833 women and children's desks throughout the country with a total of 3,675 personnel.(27)
National Bureau of Investigation (NBI)	Investigate and prosecute child labor cases.(29, 62) Operate a national Trafficking in Persons Task Force to conduct preliminary investigations and prosecute trafficking in persons cases, as well as a Task Force on the Protection of Children from Exploitation and Abuse.(27, 63) Employ 16 agents and investigators assigned to investigate cases of trafficking and illegal recruitment in the Anti-Trafficking Division.(33)
Philippine Drug Enforcement Agency (PDEA)	Enforce the Comprehensive Dangerous Drugs Act, Republic Act No. 9165. Maintain a national hotline for reporting cases of children used in illicit activities.(2) Coordinate with DSWD to assist during rescue operations once information is verified through surveillance.(11)

Law enforcement agencies in the Philippines took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

DOLE's Bureau of Working Conditions (BWC) increased the number of Labor Laws Compliance Officers (LLCOs) during the year by more than double, raising the number from 237 to 572.(33, 64) Despite the increase in the number of LLCOs, NGOs report that enforcement of labor laws, particularly DOLE's ability to monitor and investigate child labor law violations, remains difficult due to the limited number of inspectors and lack of logistical resources.(33) DOLE includes a child labor component in its training for labor inspectors.(11)

The budget of DOLE's regional offices for inspection activities increased from \$2.73 million in 2013 to \$4.05 million in 2014. The Government indicated that it has sufficient office facilities but lacks funding for transportation, fuel, and other necessities to carry out inspections, particularly in the informal sector.(33) During the year, DOLE started using a Labor Law Compliance System Management Information System, a Web-based application system that uses tablet computers for transmitting and processing real-time data collected from the field using an electronic checklist.(33)

Rescue the Child Laborers SBM Quick Action Teams conducted 15 rescue operations in five regions that led to the rescue of 78 children working in hazardous activities. These children were then referred to the Department of Social Welfare and Development (DSWD) for rehabilitation and reintegration.(33) While the SBM Quick Action Teams can conduct unannounced compliance visits in video karaoke bars, massage parlors, sauna/bath houses and farms, they are not authorized to conduct visits in private homes to search for underage child domestic workers.(33)

DOLE's BWC reported that in the National Capital Region, 86 minors were found working part-time making local delicacies.(64) Research did not find the total number of child labor inspections conducted, the number of violations identified, or the number of children assisted as a result of inspections because the Government does not have a system in place to disaggregate data.(33)

### ***Criminal Law Enforcement***

During the reporting period, the Philippine Drug Enforcement Agency (PDEA) employed 35 drug enforcement officers per region who were involved in anti-illegal drug operations, however there are no officers dedicated solely to investigating cases involving children in illicit activities. Two focal persons per PDEA regional office were designated to oversee operations involving children in illicit activities.(33) From January to November, the PDEA and other law enforcement units conducted 14,801 anti-drug operations, an 80 percent increase in the number of operations conducted in 2013. Of these operations, 120 cases involved the use of minors.(33)

Law enforcement agencies do not have specific funding to combat human trafficking or the use of children in illicit activities. Also, the limited number of law enforcement agents dedicated expressly to child trafficking and the commercial sexual exploitation of children continued to hinder the Government's ability to investigate and prosecute complaints and violations.(11, 33) The overall number of prosecutors assigned to specific anti-human trafficking task forces did increase, from 93 in 2013 to 135 in 2014.(27) The PNP has noted that child protection at the grassroots level remains weak as many local councils for the protection of children lack the resources to address issues.(11) Law enforcement agencies do not have budget allocations specifically for combating human trafficking, but do assign personnel and allocate resources from their general budgets, which are often determined by local government leaders.(33)

In 2014, the Philippine National Police (PNP) investigated 273 child trafficking cases, including 159 cases of trafficking for sexual exploitation and 114 cases for labor.(33, 64) The National Bureau of Investigation's (NBI) Anti-Trafficking Division investigated 28 cases of human trafficking, 19 of which involved the trafficking of children.(64) The Inter-Agency Council Against Trafficking (IACAT) task forces investigated 182 alleged trafficking in persons cases involving 811 victims. Of these cases, 69 involved minor victims.(33) Many cases of trafficking of minors, particularly for child labor, continue to be undocumented for fear of retaliation from employers.(11, 34)

DSWD reported assisting 424 minor victims of trafficking as well as 112 minor victims of prostitution and 24 victims of pornography. While there were no prosecutions reported for the recruitment and use of children in armed conflict, DSWD reported having assisted 22 minor children involved in conflict.(33) Enforcement agencies filed five criminal cases related to child prostitution at the prosecutor's office and local courts. Eight establishments found to have engaged 25 minors in prostitution were permanently closed by DOLE.(33)

In 2014, the Inter-Agency Council Against Trafficking (IACAT) provided a series of trainings for service providers to ensure the protection, prevention, and prosecution of human trafficking cases. IACAT's Training Section conducted 18 training sessions with 772 government personnel and IACAT task forces conducted 91 training sessions with 4,824 government personnel, mostly from the justice sector and other law enforcement agencies.(33) IACAT also operated the 24/7 Actionline against Human Trafficking to receive and immediately respond to requests for assistance and referrals from trafficking victims, their families, and the public.(11) From April 2014 to January 2015, the hotline assisted 23 alleged trafficking victims, 3 of whom were minors.(27)



# Philippines

## SIGNIFICANT ADVANCEMENT

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Child Labor Committee (NCLC)	Coordinate national efforts to combat child labor under DOLE.(15) Promote information sharing at the national level and has been replicated at the regional and provincial levels.(2) Composed of more than 15 agencies and NGOs.(15)
Inter-Agency Council Against Trafficking (IACAT)	Coordinate, monitor, and oversee ongoing implementation of efforts to combat trafficking in persons, including child trafficking. Co-chaired by the Department of Justice and DSWD, and works with other government agencies and two NGOs representing women and children.(11, 63) Currently composed of 19 anti-trafficking task forces established in eight regions and 7 interagency task forces in major seaports and airports.(11, 33) Meet regularly to share information and assessments, and coordinate member agencies' respective anti-trafficking initiatives and policies.(33) Received a budget of \$2.3 million in 2014, up from \$2.25 million in 2013.(27) During the reporting period, established three additional regional task forces.(33)
Inter-Agency Council for the Welfare of Children (CWC)	Operate a monitoring and response system through its Subcommittee on Children Affected by Armed Conflict and Displacement for situations of children engaged in armed conflict, including recruitment and use of child soldiers.(29)
Inter-Agency Committee on Children Involved in Armed Conflict (IAC CIAC)	Advocate for protecting children and preventing the involvement of children in armed conflict. Composed of 14 government agencies and chaired by CWC.(33) Work under the direct supervision of CWC as the lead agency in implementing the CIAC Program Framework to address the involvement of children in armed conflict.(11) Convene on a bimonthly basis for reporting and monitoring.(33)

During the year, the Inter-Agency Council for the Welfare of Children and partner agencies trained 176 frontline workers in Mindanao, using the Protocol on Monitoring, Reporting, and Response System on Grave Child Rights Violations in Situations in Armed Conflict.(27) The training and orientation covered 10 provinces in Mindanao and was provided to social workers, teachers, police officers, health workers, Local Government Unit officers, and personnel of the Armed Forces of the Philippines.(33)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Philippines has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Child Labor Committee (NCLC) Strategic Plan (2014–2016)†	Serves as the operational framework of the NCLC to pursue various components of the PPACL up to the deadline in 2016.(60) In 2014, four NCLC subcommittees conducted year-end assessments on the accomplishments of their respective 2014 strategic plans to identify implementation gaps and formulate their 2015 strategic plans under the PPACL Strategic Framework.(33)
Philippine Program Against Child Labor (PPACL) Strategic Framework (2007–2015)	Lays out a blueprint for reducing the prevalence of child labor by 75 percent.(15, 65, 66) Identifies concrete objectives such as improving access for children and their families to appropriate services to help prevent incidences of child labor and to reintegrate former child laborers.(15, 67) Includes the Convergence Action Plan (H.E.L.P. M.E.: health, education, livelihood and prevention, protection and prosecution, monitoring, and evaluation), which aims to reduce the worst forms of child labor by 2016 and to remove 893,000 children from hazardous child labor across 15,568 target barangays (districts).(66, 68) During the reporting period, 75,724 child laborers in 406,887 households were profiled for program inclusion.(33) Has been allocated \$220 million for implementation over 4 years, from 2013 to 2016.(34, 68, 69) Includes the Batang Malaya Child Labor-Free Philippines Campaign, which institutionalizes the Survey on Children to be regularly conducted by the Government; mainstreams child labor prevention into local development plans; adds child labor elimination as a requirement in conditional cash transfer programs; strengthens the labor inspectorate to monitor child labor; improves enforcement of Republic Act No. 9231; and strengthens the NCLC through a legal mandate, budget, and a dedicated secretariat.(70)
Medium-Term Philippine Development Plan (MTPDP) (2011–2016)	Specifies government commitments to strengthen mechanisms for monitoring the implementation of child protection laws, to develop strategies to respond to child trafficking and pornography, and to implement an enhanced program for preventing children from being engaged in armed conflict.(2)
Philippine Labor and Employment Plan (2011–2016)	Operates within the framework of the MTPDP and includes the goal of reducing exploitive child labor.(2, 11, 71)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Strategic Action Plan Against Trafficking in Persons (2012–2016)	Contains specific provisions on preventing trafficking of children, including raising awareness and creating local programs to prevent children from being lured by traffickers.(2, 11) In 2014, the Government conducted a monitoring and evaluation workshop to assess each member agency's compliance to the National Strategic Action Plan Against Trafficking in Persons.(33)
National Plan of Action for Children*	Approved by CWC, is designed to continue and implement Child 21.(63) Connected to the MTPDP with three strategic components: (1) policy and legislative agenda, (2) programs and strategies, and (3) governance.(63)
National Strategic Framework for Plan Development for Children (Child 21) (2000–2025)*	Sets out broad goals for national government agencies, local governments, and NGOs to achieve improved quality of life for Filipino children by 2025.(15, 63, 72)
UN Development Assistance Framework (2012-2018)	Identifies major development priorities, including reducing and eliminating child labor.(73)

† Policy was approved during the reporting period.

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of the Philippines funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
DOLE Child Labor Prevention and Elimination Program‡	DOLE program that implements local awareness-raising campaigns, institutes child labor monitoring mechanisms, and requires barangays to develop child labor elimination plans with short- and long-term objectives.(74) Includes the Campaign for Child-Labor Free Barangays, which seeks to make villages child labor-free through community orientations on child labor and anti-trafficking laws, and through government livelihood programs and guidelines.(11, 24, 34, 75) From January to October, 7 resolutions and 14 ordinances were passed at the local level in support of the Child Labor-Free Barangay Program. In addition, three Voluntary Codes of Conduct on the Elimination of Child Labor in the Sugar Industry were formulated and adopted in the sugarcane-growing provinces of Batangas, Bukidnon, and Negros Occidental.(33) Also, during the reporting period, DOLE regional offices awarded Child Labor-Free Establishment Certificates to 76 establishments nationwide.(33) Program also includes the Livelihood for Parents of Child Laborers (KASAMA) program, which provides funds to parents of working children for projects such as raising livestock, producing souvenirs, food vending, and other service professions.(62, 74, 76) DOLE regional offices provided livelihood assistance to 9,396 parents of child workers and children-at-risk in 16 regions.(33) A third component, Project Angel Tree, redistributes shoes, school bags, toys, and other supplies donated by private sponsors to children at risk of, or engaged in, child labor.(15, 62, 76) From January to October, a total of 4,585 children received school supplies.(33) Sources indicate that the program's budget is not sufficient compared to the size of the problem.(11)
Conditional Cash Transfer program ( <i>Pantawid Pamilyang Pilipino</i> ) Program‡	DSWD and Local Government Unit social assistance and development program that provides conditional grants to poor families with children, from newborn to age 17, to improve their access to health care, adequate nutrition, and education.(11, 15, 77, 78) Covers 1,627 cities and municipalities in 79 provinces and all 17 regions.(33) Specifically targets households of child laborers and includes a condition prohibiting hazardous child labor as a program requirement.(69, 79) Provided assistance to 4.09 million households as of June 2014. Budget was increased from \$1.2 billion in 2013 to \$1.44 billion in 2014; however, funding remains insufficient to fully address the scope of the problem.(33, 64)
Alternative Learning System (ALS) Program*‡	Department of Education program that offers nonformal education to out-of-school children, including child laborers, as well as opportunities to attain a certificate of education equivalency.(80) Has limited resources, represents less than 1 percent of the Department of Education's budget, and has only one teacher for every 24 communities, so it cannot reach many out-of-school youth.(38, 76)
Social Amelioration Program (SAP)*‡	DOLE, National Tripartite Council, and Sugar Industry program that provides a cash bonus to sugar workers and funds social protection, livelihood, and education programs for sugar workers and their families through a tax imposed on refined sugar.(81, 82) Integrated Services for Migratory Sugar Workers Program under the SAP seeks to improve the livelihoods of migrant sugar workers and their families as well as increase income.(15, 82) Includes services such as educational materials and scholarships.(62, 76) Also provides skills training and other capacity-building opportunities to beneficiaries through DOLE's Bureau of Workers and Special Concerns and DOLE regional offices.(11)

# Philippines

## SIGNIFICANT ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Recovery and Reintegration Program for Trafficked Persons‡	DSWD and IACAT program that provides services to victims of trafficking and raises awareness in vulnerable communities. Includes services such as shelters, crisis intervention, awareness campaigns, and residential facilities.(28, 29) Includes the National Referral System, a mechanism to strengthen the referral networks of agencies dealing with trafficked persons by allowing case managers to efficiently handle trafficking in persons cases through the use of standard referral and reporting forms, ensuring uniformity of documents and avoiding repetition of interviews of human trafficking survivors. There are 149 referral networks established in 16 regions.(33) Received a budget of \$532,440 for 2014.(27)
Special Social Services for Children in Armed Conflict‡	DSWD program that provides special services to protect and rehabilitate children after their direct or indirect involvement in armed conflict.(83) Includes services such as emergency evacuation and rescue; family reunification; provision of food, clothing, and shelter; and psychosocial rehabilitation.(62)
Philippines ABK3 LEAP—Livelihoods, Education, Advocacy, and Protection to Reduce Child Labor in Sugarcane (2011–2016)	\$16.5 million, USDOL-funded, 4-year and 11-month project implemented by World Vision to reduce child labor in sugar-producing areas in 11 provinces of the Philippines.(84) Seeks to provide education services to 54,000 children engaged in, or at risk of engaging in, the worst forms of child labor, and to provide livelihood assistance to 28,090 households of targeted children. Engages the sugar industry in raising awareness of child labor among sugar workers and their families.(84, 85) In 2014, introduced Child Labor Monitoring Systems to stakeholders in 31 cities and municipalities, and in 3 provinces.(33)
Global Action Program on Child Labor Issues	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor, improve the evidence base on child labor and forced labor through data collection and research, and strengthen legal protections and social service delivery for child domestic workers in the Philippines. In 2014, facilitated technical advice to DOLE in the finalization of the revised Hazardous Work List for Children.(86)
Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor	USDOL-funded capacity building project implemented by the ILO in at least 10 countries to build local and national capacity of the Government to address child labor. Aims to improve legislation addressing child labor issues, including by bringing local or national laws into compliance with international standards, improve monitoring and enforcement of laws and policies related to child labor, implement a national action plan on the elimination of child labor, and enhance the implementation of national and local policies and programs aimed at the reduction and prevention of child labor in the Philippines. In 2014, conducted meetings with officials of the Department of Education and DOLE for the creation of an Education Roadmap to Eliminate Child Labor and began work on an assessment of existing educational programs.(60)
UNICEF Country Program (2012–2016)*	Program that supports the Government of the Philippines in fulfilling the rights of children, paying particular attention to vulnerable children. Contributes to the MTPDP, 2015 Education for All plan, and the Basic Education Sector Reform Agenda.(87)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of the Philippines.

During the year, DOLE’s Institute for Labor Studies conducted a study in coordination with the Bureau of Workers with Special Concerns to examine the link between the Livelihood for Parents of Child Laborers program and the children’s work situation and well-being. The research documented changes in the lives of former beneficiaries as a result of the program, assessed the contributions of the intervention, and gathered insights on how to enhance the impact and improve the future design.(33) Overall, the program was not found to have improved the work situation or well-being of the beneficiaries due to the limited benefits they received. Improvement was, however, observed when the program provided parents with counseling on family values and the importance of education.(64)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Philippines (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor and resources available in order to provide adequate coverage of the workforce.	2014
	Authorize SBM Quick Action Teams to conduct visits in private homes for underage child domestic workers.	2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Track and report the number of child labor violations, penalties, and convictions, as well as the number of children removed and assisted from child labor, and analyze the effectiveness of enforcement.	2014
	Dedicate law enforcement agents to child trafficking, children engaged in illicit activities, and CSEC issues so they may effectively investigate and prosecute those issues.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the National Strategic Framework for Plan Development for Children (Child 21) policy.	2014
Social Programs	Conduct research to determine the types of activities carried out by children working in construction in order to inform policies and programs.	2013 – 2014
	Take steps to ensure that all children have access to schools and do not face prohibitive costs for education-related expenses.	2010 – 2014
	Provide necessary resources to help more out-of-school youth access ALS so they can complete their basic education.	2011 – 2014
	Assess the impact that existing social programs may have on child labor.	2011 – 2014

### REFERENCES

- ILO-IPEC. *Baseline Survey for the ILO-IPEC TBP Phase 2*. Draft Report. Manila; 2011. [source on file].
- U.S. Embassy- Manila. *reporting, February 1, 2013*.
- ILO, Philippine National Statistics Office. *2011 Survey on Children*. Manila; June 26, 2012. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-manila/documents/meetingdocument/wcms\\_184097.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-manila/documents/meetingdocument/wcms_184097.pdf).
- ILO Committee of Experts. *Observation concerning Minimum Age Convention, 1973 (No. 138) Philippines (ratification: 1998) Published: 2012*; accessed December 1, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Philippines (ratification: 2000) Published: 2014*; accessed November 5, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- National Statistics Office. *The Number of Working Children 5 to 17 Years Old is Estimated at 5.5 Million (Preliminary Results of the 2011 Survey on Children)*, [online] [cited February 14, 2015]; <http://www.census.gov.ph/content/number-working-children-5-17-years-old-estimated-55-million-preliminary-results-2011-survey>.
- U.S. Department of State. “Philippines,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Survey on Children (SOC), 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- ECLT Foundation. *Agriculture and Tobacco*, ECLT, [online] 2010 [cited February 14, 2013]; [source on file].
- U.S. Embassy- Manila. *reporting, January 17, 2014*.
- Center for Trade Union and Human Rights. *Children of the Sunshine Industry*, [online] October 4 [cited <http://ctuhr.org/children-of-the-sunshine-industry/>].
- Mong Palatino. *Rising Child Labor Abuse in the Philippines* The Diplomat, [online] February 17 [cited February 17, 2015] <http://thediplomat.com/2015/02/rising-child-labor-abuse-in-the-philippines/>.
- Charita Libao Castro. *Child sakadas in Philippine agriculture: Researching injury hazards for working children in the context of international labor standards and United States foreign policy*. Washington, DC: The George Washington University; 2007.
- U.S. Embassy- Manila. *reporting, January 24, 2012*.
- Center for Trade Union and Human Rights. *Teens exposed to hazardous work in Surigao mining firm*, [online] September 1, 2014 [cited <http://ctuhr.org/teens-exposed-to-hazardous-work-in-surigao-mining-firm/>].
- Inquirer.net. *Where have all the children gone?*, [online] [cited <http://newsinfo.inquirer.net/626282/where-have-all-the-children-gone>].
- FAO, ILO. *Good Practice Guide for Addressing Child Labor in Fisheries and Aquaculture: Policy and Practice (Preliminary Version)*. Geneva; December 2011. [ftp://ftp.fao.org/FI/DOCUMENT/child\\_labour](ftp://ftp.fao.org/FI/DOCUMENT/child_labour) FAO-ILO/child\_labour\_FAO-ILO.pdf.
- U.S. Department of State. “Philippines,” in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dclid=204231>.
- “Philippines fireworks factories warned vs. hiring minors.” Mindanao Examiner, Mindanao, December 25, 2013. [source on file].
- Aldaba, F, et al.,. *Employers’ Demand for Child Labor in the Pyrotechnics and Fashion Accessories Industries in the Philippines*. ILO; 2005 December 2005. [hard copy on file].
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Philippines (ratification: 2000) Published: 2010*; accessed February 14, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Philippines (ratification: 2000) Published: 2012*; accessed February 14, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO. *Application of International Labour Standards 2014 (I)*. Geneva; 2014. Report No. III (Part 1A). [http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS\\_235054/lang-en/index.htm](http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS_235054/lang-en/index.htm).
- U.S. Department of State. “Philippines,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
- ILO-IPEC. *Ending Child Labour in Domestic Work and Protecting Young Workers from Abusive Working Conditions*. Geneva; June 12, 2013. <http://www.ilo.org/ipeinfo/product/download.do?type=document&id=21515>.
- U.S. Embassy- Manila. *reporting, February 18, 2015*.
- U.S. Department of State. “Philippines,” in *Trafficking in Persons Report- 2012*. Washington, DC; June 19, 2012; <http://www.state.gov/j/tip/rls/tiprpt/2012/index.htm>.
- U.S. Embassy- Manila. *reporting, February 15, 2013*.
- ILO Committee of Experts. *Observation concerning Forced Labour Convention, 1930 (No. 29) Philippines (ratification: 2005) Published: 2014*; accessed November 5, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- UN Secretary-General. *Children and armed conflict: Report of the Secretary-General*; May 15, 2014. [http://www.un.org/ga/search/view\\_doc.asp?symbol=a/68/878](http://www.un.org/ga/search/view_doc.asp?symbol=a/68/878).
- United National General Assembly Security Council. *Report of the Secretary-General on Children and Armed Conflict (S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/AC.51/2014/3&referer=/english/&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=S/AC.51/2014/3&referer=/english/&Lang=E).
- U.S. Embassy- Manila. *reporting, January 15, 2015*.
- U.S. Embassy Manila official. E-mail communication to USDOL official. March 19, 2014.
- Anti-Slavery International. *Background: Forced Labour and Exploitation of Domestic Workers in the Philippines*, Anti-Slavery International, [cited February 14, 2015]; [source on file].



# Philippines

## SIGNIFICANT ADVANCEMENT

36. Teves, O. "Philippines Signs Historic Peace Deal with Muslim Rebel Group." [huffingtonpost.com](http://www.huffingtonpost.com/2014/03/27/philippines-peace-deal_n_5040862.html) [online] March 27, 2014 [cited January 28, 2015]; [http://www.huffingtonpost.com/2014/03/27/philippines-peace-deal\\_n\\_5040862.html](http://www.huffingtonpost.com/2014/03/27/philippines-peace-deal_n_5040862.html);
37. UN official. E-mail communication to USDOL official. August 31, 2012.
38. International Technology Management Corporation. *Philippine Education Sector Assessment*. USAID; 2011. [hard copy on file].
39. ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Philippines (ratification: 2000)* Published: 2010; accessed February 14, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
40. Capelouto, S. "A Month Later, Typhoon Haiyan Death Toll Still Rising in the Philippines." [cnn.com](http://www.cnn.com/2013/12/08/us/typhoon-haiyan-one-month/) [online] December 9, 2013 [cited March 13, 2015]; <http://www.cnn.com/2013/12/08/us/typhoon-haiyan-one-month/>.
41. UNICEF. *Philippines Humanitarian Situation Report #14- Typhoon Haiyan* December 27, 2013. [http://www.unicef.org/appeals/files/UNICEF\\_Philippines\\_Typhoon\\_Haiyan\\_SitRep14\\_27Dec2013.pdf](http://www.unicef.org/appeals/files/UNICEF_Philippines_Typhoon_Haiyan_SitRep14_27Dec2013.pdf).
42. United Nations Office for the Coordination of Humanitarian Affairs (OCHA). *Worst Forms of Child Labour in Typhoon Haiyan Response*. Working Paper; November 17, 2013. [source on file].
43. Integrated Regional Information Networks. "Typhoon Haiyan Heightens Protection Concerns." IRINnews.org [online] December 16, 2013 [cited January 28, 2015]; <http://www.irinnews.org/report/99339/typhoon-haiyan-heightens-protection-concerns>
44. Associated Press. *Child labor up in typhoon-hit areas in Philippines*, [online] June 11, 2014 [cited November 24, 2014] <http://bigstory.ap.org/article/child-labor-typhoon-hit-areas-philippines>.
45. UNICEF. *UNICEF Annual Report 2013- Philippines*, May 29, 2014. [http://www.unicef.org/about/annualreport/files/Philippines\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Philippines_COAR_2013.pdf).
46. Global Education Cluster. *Child Protection and Education Cluster Joint Needs Assessment- Philippines 2014*; 2014. <http://reliefweb.int/sites/reliefweb.int/files/resources/Midterm%20Report%20FOR%20CIRCULATION%20FINAL%20copy.pdf>.
47. Government of the Philippines. *An Act Instituting Policies for the Protection and Welfare of Domestic Workers*, no. 10361, enacted January 18, 2013. [http://www.lawphil.net/statutes/repacts/ra2013/ra\\_10361\\_2013.html](http://www.lawphil.net/statutes/repacts/ra2013/ra_10361_2013.html).
48. Government of the Philippines. *The Labor Code of the Philippines*, Decree no. 442, enacted May 1, 1974. <http://www.cfo.gov.ph/pdf/PD%20No.%20442.pdf>.
49. Government of the Philippines. *Hazardous Work and Activities to Persons Below 18 Years of Age*, enacted June 8, 1973. [http://www.bwsc.dole.gov.ph/files/cl\\_DO4%20s\\_1999.pdf](http://www.bwsc.dole.gov.ph/files/cl_DO4%20s_1999.pdf).
50. Government of the Philippines. *Expanded Anti-Trafficking in Persons Act of 2012*, no. 10364, enacted February 6, 2013. <http://www.gov.ph/2013/02/06/republic-act-no-10364/>.
51. Government of the Philippines. *Special Protection of Children against Abuse, Exploitation and Discrimination Act*, no. 7610, enacted June 17, 1992. [http://www.lawphil.net/statutes/repacts/ra1992/ra\\_7610\\_1992.html](http://www.lawphil.net/statutes/repacts/ra1992/ra_7610_1992.html).
52. Government of the Philippines. *Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protections for the Working Child*, no. 9231, enacted December 19, 2003. [http://www.lawphil.net/statutes/repacts/ra2003/ra\\_9231\\_2003.html](http://www.lawphil.net/statutes/repacts/ra2003/ra_9231_2003.html).
53. Government of the Philippines. *Anti-Child Pornography Act of 2009*, no. 9775, enacted November 17, 2009. [http://www.lawphil.net/statutes/repacts/ra2009/ra\\_9775\\_2009.html](http://www.lawphil.net/statutes/repacts/ra2009/ra_9775_2009.html).
54. Government of the Philippines. *Republic Act No. 10175 An Act Defining Cybercrime, Providing for the Prevention, Investigation, Suppression and the Imposition of Penalties Therefore and for Other Purposes*, enacted [source on file].
55. Government of the Philippines. *Comprehensive Dangerous Drugs Act of 2002*, no. 9165, enacted June 7, 2002. [http://www.lawphil.net/statutes/repacts/ra2002/ra\\_9165\\_2002.html](http://www.lawphil.net/statutes/repacts/ra2002/ra_9165_2002.html).
56. Government of the Philippines. *Memorandum Circular No. 13 on Selective Enlistment/Reenlistment of the Department of National Defense and the Armed Forces of the Philippines*, enacted [source on file].
57. Child Soldiers International. "Appendix II: Data Summary Table on Recruitment Ages of National Armies," in *Louder than words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [www.child-soldiers.org](http://www.child-soldiers.org).
58. Government of the Philippines. *Enhanced Basic Education Act of 2013*, no. 10533, enacted May 15, 2012. [source on file].
59. Government of the Philippines. *The 1987 Constitution of the Republic of the Philippines*, enacted February 11, 1987. <http://www.gov.ph/the-philippine-constitutions/the-1987-constitution-of-the-republic-of-the-philippines/>.
60. ILO-IPEC. *Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project*. Technical Progress Report. Geneva; October 2014. [source on file].
61. U.S. Embassy Manila official. E-mail communication to USDOL official. January 15, 2015.
62. U.S. Embassy Manila official. E-mail communication to USDOL official. March 27, 2013.
63. U.S. Embassy Manila official. E-mail communication to USDOL official. March 13, 2014.
64. U.S. Embassy Manila official. E-mail communication to USDOL official. February 9, 2015.
65. Bureau of Workers with Special Concerns. *Philippine Program against Child Labor*. Manila, Department of Labor and Employment; February 29, 2012. [source on file].
66. ILO-IPEC. *Towards a Child Labour-Free Philippines: Supporting the 'Philippine Program against Child Labour' in Building on Past Gains and Addressing Challenges*. Technical Progress Report. Geneva; October 2012. [source on file].
67. Bureau of Workers with Special Concerns. *Philippine Program against Child Labor (PPACL) 2011-2012 Implementation Plan*. Manila, Department of Labor and Employment; 2011. [source on file].
68. Department of Labor and Employment. *DOLE 2012: Breakthrough in Fight against Child Labor*, [online] January 7, 2013 [cited February 14, 2015]; <http://www.dole.gov.ph/news/view/1992>.
69. Department of Labor and Employment. *CCT Conditionalities to Include Child Labor Prohibition*, [online] January 18, 2013 [cited February 14, 2015]; <http://www.dole.gov.ph/news/view/2002>.
70. ILO. *Philippines Scales up Fight against Child Labour, ILO Urges Renewed Action Towards Global Deadline*. Press Release. Manila; June 26, 2012. [http://www.ilo.org/manila/info/public/pr/WCMS\\_184096/lang-en/index.htm](http://www.ilo.org/manila/info/public/pr/WCMS_184096/lang-en/index.htm).
71. Department of Labor and Employment. *The Philippine Labor & Employment Plan 2011-2016*. Manila; 2011. <http://ncmb.ph/Others/dole/dole11.pdf>.
72. UNICEF. *Child 21. A Legacy to the Filipino Children of the 21st Century, Philippines National Strategic Framework for Plan Development for Children, 2000-2025*; accessed February 14, 2015; [source on file].
73. United Nations System in the Philippines. *Supporting Inclusive, Sustainable and Resilient Development: The United Nations Development Assistance Framework for the Philippines 2012-2018*. Makati City, UN Coordination Office; 2011. [source on file].
74. Department of Labor and Employment. *Baldoz Bares Strategies in Creating Child Labor-Free Barangays*, [online] September 1, 2012 [cited February 14, 2015]; <http://www.dole.gov.ph/news/view/1868>.
75. Bureau of Workers with Special Concerns. *In Metro Manila, DOLE awards P1-M to 125 parents to keep their children away from child work*, October 24 [cited <http://www.bwsc.dole.gov.ph/news-and-features/in-metro-manila-dole-awards-p1-m-to-125-parents-to-keep-their-children-away-from-child-work>].
76. Republic of the Philippines Embassy official. E-mail communication to USDOL official. March 15, 2012.
77. Department of Social Welfare and Development. *The Pantawid Pamilyang Pilipino Program*, [online] [cited February 14, 2015]; <http://pantawid.dswd.gov.ph/index.php/about-us?showall=1>.
78. Business World Online. "DSWD to Expand Anti-Poverty Programs." [bworldonline.com](http://www.bworldonline.com/content.php?section=Nation&title=DSWD-to-expand-anti-poverty-programs&cid=81524) [online] January 5, 2014 [cited January 8, 2015]; <http://www.bworldonline.com/content.php?section=Nation&title=DSWD-to-expand-anti-poverty-programs&cid=81524>.
79. World Vision Development Foundation. *ABK3 LEAP: Livelihoods, Education, Advocacy and Protection to Reduce Child Labor in Sugarcane*. Technical Progress Report; October 2013. [source on file].
80. U.S. Embassy- Manila. *reporting, January 28, 2011*.
81. Government of the Philippines. *Act Strengthening the Social Amelioration Program in the Sugar Industry, Providing the Mechanics for its Implementation, and for Other Purposes*, enacted May 1, 1991. <http://www.chanrobles.com/republicactno6982.htm>.
82. Department of Labor and Employment- Bureau of Workers with Special Concerns. *Social Amelioration Program in the Sugar Industry*, [cited [source on file]].
83. Department of Social Welfare and Development. *Community-Based Services for Children and Youth*, [online] [cited [source on file]].
84. U.S. Department of Labor. *Project to Combat Exploitative Child Labor in Sugarcane Growing Areas of the Philippines*. Technical Cooperation Project Summary. Washington, DC; 2013. [http://www.dol.gov/ilab/projects/summaries/Philippines\\_ABK\\_PhaseII.pdf](http://www.dol.gov/ilab/projects/summaries/Philippines_ABK_PhaseII.pdf).
85. World Vision Development Foundation. *ABK3 LEAP: Livelihoods, Education, Advocacy and Protection to Reduce Child Labor in Sugarcane*. Technical Progress Report; October 2014. [source on file].
86. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014. [source on file].
87. UNICEF. *Philippines: Country programme document 2012-2016*; 2011. [http://www.unicef.org/about/execboard/files/Philippines\\_final\\_approved\\_2012-2016\\_20\\_Oct\\_2011.pdf](http://www.unicef.org/about/execboard/files/Philippines_final_approved_2012-2016_20_Oct_2011.pdf).



In 2014, the Russian Federation made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government committed to assessing and improving working conditions in its 2014 Employment Plan. The Government continued the implementation of a social protection mechanism defined by the Social Contract law to financially support vulnerable citizens, including child trafficking victims. The Government also continued support of the Russian Children in Need Fund, which aims to rehabilitate disadvantaged and homeless children.

However, children in Russia are engaged in child labor, including in work on the street, and in the worst forms of child labor, including being used in the production of pornography. Laws do not prohibit possession of child pornography or benefiting from its proceeds. In addition, Russia continues to lack a mechanism to coordinate nationwide efforts to combat the worst forms of child labor, and it has no social programs specifically targeting this goal.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Russia are engaged in child labor, including in street work.(1-3) Children are also engaged in the worst forms of child labor, including being used in the production of pornography.(1-4) Table 1 provides key indicators on children's work and education in Russia. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		97.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (1, 2, 7)
Industry	Construction,* activities unknown (7, 8)
Services	Street work, including collecting bottles and other waste,* washing cars,* street sweeping,* and vending* (1-3)
	Working at marketplaces,* activities unknown (2, 3)
	Dishwashing* (2, 3)
	Begging* (9, 10)
Categorical Worst Forms of Child Labor‡	Forced labor in the production of pornography sometimes as a result of human trafficking (1-4, 11)
	Commercial sexual exploitation sometimes as a result of human trafficking (1-3, 12-14)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

A source reported that, while child labor in agriculture, industry, and services exists, it is not widespread or common.(15)

Children in Russia, especially orphans, street children, and migrant children, continue to be used in the production of child pornography.(1-4, 11) Commercial sexual exploitation of children, especially in large cities, also remains a concern. Street children

# Russia

## MINIMAL ADVANCEMENT

and migrant children from Ukraine and Moldova are the primary victims.(2, 3) In addition, children, both boys and girls, are trafficked for commercial sexual exploitation internally from rural to urban centers, between regions, and transnationally.(10) Russia is also a destination country for children trafficked from abroad, including from Eastern Europe.(12, 14) Research found that the rates of both child trafficking and the use of children in the production of pornography have increased in recent years.(3, 4)




The Federal Law No. 3266-1 on Education only guarantees free public education for Russian citizens.(16) Migrant children who have entered the country illegally or irregularly lack the registration documents needed to access education and social services and as a result are often denied access to schools by regional authorities.(1, 2) Migrant children who do not attend school constitute the population most vulnerable to labor exploitation, and a study from 2013 estimates that there are currently between 40,000 and 60,000 such children in Russia.(3) Russian citizens who do not have registration documents, such as members of the Roma community, are also sometimes denied access to schools at the regional level, although there is no national law or policy requiring this practice.(1) Since 2003, asylum-seeking children between ages 6 and 12 have had access to schooling, although there are cases of children being denied access for various reasons, including lacking appropriate documents. Denied access was also reported for children with protective status, which is granted to certain categories of refugees and asylum seekers.(15) In 2014, the Russian Government added a special provision guaranteeing access to education for Ukrainian national minors fleeing the conflict in southeastern Ukraine. However, local NGOs have reported that some schools have denied these minors access to education due to lack of proper documentation and lack of capacity, especially for kindergarten.(15)

During the reporting period, news outlets reported, through a variety of media platforms, over a dozen cases of the use of children by combined Russian-separatist forces in the conflict in eastern Ukraine.(17, 18) One of these children stated that he had received arms in Russian-occupied Crimea before participating in the conflict in eastern Ukraine.(17) An additional two children stated that they had received training at a military base in Russian-occupied South Ossetia.(17) To date, these reports are unconfirmed by UN personnel.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Russia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 63 of the Labor Code (19)
Minimum Age for Hazardous Work	Yes	18	Article 265 of the Labor Code (19)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Government Decision No. 163; Article 265 of the Labor Code (19, 20)
Prohibition of Forced Labor	Yes		Article 37 of the Constitution of the Russian Federation; Article 127.2 of the Criminal Code of the Russian Federation; Article 4 of the Labor Code (19, 21, 22)
Prohibition of Child Trafficking	Yes		Article 127.1 of the Criminal Code of the Russian Federation (22)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 134 and 240-242.2 of the Criminal Code of the Russian Federation (22)
Prohibition of Using Children in Illicit Activities	Yes		Articles 150-151 of the Criminal Code of the Russian Federation (22)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 22 of Federal Law No. 53-FZ on Military Conscription and Military Service (23)
Minimum Age for Voluntary Military Service	Yes	16	Article 35 of Federal Law No. 53-FZ on Military Conscription and Military Service (2, 23)
Compulsory Education Age	Yes	17	Article 19 of Federal Law No. 3266-1 on Education (16)
Free Public Education	Yes		Article 5 of Federal Law No. 3266-1 on Education (16)

In October 2014, the Ministry of Internal Affairs prepared a draft federal law that would introduce criminal responsibility for using minors in begging. Article 151 of the Criminal Code of the Russian Federation currently assigns criminal responsibility only for involving minors in the act of begging, which in practice does not protect infants or minors with disabilities who are unable to actively beg themselves, but who may be used by adults as passive participants in begging.(24)

Research did not find evidence of laws or regulations to criminalize possessing child pornography or benefiting from its proceeds. In November 2014, the Criminal Law Committee of the State Duma recommended the adoption of a 2012 draft law that would define child pornography and criminalize its possession.(24-26) However, the law was not adopted during the reporting period.(27)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Federal Labor and Employment Service (RosTrud) under the Ministry of Labor and Social Protection	Enforce labor laws, including those related to child labor, and conduct labor inspections.(2, 26) Provide employment services and unemployment assistance and services related to labor migration, as well as social assistance for socially vulnerable citizens, and regulate disputes between unions and employers.(28)
Prosecutor General's Office	Oversee the enforcement of laws relating to child labor under the Labor Code.(28) Coordinate joint inspections with RosTrud.(2) Manage the investigation of Trafficking in Persons cases and prosecute associated crimes.(3)
Office of the Children's Rights Ombudsman	Investigate violations of children's rights, monitor offices dealing with minors, and evaluate legislation affecting children.(29, 30)
Ministry of Internal Affairs	Enforce criminal laws against forced child labor, trafficking, commercial sexual exploitation, and the use of children in illicit activities.(2, 11) Conduct and provide training to the police on handling human trafficking cases.(3)
Investigative Committee (SledCom)	Investigate cases of forced labor and human trafficking, including cases involving minors and cases involving Russian nationals abroad.(28, 31-33)

Law enforcement agencies in Russia took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2013, the most recent year for which data are available, RosTrud had a total of 2,909 staff positions, including vacant positions (compared to a total of 3,233 positions in 2012). The number included 1,039 labor inspectors for legal issues and 1,105 labor inspectors for occupational safety.(15) According to RosTrud, the number of labor inspectors was insufficient to effectively enforce labor laws.(2)

In 2013, RosTrud conducted 2,850 inspections that found 1,580 child labor violations. Child labor violations included failing to provide obligatory medical checks (30 percent), employing minors in prohibited jobs (17 percent), engaging minors in overtime

# Russia

## MINIMAL ADVANCEMENT

and holiday work (14 percent), and denying obligatory annual leave (10 percent).(15) Labor inspectors issued 478 obligatory compliance instructions and brought administrative action against 468 employers and companies, resulting in fines totaling approximately \$183,000. In addition, 24 cases were brought to the prosecutor's office.(15) Research did not find information regarding whether inspectors made unannounced visits or on the type or quality of inspections. In addition, although evidence suggests that children who are victims of labor violations were referred to appropriate social care, research did not find the existence of formal referral mechanisms between RosTrud and social service providers.(30)

### *Criminal Law Enforcement*

In 2013, the most recent year for which data are available, 146 persons were convicted for crimes against minors under Articles 242.1 and 242.2 of the Criminal Code, which are related to the use of children for the production of pornography.(28, 34) The Government registered five child trafficking offenses for the first 4 months in 2013.(12) Based on unofficial sources, in 2012, the most recent period for which data are available, human trafficking prosecutions under Article 127.1 represented a total of 21 child victims.(35) However, complete data on the number of investigators employed to enforce criminal laws on all forms of child labor were not available. Information on the number and quality of investigations and the number of prosecutions, convictions, and implemented penalties related to criminal laws on all forms of child labor was also unavailable.

The Ministry of Internal Affairs conducts regular training to guide officers in handling human trafficking cases. The Prosecutor General's Office and the Investigative Committee also conduct periodic training on this topic.(3)

Although evidence suggests that children who are victims of crimes were referred to appropriate social care, including through informal referral mechanisms for trafficking victims operated by NGOs in Moscow and St. Petersburg, research did not find the existence of formal referral mechanisms between law enforcement agencies and social service providers.(11, 30) In addition, human trafficking cases involving illegal migrants often resulted in the detention, arrest, and deportation of the victims for violation of migration regulations. In cases in which assistance was rendered to victims of human trafficking, there was no formal referral mechanism, and victims were often transferred to homeless shelters or crisis centers for women.(3)

In addition to the enforcement of laws by criminal investigators, the Government has established guidelines for placing domain names, URLs, and network addresses into a register of banned sites if they contain materials with pornographic images of minors or invite minors to perform as actors in pornographic shows.(2) The information on websites with unlawful content is accepted from private persons, government agencies, and local government bodies. After a review, selected websites are entered into the register, which allows for their blocking.(28)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Russia has established policies related to child labor, including its worst forms (Table 6).

**Table 6. Policies Related to Child Labor**

Policy	Description
National Children's Strategy 2012 – 2017*	Covers issues such as child protection, accessibility of quality education, equal opportunities for children in need of special care by the Government, and the development of a child rights protection system.(30)
Concept of Children's Information Security*	Aims to coordinate legislation within the scope of protecting children against harmful information.(2)
Employment Plan 2014*†	Outlines the labor market challenges in Russia and commits Russia to new policies and programs to address these challenges. Includes commitments to assess and improve working conditions in Russia and provide vocational and employment programs targeted at youth.(36)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Russia funded and participated in programs that may have an impact on child labor (Table 7).

**Table 7. Social Programs to Address Child Labor**

Program	Description
Social Contract‡	Social protection mechanism to provide financial support to vulnerable Russian citizens, including victims of child trafficking and low-income families. Established by Federal Law No. 258 FZ of December 25, 2012.(3)
Russian Children in Need Fund*‡	\$21 million, Government-run program to rehabilitate orphaned, disadvantaged, and homeless children through the provision of mobile crisis centers, psychological centers, and social and physical rehabilitation services.(2, 30, 37)
Shelters for Victims of Human Trafficking*†‡	IOM-funded shelters in St. Petersburg and Moscow operated in partnership with the Russian Red Cross in St. Petersburg and the Russian Orthodox Church in Moscow. Provide accommodation and psychological counseling for victims of human trafficking.(3, 11, 38) In St. Petersburg, the municipal government provides the facilities in which the shelter is housed.(11, 38) In Moscow, the IOM has partnered with the municipality to complement the church shelter with designated spaces for adult human trafficking victims at a city-run homeless shelter and for child victims at a municipal youth shelter. Government support of the Moscow shelter began in 2014.(3, 11, 38)

\*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Russia.

Research found no evidence of any programs with the goal of eliminating or preventing child labor, including its worst forms. In particular, the Government has noted that there is a lack of shelters for human trafficking victims, and the provision of assistance to victims is not standardized.(3, 11)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Russia (Table 8).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law fully prohibits the use of children in illicit activities, including the use of children in begging.	2014
	Ensure that the law provides free public education to all children, regardless of nationality or immigration status.	2014
	Ensure that the law prohibits possessing child pornography and benefiting from its proceeds.	2009 – 2014
Enforcement	Increase the number of labor inspectors to allow RosTrud to effectively enforce labor laws.	2014
	Establish referral mechanisms among RosTrud, law enforcement agencies, and social service providers to ensure that vulnerable children receive the proper care.	2014
	Gather, report, and make publicly available data on the number of investigators employed to enforce criminal laws on child labor; the number, type, and quality of investigations; and the number of prosecutions, convictions, and implemented penalties related to these investigations.	2009 – 2014
	Develop formal procedures at the national level to train and guide law enforcement officials, labor inspectors, and other professionals on human trafficking cases, victim identification, assistance, and referrals, including ensuring that foreign victims of trafficking receive proper assistance, regardless of their immigration status.	2011 – 2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2009 – 2014
Government Policies	Develop a policy to address the inability of unregistered children, including migrants, asylum seekers, and members of the Roma community, to access education.	2012 – 2014
	Integrate child labor elimination and prevention strategies into national policies, including the National Children's Strategy, the Concept of Children's Information Security, and the Employment Plan.	2014



**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish data on the nature and prevalence of child labor to guide the design of policy and programming.	2009 – 2014
	Implement programs to specifically address the worst forms of child labor.	2010 – 2014
	Assess the impact that existing programs may have on child labor, including its worst forms.	2009 – 2014
	Fund anti-trafficking programs, including programs to increase the number and capacity of shelters specifically designed for victims of child trafficking.	2011 – 2014

### REFERENCES

- U.S. Department of State. "Russia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Moscow. *reporting, January 22, 2014*.
- U.S. Embassy- Moscow. *reporting, February 18, 2014*.
- Russian internet child porn up 12-fold since 2008, RIA Novosti, [online] January 24, 2013 [cited December 2, 2014]; <http://indrus.in/news/2013/01/24/russian-internet-child-porn-up-12-fold-since-2008-21825.html>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Kozhobaeva, Z. *Teenage migrants: a lost generation*, RFE/RL Kyrgyzstan (Radio Azattyk), [online] February 5, 2013 [cited December 15, 2014]; [http://rus.azattyk.org/content/kyrgyzstan\\_moscow\\_migrants/24974525.html](http://rus.azattyk.org/content/kyrgyzstan_moscow_migrants/24974525.html).
- Maplecroft. *South America leads battle against child labour but Russia and China lagging—Maplecroft Child Labour Index 2014*. Bath, UK; October 15, 2013. <http://maplecroft.com/portfolios/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/>.
- RT News. "Homeless children still a problem in Russia." *rt.com* [online] June 11, 2010 [cited December 15, 2014]; <http://rt.com/news/homeless-children-problem-russia/>.
- U.S. Embassy- Moscow. *reporting, January 20, 2012*.
- U.S. Embassy- Moscow. *reporting, February 26, 2015*.
- ILO Committee of Experts. *Report of the Committee of Experts on the Application of Conventions and Recommendations: Application of International Labour Standards 2014 (I)* Geneva; March 13, 2014. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_235054.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_235054.pdf).
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Russia (Ratification 2003) Published: 2013*; accessed March 4, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
- U.S. Department of State. "Russia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226804.htm>.
- U.S. Embassy- Moscow. E-mail communication to USDOL official. May 8, 2015.
- Government of Russia. *On General Education*, No. 3266-1, enacted July 10, 1992. <http://base.garant.ru/10164235/>.
- U.S. Department of State. E-mail communication to USDOL official. March 27, 2015.
- Vitaly Shevchenko. "Ukraine conflict: Child soldiers join the fight." *bbc.com* [online] 2014 [cited <http://www.bbc.com/news/world-europe-30134421>].
- Government of Russia. *Labor Code of the Russian Federation 197-FZ*, enacted December 31, 2001. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/60535/65252/E01RUS01.htm>.
- Government of Russia. *On the approval of the list of heavy work and work with harmful or dangerous conditions, in which the employment of minors is forbidden*, No. 163, enacted February 25, 2000. <http://base.garant.ru/181762/>.
- Government of Russia. *The Constitution of the Russian Federation*, enacted December 25, 1993. <http://www.constitution.ru/en/10003000-01.htm>.
- Government of Russia. *Criminal Code of the Russian Federation*, 63-FZ, enacted June 13, 1996. <http://legislationline.org/documents/section/criminal-codes/country/7>.
- Government of Russia. *On military conscription and military service*, No. 53-FZ, enacted March 28, 1998. <http://base.garant.ru/178405/>.
- U.S. Embassy- Moscow. *reporting, January 15, 2015*.
- RAPSI. "Russian lawmakers approve updated punishment for child pornography." *rapsinews.com* [online] September 22, 2014 [cited December 3, 2014]; [http://rapsinews.com/legislation\\_news/20140922/272165648.html](http://rapsinews.com/legislation_news/20140922/272165648.html).
- U.S. Embassy- Moscow. E-mail communication to USDOL official. February 12, 2015.
- Ivan Rodin. *Bastrykin looks for a pedophile lobby in the State Duma*, Nezavisimaya Gazeta, [online] December 12, 2014 [cited April 2, 2015]; [http://www.ng.ru/politics/2014-12-12/1\\_bastrykin.html](http://www.ng.ru/politics/2014-12-12/1_bastrykin.html).
- U.S. Embassy- Moscow. E-mail communication to USDOL official. April 24, 2014.
- Duties*, Children's Rights Commissioner under the President of the Russian Federation, [online] [cited December 8, 2014]; <http://www.rfdeti.ru/menu/11>.
- U.S. Embassy- Moscow. *reporting, January 31, 2013*.
- In Astrakhan, three local residents have been found guilty of human trafficking*, The Investigative Committee, [online] September 18, 2014 [cited December 11, 2014]; <http://sledcom.ru/news/416601.html>.
- In Tver, women suspected of the sale of a newborn child have been arrested*, The Investigative Committee, [online] [cited December 11, 2014]; <http://sledcom.ru/news/417848.html>.
- U.S. Embassy- Kyiv. *reporting, January 30, 2013*.
- U.S. Embassy- Moscow. E-mail communication to USDOL official. May 21, 2014.
- U.S. Embassy- Moscow. *reporting, March 8, 2013*.
- Government of Russia. *Employment Plan 2014; 2014*. [http://www.g20australia.org/sites/default/files/g20\\_resources/library/g20\\_employment\\_plan\\_russian\\_federation.pdf](http://www.g20australia.org/sites/default/files/g20_resources/library/g20_employment_plan_russian_federation.pdf).
- The Russian Children in Need Fund. *Charter of the Russian Children in Need Fund (New Edition)*; March 2, 2012. <http://www.fond-detyam.ru/about/%D0%A3%D1%81%D1%82%D0%B0%D0%B2%20%D0%A4%D0%BE%D0%BD%D0%B4%D0%B0.doc>.
- The first shelter for victims of human trafficking in St. Petersburg*, Consulate General of the United States, St. Petersburg, Russia, [online] 2013 [cited December 12, 2014]; <http://stpetersburg.usconsulate.gov/spshselt.html>.

In 2014, Rwanda made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Rwanda secured funding to continue the Rwanda Demobilization and Reintegration Commission Child Rehabilitation Program, provided funding for districts to implement child protection programs, created District Steering Committees on Child Labor in all 30 districts, and adopted a national anti-trafficking plan of action. The Government also participates in and implements several additional programs to combat the worst forms of child labor, including child trafficking. However, children in Rwanda are engaged in child labor, including in agriculture and in the worst forms of child labor, including in domestic service. Gaps exist in the Government's enforcement of laws on child labor, and social programs lack adequate safeguards to protect children engaged in domestic service.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Rwanda are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in domestic service.(1, 2) Table 1 provides key indicators on children's work and education in Rwanda.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	16.1 (482,180)
Attending School (%)	5-14 yrs.	79.1
Combining Work and School (%)	7-14 yrs.	17.6
Primary Completion Rate (%)		57.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2010.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of sugarcane,* bananas,* and tea (1, 5, 6)
	Planting and harvesting cabbage,* coffee,* manioc,* peas,* pineapple,* potatoes,* sweet potatoes,* corn,* beans,* sorghum,* pyrethrum,* and rice* (1, 6-9)
	Herding cattle* and caring for sheep,* goats,* and pigs* (9, 10)
	Producing charcoal* (11)
Industry	Fishing,*† activities unknown (1)
	Construction,*† activities unknown (12)
	Digging pit latrines* (13)
	Making bricks*† (11, 13, 14)
Services	Mining† coltan* (15, 16)
	Domestic service† (1, 17, 18)
	Collecting scrap metal† and vending (17, 19)

**Table 2. Overview of Children’s Work by Sector and Activity(cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation sometimes as a result of human trafficking (18, 20-23)
	Agricultural labor and domestic service as a result of human trafficking (18, 23, 24)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Children are trafficked internally in the country for domestic service and commercial sexual exploitation, and are trafficked externally for agricultural labor.(18, 23)

Although education is free and compulsory, in practice, the costs of uniforms, school supplies, and unofficial school fees may preclude some families from sending their children to school.(17, 25-28)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Rwanda has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 4 of the Labor Law (29)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Law (29)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 4–6 of Ministerial Order (2010-06); Kigali City Guidelines (2012-02); Mimuri sector child labor guidelines for sugar and rice production (30-32)
Prohibition of Forced Labor	Yes		Articles 8 and 72 of the Labor Law; Article 178 of the Organic Law Instituting the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child (27, 29, 33)
Prohibition of Child Trafficking	Yes		Article 72 of the Labor Law; Article 28 of the Law on Prevention and Punishment of Gender-Based Violence; Articles 225, 251, 258–261 of the Organic Law Instituting the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child (27, 29, 33, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 72 of the Labor Law; Articles 190, 211, 260 Organic Law Instituting the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child (27, 29, 33)
Prohibition of Using Children in Illicit Activities	Yes		Article 72 of the Labor Law; Article 220 of the Organic Law Instituting the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child (27, 29, 33)
Minimum Age for Compulsory Military Recruitment	N/A*		

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	18	Presidential Order 155/01; Presidential Order 72/01; Article 50 of the Law Relating to the Rights and Protection of the Child (27, 35)
Compulsory Education Age	Yes	16	Article 47 of the Law Relating to the Rights and Protection of the Child (27)
Free Public Education	Yes		Article 47 of the Law Relating to the Rights and Protection of the Child; Twelve Years Basic Education (12YBE) policy (27, 28)

\*No conscription (18, 27, 35)

Rwandan law is not completely consistent with international standards regarding child labor. Children working in non-contractual employment do not have the same protections under child labor laws and regulations as children working in contractual employment.(29, 36, 37)

In addition to national-level regulations on child labor, the Kigali City Security Council also has guidelines on child labor.(31) These guidelines prohibit the employment of children in Kigali City as domestic servants, street beggars, porters, bar attendants, hairdressers, and dancers in clubs. It also prohibits using children to make pornographic productions, to sell drugs, and to replace their parents in paid employment.(31) In addition, the guidelines require local authorities to raise awareness of child labor and calls for a census at the local cell administrative level to estimate the prevalence of child domestic workers.(31)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Public Service and Labor (MIFOTRA)	Enforce labor laws, including laws on child labor.(8, 38-40)
Rwandan National Police (RNP)	Enforce criminal laws related to the worst forms of child labor and operate a free hotline to report incidents of gender-based violence and child abuse, including child labor.(8, 41, 42)
Child Protection Unit	Investigate cases of child abuse, including the use of children in commercial sexual exploitation. Located within the Commission for Criminal Investigations of the RNP.(8, 43, 44)
Directorate for Anti-Gender-Based Violence	Assist victims of the worst forms of child labor through anti-gender-based violence officers. Located within the RNP, at each of Rwanda's 78 police stations.(12)
Directorate General of Immigration and Emigration	Receive referrals for trafficking cases and employ an anti-trafficking specialist.(42) Verify that children transported across the border are traveling with the permission of their parents or guardians.(8, 45)

Law enforcement agencies in Rwanda took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Public Service and Labor (MIFOTRA) employed 30 labor inspectors (1 per district) who work with the Rwandan National Police (RNP), under supervision of district authorities.(17, 38-40) At the national level, MIFOTRA employed two chief labor inspectors, who are supervised by the Directorate General in charge of labor.(12, 38) According to MIFOTRA, one labor inspector per district is not enough to conduct all of the necessary inspections.(46) The MIFOTRA reviews the performance of its labor inspectors every 6 months and provides them with training twice a year on identifying and investigating child labor violations.(12, 17) Labor inspectors hold quarterly district trainings on child labor issues for employers and local authorities.(12, 42) MIFOTRA provided labor inspectors with laptops and funds for Internet service. In addition, half of all labor inspectors received motorcycles and funds for fuel and maintenance.(12) Despite these improvements, MIFOTRA reports that many labor inspectors still lack transportation to carry out inspections.(42, 46) MIFOTRA also requires an annual report on activities from its labor inspectors and audits the disbursement of labor inspection funds to ensure that it matches appropriations.(12)

# Rwanda

## MODERATE ADVANCEMENT

Inspections may be conducted without prior notice, and labor inspectors may issue warnings, which require correction of the violating condition within 7 days. Otherwise, the labor inspector may ask the authorities to temporarily close the establishment under investigation.(38) Law No. 13/2009 permits labor inspectors to enter workplaces only during normal business hours, even though ILO C. 81, which Rwanda has ratified, notes that inspectors should be able to enter workplaces at all times.(47) Labor inspection reports do not contain information related to the worst forms of child labor.(48) Data regarding child labor inspections, citations, and penalties are not publicly available.(17, 46)

Labor law enforcement agencies at the district level have also been reported to take actions to combat child labor.(49) Performance contracts signed between the President and district authorities also include targets for reducing child labor and increasing school enrollment.(12)

### *Criminal Law Enforcement*

The RNP operates an anti-trafficking unit within the force's Interpol directorate that is staffed with 15 full-time officers.(12, 17, 18, 50) However, RNP officials report that the unit has insufficient officers to address the problem.(8) In addition, evidence suggests that some RNP staff members are not sensitive to the needs of child trafficking victims, and that some children found engaged in commercial sexual exploitation and market vending were detained in transit centers for months.(12) Some officials also lack awareness and training about the laws on internal trafficking.(8, 50) With support from Interpol, the RNP operates an office at the Kigali International Airport to combat trafficking in persons and it plans to open 13 more offices at border crossings.(12, 51) During the reporting period, the RNP and the Ministry of Gender and Family Promotion (MIGEPROF) expanded training and outreach on trafficking in persons to encourage collaboration with investigators.(17)

The Government continued to operate a network of 15 "One-Stop" centers in hospitals and district capitals for victims of gender-based violence and trafficking, including those who have experienced child domestic servitude, commercial sexual exploitation, and forced labor. These centers provide medical exams, counseling, legal assistance, short-term shelter, and police assistance.(18) In 2014, the RNP referred some child domestic workers and children engaged in commercial sexual exploitation to "One-Stop" centers for police assistance, legal aid, shelter, medical exams, and counseling.(12, 17) Within villages, citizens can report instances of child labor to the RNP or to a local volunteer officer in charge of social affairs. If the officer cannot resolve the problem, it may be referred to the village leader, who in turn may contact the RNP.(42) Although the RNP operates a free hotline staffed by social workers to report incidences of gender-based violence and child abuse, including child labor, it is unknown how many of these complaints were related to child labor.(18, 41, 42)

From June 2013 to June 2014, the RNP arrested and referred 10 suspected human traffickers for prosecution, of which three were convicted under Articles 252 or 255 of the Penal Code and four were acquitted. Between June 2014 and February 2015, the RNP arrested 24 individuals suspected of being involved in human trafficking; of these, 6 were prosecuted, 4 convicted, and 2 acquitted.(18) Research did not find information about the punishments assigned in these cases, and it is unclear how many of these cases, if any, involved child trafficking crimes. The cases against 21 individuals remain pending judicial review or prosecution.(18)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Advisory Committee on Child Labor	Coordinate government efforts related to the worst forms of child labor, review child labor laws, advocate for the inclusion of child labor policies in national development plans, oversee the implementation of child labor interventions, and conduct field visits to assess the prevalence of child labor and to raise awareness of child labor. Meets quarterly and includes representatives from MIFOTRA; the Ministry of Youth; the Ministry of Education (MINEDUC); the Ministry of Gender and Family Promotion (MIGEPROF); the Ministry of Local Government (MINILOC); the Ministry of Sports and Culture; the RNP; the National Human Rights Commission; the Rwanda Demobilization and Reintegration Commission (RDRC); trade unions; the ILO; UNICEF; the Private Sector Federation; and Winrock International.(12, 46, 51)



**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
National Consultative Forum on Human Trafficking, Drug Abuse, and Gender-Based Violence	Enable national-level discussion of and coordination of efforts to address human trafficking. Chaired annually by the First Lady of Rwanda and comprises parliamentarians; representatives of MIGEPROF, the Ministry of Justice (MINIJUST), MINEDUC, and the RNP; NPPA prosecutors; NGOs; and faith-based and civil society leaders. Convened for the first time and adopted a national anti-trafficking action plan in October 2014; MIGEPROF was selected to coordinate implementation of the plan.(18)
National Commission for Children (NCC)	Monitor, promote, and advocate for children's rights; develop action plans to protect children from abuse and exploitation. Overseen by MIGEPROF and supported by a board of directors and an advisory council of 14 institutions.(12, 52-54)
Inter-Ministerial Committee on Child Rights	Coordinate and assess the progress of the Integrated Child Rights Policy (ICRP) and Strategic Plan in Rwanda. Mandated to meet at least once a year. Includes members from MIGEPROF; the Ministry of Health; MINEDUC; MINILOCO; MINIJUST; and the Ministry of Finance and Economic Planning.(8, 12, 35)
National Commission on Orphans and Vulnerable Children	Monitor and protect orphans and vulnerable children in Rwanda. Composed of the NCC, MIFOTRA, MIGEPROF, and UNICEF.(8, 45, 55)
Child Labor Committees	Monitor incidents of child labor nationwide, through 149 local committees.(12, 51) In the case of Gender-Based Violence Committees, operate at the district level. In the case of Child Protection Committees, identify and report cases of child rights violations at the district, sector, and cell levels.(56, 57)
Friends of the Family ( <i>Incuti Z'Umuryango</i> ) Committees	Support child welfare and protection, combat child labor, and counter trafficking in persons through the creation of the national-to-village level reporting and social assistance structure.(17, 18)
Kigali City Council Task Force	Coordinate activities to combat child labor in the districts of Gasabo, Kicukiro, and Nyarugenge.(15, 57, 58)

The National Commission for Children (NCC) employed 19 staff members and coordinated child protection activities on a daily basis.(12, 52, 54, 55) The NCC appointed 10 National Protection Officers and 48 social workers responsible for child labor issues during the reporting period. Additionally, 320 child labor focal point volunteers were appointed at the village level to support these staff members.(17) During the reporting period, the NCC sent psychologists and social workers to 3 of Rwanda's 30 districts to address child labor.(51) The NCC had a budget of \$2.4 million for 2014, which included \$1.5 million earmarked for districts to implement child protection programs.(51) In 2014, District Steering Committees on Child Labor were created in all 30 districts.(59)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Rwanda has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Policy for the Elimination of Child Labor (2013) and 5-Year Action Plan to Combat Child Labor	Aims to prevent at-risk children from entering exploitative child labor; withdraws children engaged in exploitative labor through the provision of education; rehabilitates former child laborers through counseling, life skills training, and medical care; raises community awareness on child labor; and establishes monitoring and evaluation mechanisms on child labor. Government committed more than \$4.2 million to implement activities listed in the Policy and Plan.(8, 60-62)
Integrated Child Rights Policy and Strategic Plan (2011–2016)	Addresses all children's issues, including child labor. Guided by the principles that deem abuse, exploitation, and violence against children intolerable, and that the Government and caretakers are accountable for the well-being of children.(35, 63) In the case of the ICRP, prohibits child labor, and in the case of the Strategic Plan, provides \$9,000 to MIFOTRA to develop timebound programs to eliminate child labor.(35, 63)
National Policy Against Gender-Based Violence (2011–2016)	Acknowledges that orphans and vulnerable children, including child laborers, are at increased risk of gender-based violence and outlines measures to provide assistance to such groups. Implemented by the Gender-Based Violence Technical Working Committee under the MIGEPROF.(64, 65)
National Employment Policy (2007)	Includes a set of integrated strategies for employment promotion and generation. Provides for youth employment programs, which include child labor issues.(46, 66)
Vision 2020 (2000)*	Aims to transform agriculture into a productive, market-oriented, and high-value sector. Calls for the protection of children and provides educational opportunities to children who drop out of secondary school.(42, 67)
National Social Protection Strategy (2011)*	Defines social protection and outlines social development activities to assist poor households, such as providing vulnerable children with grants and free education.(68)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Youth Policy (2005)	Seeks to address concerns facing youth, including economic exploitation and education.(42, 69)
12YBE Policy*	Provides free education for 12 years and aims to improve access to education by hiring new teachers and building schools.(28)
Economic Development and Poverty Reduction Strategy (2013–2018)	Describes the social policies and programs necessary to promote growth and reduce poverty. Supports access to education and seeks to eliminate child labor.(70)
National TVET Policy (2008)*	Aims to establish a well-trained and adaptable workforce and provides educational alternatives to children who have dropped out of school.(71)
Girls' Education Strategic Plan (2009–2013)	Aims to improve access and quality of girls' education to prevent girls from engaging in the worst forms of child labor.(72)
UNDAF Rwanda (2013–2018)	Enhances government efforts to protect children from exploitation.(73)
Trafficking in Persons Action Plan (2014)†	Aims to improve government efforts to combat human trafficking through awareness raising, research, poverty reduction strategies, improved service provision, enforcement, and collaboration. Developed by the Consultative Forum on Human Trafficking, Drug Abuse, and Gender-Based Violence.(18, 74)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

It is unclear how the Integrated Child Rights Policy (ICRP) and its Strategic Plan are coordinated with the National Policy for the Elimination of Child Labor and the 5-Year Action Plan to Combat Child Labor. In addition, current budget allocations may not be sufficient for the full implementation of the ICRP.(64)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Rwanda funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Rwanda Demobilization and Reintegration Commission (RDRC) Child Rehabilitation Program and Center	RDRC-operated center in the Musanze District of the Northern Province for former child combatants returning from the Democratic Republic of the Congo that raises awareness of child soldier issues and provides a 3-month course to former child soldiers, which includes counseling, education, recreational activities, and vocational training.(11, 12, 35, 50) In 2014, the Government secured funding from the World Bank to continue the project.(75) The third stage of the RDRC program plans to help 3,300 child ex-combatants demobilize and reintegrate.(72)
Rwanda Education Alternatives for Children in Tea-Growing Areas (2013–2017)	USDOL-funded, \$5 million, 4-year project implemented by Winrock International targets 4,090 children engaged in or at risk of entering exploitative child labor in Rwanda with a focus on the tea sector, and 1,320 vulnerable households for sustainable livelihoods promotion. With support from MIFOTRA, aims to train labor inspectors on child labor issues and develop and eventually operate a mobile-phone child labor monitoring system.(76)
Global Action Program on Child Labor Issues (2011–2016)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the Government and develop strategic policies to address the elimination of child labor in Rwanda.(77)
Child Labor Awareness Raising‡	MIFOTRA program to raise public awareness of the worst forms of child labor through radio shows, television announcements, and skits. Also implements awareness-raising campaigns to combat commercial sexual exploitation and trafficking in persons.(12, 18)
Friends of the Family ( <i>Incuti Z'Umuryango</i> ) Program	Government social assistance and reporting program launched in November 2014 to support child welfare and counter child trafficking and child labor. Trains volunteers to provide social services to families and children, as well as connect at-risk families to government support programs, while reporting children at risk for trafficking or forced labor to district governments and the RNP. Intended to identify child domestic workers and those subjected to other forms of forced labor. Establishing monitoring committees at the village, cell, sector, district, and national levels.(18)
Counter-Trafficking Program in Rwanda	Government program, with support from the IOM, to raise awareness of human trafficking, train law enforcement officials and immigration officers to identify cases of human trafficking, and establish victim assistance and referral mechanisms.(78)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Positive Parenting to Combat Trafficking in Persons and Drug Abuse‡	MIGEPROF campaign launched in November 2014 that partners with churches and civil society organizations to teach parents and community leaders to recognize risk factors for human trafficking and to report identified victims.(18)
Eastern Africa Police Chiefs Cooperation Organization	Government program to combat human trafficking by collaborating with 11 East African countries to foster regional cooperation and build the capacity of East African law enforcement authorities.(79, 80)
Vision 2020 Umurenge Program*‡	Government cash and in-kind transfer program for child-headed households and street children.(8, 68, 81, 82)
Gitagata Center*‡	Government-operated center for former street children in the Bugesera District that provided education support, vocational training, and psychosocial counseling to street children, and when able to do so, reunites them with their families.(12, 83)
One Cup of Milk per Child Program*	EU-funded school feeding program that provides milk to children in nursery and primary schools.(55, 84, 85)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Rwanda.

In 2012, MIGEPROF announced that it would begin phasing out Rwanda's orphanages and integrating children with families across the country. In 2013, MIGEPROF closed four orphanages.(8, 12, 86, 87) It is too early to determine the impact that the closing of childcare institutions will have on child labor. The Government aimed to place all children with families and transform existing orphanages into institutions to support children and families in 2014, but it was unable to meet this goal.(88)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms in Rwanda (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that relevant child labor laws and regulations apply equally to children working in non-contractual and contractual employment.	2009 – 2014
	Revise Law No. 13/2009 to allow labor inspectors to enter workplaces outside of normal business hours.	2012 – 2014
Enforcement	Ensure that MIFOTRA and RNP have sufficient human and financial resources to enforce child labor laws.	2009 – 2014
	Ensure that labor inspections meet international standards, including authority to conduct inspections outside of business hours.	2014
	Make information publicly available on inspections, violations, citations, and penalties related to child labor.	2009 – 2014
	Increase training among enforcement officials on internal child trafficking and the rights of trafficking victims and children engaged in commercial sexual exploitation.	2009 – 2014
	Disaggregate the number of complaints that relate to child labor to the RNP hotline.	2013 – 2014
	Ensure that MIGEPROF and RNP provide training to staff on government-approved procedures for screening children and referring them to services.	2012 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into Vision 2020, the National Social Protection Strategy, 12YBE Policy, and National TVET Policy.	2011 – 2014
	Allocate funds for the ICRP to ensure its implementation.	2013 – 2014
Social Programs	Conduct research to determine the activities carried out by children working in construction and fishing to inform policies and programs.	2013 – 2014
	Ensure that school costs, such as uniforms, school supplies, and unofficial school fees do not diminish the impact of the 12-year education policy.	2010 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2009 – 2014

### REFERENCES

- Winrock International, Forum for African Women Educationalists, and Netherlands Development Organization. *Baseline Assessment on Child Labor in Seven Districts: Nyarugenge, Nyaruguru, Gicumbi, Nyamasheke, Rubavu, Kayanza, and Nyagatare*. Kigali; November 2010.
- UCW. *Understanding Children's work and youth employment outcomes in Rwanda- Report on child labour and youth employment*. Rome; June 2011 [http://www-wds.worldbank.org/external/default/WDSCContentServer/WDSP/IB/2011/07/21/000333037\\_20110721015859/Rendered/PDF/632990WP0Youth00Box0361511B0PUBLIC0.pdf](http://www-wds.worldbank.org/external/default/WDSCContentServer/WDSP/IB/2011/07/21/000333037_20110721015859/Rendered/PDF/632990WP0Youth00Box0361511B0PUBLIC0.pdf).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Maarifa, N. *Child Labor in the Tea Sector: Case Study of Nyamasheke, Nyaruguru and Gicumbi*. Kigali, Winrock International; 2012.
- ICF Macro. *Child Labor in Agriculture in Rwanda*. Washington, DC; January 2012. [http://www.dol.gov/ilab/icre/Downloads/Research/Report/Rwanda\\_Research\\_Report.pdf](http://www.dol.gov/ilab/icre/Downloads/Research/Report/Rwanda_Research_Report.pdf).
- Ngabonziza, D. "27 rescued from child labour." newtimes.co.rw [online] 2011 [cited December 20, 2011]; [source on file].
- U.S. Embassy- Kigali. *reporting, February 14, 2013*.
- Winrock International official. E-mail communication to USDOL official. February 20, 2013.
- Winrock International. *Rwanda Education Alternatives for Children (REACH)- Project Document*. Kigali; March 2011.
- U.S. Department of State. "Rwanda," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220359.pdf>.
- U.S. Embassy- Kigali. *reporting, February 4, 2014*.
- RNP News. "Rwanda National Police calls citizens to combat child labor." police.gov.rw [online] October 22, 2012 [cited February 18, 2013]; [source on file].
- Human Rights Watch. "DR Congo: M23 Rebels Kill, Rape Civilians." hrw.org [online] July 22, 2013 [cited January 9, 2014]; <http://www.hrw.org/news/2013/07/22/dr-congo-m23-rebels-kill-rape-civilians>.
- USDOL official. *Rwanda Trip Report*. Washington, DC; February 18-24, 2012.
- AllAfrica. "Rwanda: Mining Co-Op Closed Over Employing Children." allafrika.com [online] August 20, 2011 [cited February 6, 2014]; <http://allafrika.com/stories/201108220671.html>.
- U.S. Embassy- Kigali. *reporting, January 12, 2015*.
- U.S. Embassy- Kigali. *reporting, February 27, 2015*.
- Uwiringiyimana, C. "Child labour rampant among street children." newtimes.co.rw [online] June 26, 2013 [cited February 6, 2014]; <http://www.newtimes.co.rw/news/index.php?i=15400&a=68157>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 138) Rwanda (ratification: 1981) Published: 2012*; accessed October 29, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- Asiimwe, B. "Human trafficking racket busted." newtimes.co.rw [online] April 16, 2012 [cited February 6, 2014]; <http://www.newtimes.co.rw/news/index.php?i=14964&a=52517>.
- Umutesi, D. "Rwanda: Who Is Behind Trafficking Young Girls Into Sex Slavery?" newtimes.co.rw [online] October 2, 2013 [cited January 9, 2014]; <http://www.newtimes.co.rw/news/index.php?i=15502&a=16858&week=39>.
- U.S. Department of State. "Rwanda," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226848.pdf>.
- UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. *Concluding observations of the Committee on the initial periodic report of Rwanda, adopted at its seventeenth session (10-14 September 2012)*. Geneva; October 10, 2012. Report No. CMW/C/RWA/CO/1.
- Gahene, A. "Children still subjected to labour in rural Rwanda." newtimes.co.rw [online] April 3, 2010 [cited December 21, 2011]; [source on file].
- Will Paxton, and Lillian Mutesi. *School Funding and Equity in Rwanda: Final Report*. Kigali, Institute of Policy Analysis and Research; September 2012.
- Government of Rwanda. *Law relating to the rights and the protection of the child*, No. 54/2011, enacted June 25, 2012.
- Government of Rwanda. *Mapping Ways Forward: Planning for 12 Years Basic Education* Kigali; June 2011.
- Government of Rwanda. *Law regulating Labour in Rwanda*, No. 13/2009, enacted May 27, 2009. <http://www.mifotra.gov.rw/documents/Laws/NEW%20LABOUR%20LAW%20N13.2009%20OF%2027.5.2009.pdf>.
- Government of Rwanda. *Ministerial order determining the list of worst forms of child labour, their nature, categories of institutions that are not allowed to employ them and their prevention mechanisms*, No. 06, enacted July 13, 2010.
- Government of Rwanda. *Instructions of the Council of the City of Kigali City No 02 OF 29/04/2012 establishing mechanisms of prevention and fight against illegal child labour in Kigali City*, enacted March 12, 2012.
- Winrock International. *Rwanda Education Alternatives for Children (REACH)*. Washington, DC; April 30, 2012.
- Government of Rwanda. *Organic Law Instituting the Penal Code*, No. 01/2012, enacted May 2, 2012.
- Government of Rwanda. *Law on prevention and punishment of gender-based violence*, No. 59, enacted September 10, 2008. <http://www.hsph.harvard.edu/population/domesticviolence/rwanda.genderviolence.08.pdf>.
- Government of Rwanda. *Strategic Plan for the Integrated Child Rights Policy in Rwanda*. Kigali; August 2011. [http://www.unicef.org/rwanda/RWA\\_resources\\_icrprstratplan.pdf](http://www.unicef.org/rwanda/RWA_resources_icrprstratplan.pdf).
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Rwanda (ratification: 1982) Published: 2013*; accessed January 9, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- International, W. *Labor Law Enforcement Assessment by Rwanda Education Alternatives For Children in Tea-Growing Areas (REACH-T)*; September 23, 2014.
- Government of Rwanda. *Ministerial Order determining the modalities of functioning of the labour inspector*, No. 07, enacted July 13, 2010.
- Kaitesi, M. "Rwanda: Govt Intensifies Fight Against Child Labour." allafrika.com [online] April 23, 2010 [cited February 6, 2014]; <http://allafrika.com/stories/201104250823.html>.
- ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Rwanda (ratification: 1980) Published: 2012*; accessed October 29, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- Rwanda National Police: RNP Strategies*, Government of Rwanda, [online] [cited August 26, 2010]; [source on file].
- U.S. Embassy- Kigali. *reporting, January 18, 2012*.
- Rwanda National Police: Child Protection Unit*, Government of Rwanda, [previously online] [cited August 26, 2010]; [source on file].
- Rwanda National Police: The Criminal Investigation and Scientific Police*, Government of Rwanda, [online] [cited August 26, 2010]; [source on file].
- U.S. Embassy- Kigali. *reporting, February 15, 2012*.
- Ministry of Public Service and Labor official. Interview with USDOL official. February 8, 2013.
- ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Rwanda (ratification: 1980) Published: 2012*; accessed October 29, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Rwanda (ratification: 2000) Submitted: 2011* accessed January 8, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- Government of Rwanda. *Action Plan Rubavu District 2012-2013*. Kigali; 2012.



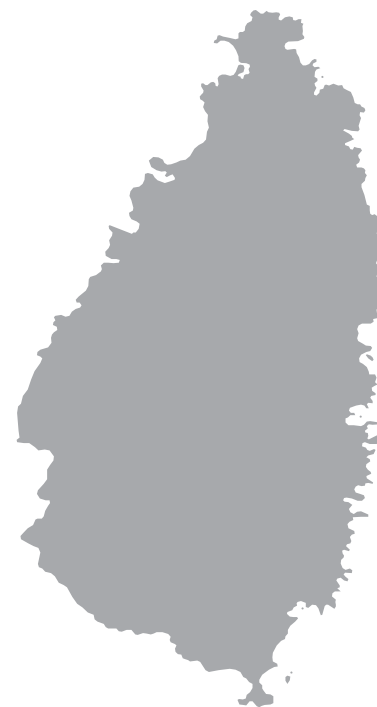
50. U.S. Department of State. "Rwanda," in *Trafficking in Persons Report-2012*. Washington, DC; June 19, 2012; <http://www.state.gov/documents/organization/192598.pdf>.
51. U.S. Embassy- Kigali. *reporting, February 26, 2014*.
52. *Child Protection: Rwanda*, UNICEF, [online] [cited January 9, 2014]; <http://www.unicef.org/rwanda/protection.html>.
53. Pamela Abbott, and Francesca Sapsford. *Legal and Policy Framework for Children's Rights in Rwanda*. Kigali, Institute of Policy Analysis and Research - Rwanda; July 2012.
54. National Commission on Children official. Interview with USDOL official. February 5, 2013.
55. U.S. Embassy- Kigali official. E-mail communication to USDOL official. March 6, 2014.
56. ILO. *Sharing Innovative Experiences: Successful Social Protection Floor Experiences*. New York; 2011. Report No. 1728-4171. <http://www.ilo.org/gimi/gess/ResShowResource.do?ressourceId=20840>.
57. Winrock International. *Rwanda Education Alternatives for Children (REACH)*. Washington, DC; October 31, 2012.
58. Winrock International. *Rwanda Education Alternatives for Children (REACH)*. Kigali; October 2011.
59. Winrock International. *Rwanda Education Alternatives for Children in Tea Growing Areas (REACH-T)*. Washington, DC; October 30, 2014.
60. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Rwanda (ratification: 1981) Published: 2012*; accessed January 25, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
61. Government of Rwanda. *National Child Labor Policy*. Kigali; March 2013. [http://www.mifotra.gov.rw/fileadmin/user\\_upload/Laws/National\\_Child\\_Labour\\_Policy.pdf](http://www.mifotra.gov.rw/fileadmin/user_upload/Laws/National_Child_Labour_Policy.pdf).
62. Ministry of Public Service and Labour. "Rwanda: National Policy on elimination of worst forms of Child Labour officially launched." mifotra.gov.rw [online] June 11, 2013 [cited January 9, 2014]; [http://www.mifotra.gov.rw/index.php?id=79&L=&tx\\_ttnews%5Btt\\_news%5D=138&cHash=638e08ccb15c3022d64cc56712ae60c4](http://www.mifotra.gov.rw/index.php?id=79&L=&tx_ttnews%5Btt_news%5D=138&cHash=638e08ccb15c3022d64cc56712ae60c4).
63. Government of Rwanda. *National Integrated Child Rights Policy*. Kigali; August 2011. [http://www.unicef.org/rwanda/RWA\\_resources\\_icrpolicy.pdf](http://www.unicef.org/rwanda/RWA_resources_icrpolicy.pdf).
64. UN Committee on the Rights of the Child. *Concluding observations on the third and fourth periodic reports of Rwanda, adopted by the Committee at its sixty-third session (27 May-14 June 2013)*. Geneva; July 8, 2013. Report No. CRC/C/RWA/CO/3-4\*. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/458/83/PDF/G1345883.pdf?OpenElement>.
65. Government of Rwanda. *National Policy against Gender-Based Violence*. Kigali, Ministry of Gender and Family Promotion; July 2011. [http://www.migeprof.gov.rw/IMG/pdf/GBV\\_Policy-2\\_1\\_.pdf](http://www.migeprof.gov.rw/IMG/pdf/GBV_Policy-2_1_.pdf).
66. Government of Rwanda. *National Employment Policy*. Kigali, MIFOTRA; December 2007. <http://www.mifotra.gov.rw/fileadmin/templates/downloads/National%20Employment%20Policy.pdf>.
67. Government of Rwanda. *Rwanda Vision 2020*. Kigali; July 2000. [http://www.gesci.org/assets/files/Rwanda\\_Vision\\_2020.pdf](http://www.gesci.org/assets/files/Rwanda_Vision_2020.pdf).
68. Government of Rwanda. *National Social Protection Strategy*. Kigali; January 2011. <http://www.ilo.org/gimi/gess/ResShowResource.do?ressourceId=23208>.
69. Government of Rwanda. *National Youth Policy*. Kigali, Ministry of Youth, Culture and Sports; 2005.
70. Government of Rwanda. *Economic Development and Poverty Reduction Strategy 2013-2018*. Kigali; September 13, 2013 [http://www.minecofin.gov.rw/fileadmin/General/EDPRS\\_2/EDPRS\\_2\\_FINAL1.pdf](http://www.minecofin.gov.rw/fileadmin/General/EDPRS_2/EDPRS_2_FINAL1.pdf).
71. Government of Rwanda. *Technical and Vocational Education and Training (TVET) Policy in Rwanda*. Kigali, Ministry of Education; April 2008.
72. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Rwanda (ratification: 2000) Published: 2013*; accessed January 9, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
73. Leoncio, D. *Rwanda United Nations Development Assistance Plan (UNDAF) 2013-2018*. Kigali; July 24, 2013. <http://www.undg.org/docs/13307/RWANDA-UNDAF-REPORT.PDF>.
74. Government of Rwanda. *Consultative Meeting on Combatting Human Trafficking Action Plan*; 2014. [source on file].
75. World Bank. *Project Paper on a proposed additional credit in the amount of SDR5.8 million (US\$8.97 million equivalent) to the Republic of Rwanda for the Second Emergency Demobilization and Reintegration Project*. Washington, DC; April 7, 2014. [http://www-wds.worldbank.org/external/default/WDSContentServlet/WDSP/IB/2014/04/15/000442464\\_20140415095345/Rendered/PDF/844240PJP0P14010Box385177B00UO090.pdf](http://www-wds.worldbank.org/external/default/WDSContentServlet/WDSP/IB/2014/04/15/000442464_20140415095345/Rendered/PDF/844240PJP0P14010Box385177B00UO090.pdf).
76. USDOL. *Rwanda Education Alternatives for Children in Tea-Growing Areas (REACH-T)*. Washington, DC; 2013.
77. ILO-IPEC. *Global Action Program on Child Labour Issues*. Geneva; May 5, 2014.
78. *Rwanda*, IOM, [online] January 2013 [cited February 6, 2014]; <http://www.iom.int/cms/en/sites/iom/home/where-we-work/africa-and-the-middle-east/east-africa/rwanda.html>.
79. Erukuri, C. "Kayihura hands over EAPCCO leadership." newvision.co.ug [online] August 30, 2013 [cited January 16, 2014]; <http://www.newvision.co.ug/news/646696-kayihura-hands-over-capcco-leadership.html>.
80. Interpol. "EAPCCO meeting seeks to strengthen regional police collaboration." [www.interpol.int](http://www.interpol.int/News-and-media/News/2013/N20130911) [online] September 11, 2013 [cited January 16, 2014]; <http://www.interpol.int/News-and-media/News/2013/N20130911>.
81. Karinganire, ED. "Government involves psychologists to rescue street children." focus.rw [online] May 28, 2012 [cited February 6, 2014]; <http://focus.rw/wp/2012/05/government-involves-psychologists-to-rescue-street-children/>.
82. Berglund, A. *A Local Perspective of The Vision 2020 Umurenge Program and the Land Tenure Regularization Program*; October 2012. [http://www.swedenabroad.com/ImageVaultFiles/id\\_7075/cf\\_52/Government\\_policies\\_from\\_a\\_local\\_perspective\\_Oct\\_2.PDF](http://www.swedenabroad.com/ImageVaultFiles/id_7075/cf_52/Government_policies_from_a_local_perspective_Oct_2.PDF).
83. Bizumuremyi, I. *The Mapping Exercise on Child Protection Programs in Rwanda*. Kigali, Rwanda Civil Society Platform; April 11, 2012. <http://www.rcsprwanda.org/spip.php?article240>.
84. The Independent. "Rwanda: Mooing Away." allafrika.com [online] January 11, 2012 [cited February 6, 2014]; <http://allafrica.com/stories/201201110828.html>.
85. European Commission. *MDG Initiative*, [online] July 19, 2012 [cited February 6, 2014]; [http://ec.europa.eu/europeaid/what/millennium-development-goals/mdg\\_initiative\\_en.htm](http://ec.europa.eu/europeaid/what/millennium-development-goals/mdg_initiative_en.htm).
86. Murdock, H. "Rwandan Orphanage Closures Would Send Content Children to Uncertain Fates." washingtontimes.com [online] August 25, 2011 [cited February 6, 2014]; <http://www.washingtontimes.com/news/2011/aug/25/orphanage-closures-would-send-content-children-to/>.
87. U.S. Embassy- Kigali official. E-mail communication to USDOL official. June 18, 2012.
88. UN Committee on the Rights of the Child. *Sixty-third session: Summary record of the 1794th meeting*. Geneva; June 10, 2013. Report No. CRC/C/SR.1794. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/442/88/PDF/G1344288.pdf?OpenElement>.



# Saint Lucia

## MODERATE ADVANCEMENT

In 2014, Saint Lucia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified the UNC CRC Optional Protocol on Armed Conflict. The Government funded training workshops on human trafficking for Government and NGO officials and continued to fund education initiatives, including after-school programs, transportation subsidies, and school meals. However, although research is limited, children in Saint Lucia are reported to engage in child labor in agriculture and in the worst forms of child labor, including in commercial sexual exploitation. Saint Lucia also continues to face legislative gaps. The law does not fully protect children from illicit activities, and the Government has not adopted a list of hazardous activities prohibited for children. Further, Saint Lucia has not conducted research to assess the nature and scope of child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although limited, research shows that children in Saint Lucia are engaged in child labor in agriculture and are engaged in the worst forms of child labor in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in Saint Lucia. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	7.5
Attending School (%)	5-14 yrs.	99.7
Combining Work and School (%)	7-14 yrs.	8.2
Primary Completion Rate (%)		91.6

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS 4 Survey, 2012.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Agriculture, harvesting bananas* (6-8)
	Selling food and handcrafts in markets* and street vending* (3, 6, 7)
Services	Washing cars* (3)
	Domestic work, cooking, laundry, and other household activities* (3, 9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (1, 2, 10)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Limited evidence indicates that children are sometimes engaged in commercial sexual exploitation with the knowledge or encouragement of parents in situations of financial need.(1) Saint Lucia lacks data on the prevalence of child labor, and especially on the worst forms of child labor, including human trafficking and commercial sexual exploitation.(11)

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Saint Lucia has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

In 2014, the Government of Saint Lucia ratified the UN CRC Optional Protocol on Armed Conflict.(12)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 122 of the Labor Code; Article 122 of the Labor Code Amendment Act (13, 14)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 23 of the Employees (Occupational Health and Safety) Act (15)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 4 of the Constitution; Article 6 of the Labor Code (13, 16)
Prohibition of Child Trafficking	Yes		Article 5 of the Counter-Trafficking Act No. 7 (17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 126-127, 129, and 141 of the Criminal Code; Articles 2 and 5 of the Counter-Trafficking Act No. 7 (17, 18)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	15	Article 27 of the Education Act (19)
Free Public Education	Yes		Article 16 of the Education Act (19)

\* No conscription (20)

† No standing military (20)

Article 23 of the Occupational Health and Safety Act prohibits the employment of persons under age 18 in industrial undertakings, which may include working with machinery and in extreme temperatures.(6, 15, 21) However, Article 23 states that young persons who have attained the age of 16 but not yet 18 may engage in these activities if they are supervised as part of an apprenticeship or vocational training program.(15) This provision may expose these children to hazardous work. In addition, research found no evidence that the Government has determined hazardous occupations or activities prohibited for children working in non-industrial sectors.(22, 23)

Research found no evidence that Saint Lucia has laws that prohibit the use of children in illicit activities, such as drug trafficking.(11, 23)

Saint Lucia does not have a standing military; the police force is responsible for the security of the country. The minimum age for recruitment to the police force is 18.(7, 20)

Article 16 of the Education Act guarantees free tuition for children attending public institutions. However, other unspecified charges may be applied if approved by the Education Minister.(19)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry for Education, Human Resource Development, and Labor	Enforce laws on child labor, in part through labor inspections conducted by its Department of Labor.(7, 11, 23)
Royal Saint Lucia Police Force	Enforce criminal laws related to the worst forms of child labor. Contains a Vulnerable Persons Unit that investigates cases of child labor, abuse, and neglect, and works in collaboration with the Division of Human Services.(6, 22, 24) Uses a specific manual for the investigation of crimes related to children.(7)
Office of Gender Relations	Provide referrals to trafficking victims for health and legal services.(10)

Law enforcement agencies in Saint Lucia took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, Saint Lucia's seven labor inspectors conducted general labor inspections, during which they looked for indications of child labor. Reports indicate that labor inspectors did not receive specific training on child labor.(3) No information is available on the number of inspections carried out during the reporting period; however, no child labor violations were found during inspections. Inspectors are allowed to conduct unannounced inspections.(3) Inspectorates recommend penalties and the Labor Commissioner assesses the fines.(3)

#### *Criminal Law Enforcement*

No information is available on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor. The Government funded a training workshop, led by the International Organization for Migration on human trafficking, for 32 participants from 20 government ministries and NGOs. During the first quarter of 2014, 130 police officers were trained in human trafficking laws and on how to coordinate and address trafficking-in-persons' issues with other organizations.(2)

During the reporting period, the Government initiated two sex trafficking cases, and in March 2014, the Government identified four potential trafficking victims, a significant increase from 2013 in which there were no cases initiated or victims identified.(2) No information is available regarding whether the Government issued penalties in these cases. (3, 10)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Ministry of Health, Wellness, Human Services and Gender Relations	Coordinate investigations of child labor cases in collaboration with the Royal Saint Lucia Police Force, using established protocols.(7)
Trafficking in Persons Task Force	Coordinate the detection and referral of trafficking-in-persons cases among law enforcement, social service, and immigration officials pursuant to the Counter-Trafficking Act.(7, 17) Currently, developing a national plan of action to combat trafficking in persons with the participation of the International Organization for Migration.(10)
Office of Gender Relations	Provide referrals to trafficking victims for health and legal services.(9)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Saint Lucia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
ILO Decent Work Country Program for Saint Lucia (2010-2015)	Promotes economic development and legislative strengthening in Saint Lucia that is consistent with international labor standards, including those on child labor.(25)

There are no policies that address the worst forms of child labor, including the commercial sexual exploitation of children.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Saint Lucia funded programs that may have an impact on child labor. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Education programming*‡	Government-funded education program that fosters school attendance by providing a book bursary, school meal program, and transit subsidy program at most secondary schools.(7)
Ministry of Social Transformation, Youth and Sports after-school programming*‡	Ministry of Social Transformation, Youth and Sports program that improves academic performance and maintains school attendance among underprivileged children between the ages of 8 and 16 years by providing after-school activities, including assistance with homework and various recreational activities.(3, 24)
Shelters for trafficking victims*‡	Government shelters that provide assistance for trafficking victims, including male children.(2)
Girls' shelter*‡	Government-funded NGO shelter for girls.(2)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Saint Lucia.

No information is available on whether the Government-funded NGO shelter assisted trafficking victims during the reporting year.(2)

Research found no evidence of programs to specifically address children found in child labor in agriculture and in the worst forms of child labor, including in commercial sexual exploitation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Saint Lucia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that hazardous work is prohibited for all children under the age of 18.	2013 – 2014
	Determine hazardous occupations or activities prohibited for children in consultation with employers' and workers' organizations.	2009 – 2014
	Ensure that laws prohibit procuring or offering a child for illicit activities, including drug trafficking and production.	2011 – 2014
	Ensure that laws prohibit any discretionary approval of monetary charges at public schools and assisted private schools.	2013 – 2014
Enforcement	Expand child labor and human trafficking training to all relevant authorities.	2014
	Make the information on the number of inspections for child labor and their results publicly available.	2012 – 2014
	Make the information on the number of criminal investigators publicly available and ensure that criminal law enforcement agencies investigate the worst forms of child labor and make their results publicly available.	2011 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

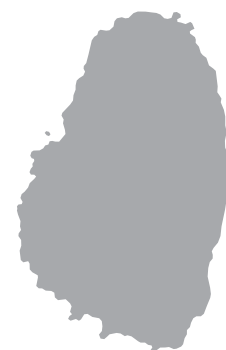
Area	Suggested Action	Year(s) Suggested
Government Policies	Adopt policies that specifically address the worst forms of child labor, including the commercial sexual exploitation of children.	2010 – 2014
Social Programs	Conduct a comprehensive study of children’s activities to determine whether they are engaged in or at risk for involvement in child labor.	2009 – 2014
	Determine the impact of educational and after-school programs on child labor.	2011 – 2014
	Determine the number of child trafficking victims assisted in the shelters.	2014
	Design and implement social programs that specifically target and assist children engaged in child labor in agriculture and in the worst forms of child labor, including in commercial sexual exploitation.	2013 – 2014

### REFERENCES

- The Gleaner. “St Lucia Raises Concerns Over Increase in Child Prostitution.” *jamaica-gleaner.com* [online] September 16, 2013 [cited January 19, 2014]; <http://jamaica-gleaner.com/extra/article.php?id=2911>.
- U.S. Department of State. “Saint Lucia” in *Trafficking in Persons Report- 2014*. Washington, DC; June 19, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226820.htm>.
- U.S. Embassy- Bridgetown. *reporting, January 14, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4, Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- U.S. Embassy- Bridgetown. *reporting, February 4, 2013*.
- U.S. Embassy- Bridgetown. *reporting, January 16, 2014*.
- Government of Saint Lucia. Letter to USDOL official. November 26, 2012.
- U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. April 20, 2015.
- U.S. Embassy- Bridgetown. *reporting, February 13, 2015*.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No.182) Saint Lucia (Ratification: 2000) Published: 2014*; accessed November 25, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO:20010::>.
- Government of Saint Lucia. *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, enacted January 15, 2014. [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&cmdtdg\\_no=IV-11-b&chapter=4&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&cmdtdg_no=IV-11-b&chapter=4&lang=en).
- Government of Saint Lucia. *Labor Code*, enacted 2006.
- Government of Saint Lucia. *Labor Code Amendment Act*, enacted 2011.
- Government of Saint Lucia. *Employees Occupational Health and Safety Act, S.I.93/1985*, enacted 2001. [http://www.ilocarib.org.tt/cariblex/std\\_act1.shtml](http://www.ilocarib.org.tt/cariblex/std_act1.shtml).
- Government of Saint Lucia. *The Saint Lucia Constitutional Order of 1978*, enacted 1978. <http://pdba.georgetown.edu/Constitutions/Lucia/Luc78.html>.
- Government of Saint Lucia. *Counter-Trafficking Act 2010*, No. 7, enacted January 25, 2010. [source on file].
- Government of Saint Lucia. *Criminal Code*, enacted 2004. [www.stlucia.gov.lc/docs/DraftCriminalCode20031.pdf](http://www.stlucia.gov.lc/docs/DraftCriminalCode20031.pdf).
- Government of Saint Lucia. *Education Act*, 41, enacted 1999. <http://planipolis.iiep.unesco.org/upload/Saint%20Lucia/Saint%20Lucia%20Education%20Act%201999.pdf>.
- Child Soldiers International. “Appendix II: Data Summary on Recruitment Ages of National Armies,” in *Louder than Words: An Agenda for Action to End State Uses of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Saint Lucia (ratification: 2000) Submitted: 2010* accessed December 21, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO:20010::>.
- U.S. Department of State. “Saint Lucia,” in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Department of State. “Saint Lucia,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220680.pdf>.
- Child Rights International Network. *St Lucia: Children’s Rights References in the Universal Periodic Review*. London; January 25, 2011. <http://www.crin.org/resources/infodetail.asp?ID=23904>.
- International Labor Organization. *Decent Work Programmes for Members of the Organisation of Eastern Caribbean States (2010-2015)*. Geneva, ILO; 2010. <http://www.ilocarib.org.tt/images/stories/contenido/pdf/DecentWork/dwcp-oecs.pdf>.



*In 2014, Saint Vincent and the Grenadines made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to engage on policies and programs related to child labor and it also continued to implement social programs that target children who may be vulnerable to child labor. However, although the problem does not appear to be widespread, children are engaged in child labor, including in domestic work, and in the worst forms of child labor, including in commercial sexual exploitation. Gaps remain in the legal framework. The minimum age for hazardous work falls below international standards; and although the use of children for the trafficking of drugs is prohibited, there is no law to prohibit the use of children in the production of drugs.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children are engaged in child labor, including in domestic work. There is also limited evidence that children are also engaged in the worst forms of child labor, including in commercial sexual exploitation in Saint Vincent and the Grenadines.(1, 2) Table 1 provides key indicators on children’s work and education in Saint Vincent and the Grenadines. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		98.9

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(3)  
 Data were unavailable from Understanding Children’s Work Project’s analysis, 2015.(4)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of marijuana* (5)
Services	Domestic work* and begging* (1, 6, 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (5, 8, 9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182

There is a lack of data and research on the prevalence of child labor and its worst forms in Saint Vincent and the Grenadines.(10)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR




Saint Vincent and the Grenadines has ratified all key international conventions concerning child labor (Table 3).



# Saint Vincent and the Grenadines

## MINIMAL ADVANCEMENT

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Part II, Article 8 of the Employment of Women, Young Persons, and Children Act (11)
Minimum Age for Hazardous Work	Yes	14	Part I, Article 3 and Schedule Part, Article 2 of the Employment of Women, Young Persons, and Children Act (11)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Part I, Article 2 of the Prevention of Trafficking in Persons Act (12)
Prohibition of Child Trafficking	Yes		Part II, Articles 5–8 of the Prevention of Trafficking in Persons Act (12)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part II, Article 7 of the Prevention of Trafficking in Persons Act (12)
Prohibition of Using Children in Illicit Activities	Yes		Part II, Article 8 of the Prevention of Trafficking in Persons Act (12)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	19	Part I, Article 6 of the Police Act (13, 14)
Compulsory Education Age	Yes	16	Part I, Article 2 of the Education Act (15)
Free Public Education	Yes		Part III, Articles 14–16 of the Education Act (15)

\* No conscription (13, 14)

The minimum age for hazardous work is 14. There are no regulations defining or prohibiting hazardous occupations or conditions for children under the age of 18 beyond prohibitions against working at night and in industrial undertakings.(1, 16, 17) The Prevention of Trafficking in Persons Act prohibits the use of children in the trafficking of illicit goods, but not the use of children in the production of illicit drugs.(12, 17, 18)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor	Enforce child labor laws and refer victims to appropriate social services.(1)
Royal Police Force	Make criminal arrests, including those involving the worst forms of child labor; specifically address human trafficking through the Anti-Trafficking in Persons Unit; refer victims to appropriate social services.(1)
Ministry of Social Mobilization	Maintain Child Protection Unit, which includes Child Protection Officers who report cases of child abuse.(7)

Research found no evidence that law enforcement agencies in Saint Vincent and the Grenadines took action to combat child labor, including its worst forms.

## *Labor Law Enforcement*

The Department of Labor has seven labor inspectors; however, there are no officers dedicated to child labor issues.(7, 19) In 2014, no information is available on the number of inspections carried out in 2014.(2, 20)

## *Criminal Law Enforcement*

For 2014, there is no information available on the number of criminal investigators; however, a report indicates that there are no investigators responsible for enforcing criminal laws solely on the worst forms of child labor.(19) The Anti-Trafficking in Persons Unit (ATIPU) provided trafficking awareness training to more than 60 officials in related agencies and to members of other units of the police department, immigration officials, and labor officials.(19) The ATIPU did not participate in any additional training. The ATIPU investigated three cases during the reporting period. Two out of the three cases involved adults, and information is still pending on the third case.(20) No trafficking prosecutions were made for the three cases.(20)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism on trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Task Force Against Trafficking in Persons	Develop a national plan to address human trafficking, coordinate the collection of data among government agencies, establish policies to enable government agencies to work with NGOs to prevent trafficking and assist victims, and provide training to all relevant government officials and authority figures; chaired by the Prime Minister.(1, 12, 21)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Research found no evidence of any policies to address child labor, including its worst forms. However, in September 2014, Saint Vincent and the Grenadines participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(22, 23)

The National Plan of Action Against Trafficking in Persons (2013–2015) has not yet been passed by the Parliament. However, civil society members argue that the plan is not in place, while the Government insists that it is in force.(20)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Saint Vincent and the Grenadines funded and participated in programs that may have an impact on child labor, including its worst forms. (Table 7)

**Table 7. Social Programs to Address Child Labor**

Program	Description
Community Capacity Building Program and Village Integrated Development Program*‡	Ministry of Social Development program that reduces poverty in rural areas.(1)
"Multi-Country" 2012–2016*	UNICEF program to address children's rights in the Eastern Caribbean. Ensures that governments comply with convention reporting requirements on children's rights, and assists governments with developing policies and laws to protect all children, especially vulnerable children.(24) Also includes preschool and other educational opportunities for vulnerable children.(24)
Supplementary Feeding Program*‡	Government program that provides free meals to preschool and primary school students from low-income families.(1, 25)

# Saint Vincent and the Grenadines

## MINIMAL ADVANCEMENT

**Table 7. Social Programs to Address Child Labor (cont)**

Program	Description
Education Sector Development Plan*‡	Government program that aims to increase access to and improve the quality of education for all.(26)
Book Loan Program*‡	Government program that subsidizes textbooks for children from low-income families.(6, 27)
Street Children Rehabilitation Program*‡	Government program that returns children living or working on the street to school.(6, 27)
Children Against Poverty Program*‡	Government annual 2-week program that addresses gaps in the school system and breaks the cycle of intergenerational poverty.(6, 27, 28)
Crisis Center Shelter*‡	Government program providing short-term shelter that may also be used to house human trafficking victims, including children. Number of children assisted by this shelter is unknown.(1, 8)
Foster Care Program*‡	Government program that provides meals, transportation to school, and school fees for 140 school children.(7)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Saint Vincent and the Grenadines.

As there is limited evidence of a problem, there appears to be little need for programs to address child labor, including its worst forms.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Saint Vincent and the Grenadines (Table 8).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that hazardous work is prohibited for all children under the age of 18.	2009 – 2014
	Ensure that the law prohibits hazardous occupations or activities prohibited for children in all relevant sectors.	2009 – 2014
	Ensure that laws prohibit procuring or offering a child for the production of illicit drugs.	2011 – 2014
Enforcement	Make publicly available information regarding the number of labor inspections conducted, as well as information regarding the number of criminal investigators.	2014
Coordination	Establish a coordinating mechanism to combat all worst forms of child labor.	2009 – 2014
Government Policies	Develop policies to address child labor, including its worst forms.	2009 – 2014
Social Programs	Conduct research to determine the prevalence of child labor and its worst forms in Saint Vincent and the Grenadines.	2009 – 2014
	Assess the impact that existing programs may have on addressing child labor, including its worst forms of child labor.	2009 – 2014

## REFERENCES

- U.S. Embassy-Bridgetown. *reporting, January 17, 2014.*
- U.S. Embassy- Bridgetown. *reporting, January 14, 2015.*
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- U.S. Department of State. “Saint Vincent and the Grenadines,” in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- US Embassy- Bridgetown official. E-mail communication to USDOL official. March 3, 2014.
- Government of St. Vincent and the Grenadines. *Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014). “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor”.* Kingston February 23, 2015.
- U.S. Embassy- Bridgetown. *reporting, February 14, 2014.*
- U.S. Department of State. “Saint Vincent and the Grenadines “ in *Trafficking in Persons Report- 2014.* Washington, DC; June 19, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Saint Vincent and the Grenadines (ratification: 2001) Published: 2014; accessed December 1, 2014* <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.

# Saint Vincent and the Grenadines

MINIMAL ADVANCEMENT

11. Government of Saint Vincent and the Grenadines. *Employment of Women, Young Persons, and Children Act*, no. 85, enacted July 1, 1938. <http://www.cavehill.uwi.edu/sitedemo/getattachment/bcecb492-a707-4f10-a65a-b2fc495fca02/EMPLOYMENT-OF-WOMEN,-YOUNG-PERSONS-AND-CHILDREN-AC.aspx.gif.jpg.pdf.htm.flv>.
12. Government of Saint Vincent and Grenadines. *Prevention of Trafficking in Persons Act*, no. 27, enacted September 29, 2011.
13. Government of Saint Vincent and the Grenadines. *Police Act Revised Edition 1990*, Chapter 280, enacted 1947.
14. Child Soldiers International. "Appendix II: Data Summary Table on Recruitment Ages of National Armies," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global-report\\_reader.php?id=562](http://www.child-soldiers.org/global-report_reader.php?id=562).
15. Government of Saint Vincent and the Grenadines. *Education Act Revised 2006*, enacted 1992.
16. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Saint Vincent and the Grenadines (ratification:2006) Published: 2014*; accessed April 14, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>.
17. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Saint Vincent and the Grenadines (ratification: 2001) Published: 2012*; accessed November 9, 2012; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>.
18. The Anti-Trafficking in Persons Unit (ATIPU). *The Prevention of Trafficking in Persons (PTIP) Act (No. 27 of 2011)- Part 1*. Bridgetown, Police Headquarters; November 20, 2012.
19. U.S. Embassy- Bridgetown official. E-mail communication to USDOL official. April 20, 2015.
20. U.S. Embassy- Bridgetown. *reporting, February 17, 2015*.
21. The Anti-Trafficking in Persons Unit (ATIPU). *The Prevention of Trafficking in Persons (PTIP) Act (No. 27 of 2011)- Part 2* Bridgetown, Police Headquarters; November 27, 2012.
22. Organization of American States. *Agenda, First Meeting of the Working Group of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19*. Bridgetown; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
23. Organization of American States. "List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML), September 17-19, 2014. ." oas.org [online] 2014 [cited December 8, 2014 ]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
24. UNICEF. "2012-16 Multi-Country Programme " unicef.org [online] 2014 [cited December 3, 2014 ]; <http://www.unicef.org/easterncaribbean/activities.htm>.
25. Ministry of Education. *School Feeding Programme*, Government of Saint Vincent and the Grenadines, [online] [cited January 31, 2014]; [http://www.education.gov.vc/index.php?option=com\\_content&view=article&id=62&Itemid=81](http://www.education.gov.vc/index.php?option=com_content&view=article&id=62&Itemid=81).
26. Ministry of Education. *Administration: Welcome*, Government of Saint Vincent and the Grenadines, [online] [cited January 31, 2014]; [http://www.education.gov.vc/index.php?option=com\\_content&view=article&id=73&Itemid=89](http://www.education.gov.vc/index.php?option=com_content&view=article&id=73&Itemid=89).
27. Child Rights International Network. *Saint Vincent and the Grenadines: Child Rights References in the Universal Periodic Review*. London; September 19, 2011. <http://www.crin.org/resources/infoDetail.asp?ID=26137#>.
28. U.S. Embassy- Bridgetown. *reporting, January 25, 2012*.



# Samoa

## MINIMAL ADVANCEMENT

In 2014, Samoa made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government passed the Occupational Safety and Health Regulations Act that improves the legal framework for identification, assessment, and control of hazards in the workplace.

Government ministries also participated in the National Forum on Child Labor, formulating a task force to review legislation related to the enforcement of international child labor conventions. However, children in Samoa are engaged in child labor, including in street vending. The Government lacks legislation that specifically and comprehensively describes the hazardous occupations or activities prohibited for children. The law does not define or specify a minimum age for light work. In addition, there was no publicly available information to confirm that criminal law enforcement agencies made efforts to combat the worst forms of child labor, and the Government did not implement any programs to address child labor in the sectors in which it is prevalent.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Samoa are engaged in child labor, including in street vending. (1-4) Table 1 provides key indicators on children's work and education in Samoa. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		102.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting, harvesting, and gathering coconuts,* other unspecified fruit,* and unspecified nuts* (1, 2, 7)
	Tending domestic animals* (1, 2, 7)
Services	Domestic work* (1, 2, 7)
	Street vending (1, 2, 4, 7, 8)
	Garbage scavenging* (9)

\* Evidence of this activity is limited and/or extent of the problem is unknown.

In 2014, the ILO conducted a survey on child labor in street vending in Samoa; it is currently finalizing the report. However, the Government of Samoa lacks comprehensive, recent research to determine the full nature and extent of child labor in all relevant sectors.(10)




Traditional Samoan culture includes a system of service through which a village elder (*matai*) may compel others to perform work in service to the family or the community.(2) Limited evidence indicates that in some villages it is common to require children to work on village farms.(2, 7) Research did not identify the nature of this work, nor whether children perform it willingly. Children

of primary school age have been observed selling goods and food during school hours and into the night.(1, 3) Child street vendors work in Apia, Samoa's capital, and a few other locations, including the international airport.(1, 2, 9)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Samoa has ratified some key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 51 of the Labor and Employment Relations Act (11)
Minimum Age for Hazardous Work	Yes	18	Article 51 of the Labor and Employment Relations Act (11)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 51 of the Labor and Employment Relations Act (11)
Prohibition of Forced Labor	Yes		Article 8 of the Constitution of the Independent State of Western Samoa; Article 18 of the Labor and Employment Relations Act; Section 157 of the Crimes Act (11, 12)
Prohibition of Child Trafficking	Yes		Sections 155-157 of the Crimes Act (13)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 73-74, 82, and 157 of the Crimes Act (1, 13)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	14	Education Act 2009 (14)
Free Public Education	No		

† No standing military (15)

In 2014, the Government of Samoa passed the Occupational Safety and Health Regulations Act that contains some provisions for the identification, assessment, and control of workplace hazards and hazardous substances.(16, 17) However, this Act does not specifically discuss the hazardous occupations and activities prohibited for children. The Labor Employment and Relations Act prohibits the employment of a child under age 18 in any occupation or in any worksite under working conditions that are harmful or likely to be harmful to a child's health or morals. It also specifies that children must not operate dangerous machinery.(11) The Ministry of Commerce, Industry, and Labor (MCIL) has drafted a list to more clearly and comprehensively define the types of hazardous work prohibited for children, but this list was not approved during the reporting period.(18) Currently, legislation is not specific enough to facilitate effective enforcement of hazardous work prohibitions and the removal of children from these activities. (1, 10) There remains no minimum age or definition for light work in Samoan labor law, which is inconsistent with international standards.(8)

# Samoa

## MINIMAL ADVANCEMENT

Although section 82 of the Crimes Act prescribes a penalty of up to seven years imprisonment for crimes related to the production of child pornography, this section of the law defines a child as a person under the age of 16. As a result of this definition, the law does not effectively bar the use, procurement, or offering of children ages 16 and 17 for the production of pornography.(3, 13) Research also found no evidence of laws banning the use, procurement, or offering of a child for illicit activities.

The Education Act stipulates that a child under age 15 cannot be involved in work of any kind at any time during which this work would interfere with the child's school attendance, participation in school activities, or educational development. However, the Act only requires children to attend school from ages 5 to 14 or until they have completed the work of Year 8, whichever occurs sooner.(14) As children cannot legally work until age 15, but complete compulsory education at age 14, children of this age may be particularly vulnerable to involvement in the worst forms of child labor. (19)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Commerce, Industry, and Labor (MCIL)	Investigate potential child labor law violations in response to complaints. Refer cases to the Ministry of Police (MOP) and the Office of the Attorney General for enforcement.(1)
Ministry for Women, Community, and Social Development	Assist MCIL investigations when called upon, based on a mandate to protect children, including those working on the street.(1, 18)
Ministry of Education, Sports, and Culture	Assist MCIL investigations when called upon.(1, 18)
Ministry of Police (MOP)	Enforce criminal laws with respect to the worst forms of child labor.(1)
Office of the Attorney General	Prosecute criminal cases of the worst forms of child labor.(1)

Law enforcement agencies in Samoa took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Commerce, Industry, and Labor (MCIL) employed 11 inspectors and 2 contract officers responsible for investigating complaints related to violations of labor law, including those involving children.(1, 18) Inspectors participated in two desensitization workshops on child labor conducted by the ILO in partnership with MCIL. One MCIL representative also attended a course on eliminating hazardous child labor in agriculture at the ILO International Training Center.(18)

Labor inspectors are authorized to conduct an inspection in any place of employment and have the option to enter unannounced if they judge that prior notice will bias the inspection results.(11) During the reporting period, MCIL received 121 industrial grievances and took corrective action in 75 of these cases. MCIL also conducted random and routine labor inspections in addition to those driven by complaints.(18) Inspectors did not uncover any child labor law violations, and no child labor cases were prosecuted during the reporting period.(18) Research found no evidence of a referral mechanism to ensure that children identified in situations of child labor are provided with appropriate social services.(16)

#### *Criminal Law Enforcement*

Research did not find information on efforts to enforce criminal laws relevant to the worst forms of child labor, including the number and training of investigators and the number of investigations conducted. There were no prosecutions or convictions for violations related to the worst forms of child labor in 2014.(1, 16)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence of mechanisms to coordinate government efforts to address child labor, including all its worst forms. During the National Child Labor Forum in July 2014, participants developed plans for an informal, interagency task force to review legislation for compliance with conventions related to the worst forms of child labor. When formalized, the task force will be

led by the Ministry of Education, Sports, and Culture and will include representatives from the Ministry of Commerce, Industry and Labor (MCIL), the Ministry of Women, Community and Social Development, and the Ministry of Police.(16, 18) Although Samoa does not have a documented child trafficking problem, the Samoa Interpol and Transnational Crime Unit monitors transnational crimes, including human trafficking.(20) Member agencies include the Ministry of Police, Samoa Immigration, the Prime Minister's Office, Central Bank of Samoa, the Ministry of Foreign Affairs and Trade, Customs Services, the Attorney General's Office, and the Ministry of Finance.(1, 20)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Samoa has established policies related to child labor, including its worst forms (Table 6).

**Table 6. Policies Related to Child Labor**

Policy	Description
National Policy for Children of Samoa (2010–2015)	Aims to address the needs of disadvantaged children, to provide child protection, and to combat poverty. Prioritizes the protection of child street vendors through awareness raising and increased enforcement of compulsory education laws.(8, 21)
Strategy for the Development of Samoa (2012–2016)*	Seeks to improve the quality of life for all Samoans through economic growth, social policies, improved infrastructure, and environmental protection. Access to education and training at all levels is targeted as a key outcome.(22) As part of the strategy, the Government has committed to developing a Medium-Term Expenditure Framework to ensure that education programs currently funded by international donors are sustainable.(22)
Samoa School Fee Relief Grant Scheme (SSFSGS)*	Aims to make school enrollment and attendance possible for children who are unable to pay school fees.(23) Provides free education to all primary school children enrolled in government schools and mission (church-run) schools. Also offers free education at the secondary level for students in government schools and reduced fees for secondary-level students in mission schools.(1) Covers approximately 99 percent of Samoan primary school students. Jointly funded by the Governments of Samoa, New Zealand, and Australia.(1)
Education Sector Plan (2013–2018)*	Calls for improved access to education for all children in early childhood, primary, and secondary school. Monitors the SSFSGS to ensure that children do not face financial barriers preventing them from attending school.(24)
UNDAF Pacific (2013–2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Nauru, Niue, Palau, Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(25) In Samoa, aims to strengthen implementation of policies related to children and improve mechanisms to protect children from violence and exploitation.(26)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Samoa participated in programs that may have an impact on child labor, including its worst forms (Table 7).

**Table 7. Social Programs to Address Child Labor**

Program	Description
Samoa Decent Work Country Program (2013-2016)*	ILO and Government program that promotes decent work in Samoa by focusing on three priority areas: legal reform and improved implementation of labor laws, including those related to child labor; increased access to information and employment services for youth; and strengthened capacity of trade unions. Includes an activity to assess potential challenges in extending the application of labor laws to the informal sector.(27)
Education Sector Program II (2006–2014)*	\$14 million Government of Australia-funded program, with additional assistance from the Government of New Zealand and the Asian Development Bank, that aimed to create a more equitable and effective education system by improving curriculum, learning materials, the national assessment system, teacher training, and educational facilities.(1, 28)

\*The impact of this program on child labor does not appear to have been studied.

In 2014, representatives from various government agencies, trade unions, and NGOs participated in a 3-day National Child Labor and Trafficking Forum facilitated by the ILO. The objectives of the forum were to strengthen stakeholders' understanding of the concepts of child labor, hazardous work, and human trafficking; to review relevant international and national legal frameworks, policies, and programs; and to develop a plan of action to address child labor issues in Samoa.(29)

# Samoa

## MINIMAL ADVANCEMENT

Research found no evidence of programs to specifically address child labor in the agricultural or service sectors, especially in street vending.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Samoa (Table 8).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws specifically and comprehensively define the hazardous activities and occupations prohibited for children in all relevant sectors.	2011 – 2014
	Define and establish a minimum age for light work, to conform to international standards.	2013 – 2014
	Ensure that the law criminalizes the procurement, use, and offering of children ages 16 to 18 for the production of pornography.	2014
	Ensure that the law prohibits the use, procurement, or offering of a child for illicit activities.	2014
	Ensure that the law establishes a compulsory education age that is at least equal to the minimum age for admission to employment.	2014
Enforcement	Collect, and make publicly accessible, data on the number of criminal investigators responsible for child labor law enforcement and the number criminal investigations related to the worst forms of child labor conducted.	2013 – 2014
	Establish a mechanism to refer children identified as engaged in child labor, including its worst forms, to appropriate social services.	2014
Coordination	Establish a coordinating mechanism to combat child labor, including in all of its worst forms.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2012 – 2014
Social Programs	Conduct comprehensive research to better understand the extent and nature of child labor in Samoa, including its worst forms.	2010 – 2014
	Assess the impact that existing programs may have on child labor.	2014
	Institute programs to specifically address child labor in the agricultural and service sectors, especially in street vending.	2009 – 2014

### REFERENCES

- U.S. Embassy- Apia. *reporting, February 21, 2014.*
- U.S. Department of State. “Samoa,” in *Country Reports on Human Rights- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrptl/humanrightsreport/index.htm#wrapper>.
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Samoa (ratification: 2008) Published: 2013*; accessed March 2, 2015; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO:::>
- Government of Samoa. *Country Report on the Status of Child Rights in Samoa*. Apia; 2013. <http://www.mwcsd.gov.ws/images/stories/PUBLICATIONS%20WEBSITE/2014/CRC%20Report%202013/1.CRC%20Second%20periodic%20report%20FINAL.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. 2012. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- U.S. Department of State official. E-mail communication to USDOL official. June 18, 2012.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 138) Samoa (ratification: 2008) Published: 2014*; accessed March 2, 2015; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO:::>
- U.S. Embassy- Apia. *reporting, February 9, 2011.*
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Samoa (ratification: 2008) Published: 2013*; accessed December 16, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO:::>
- Government of Samoa. *Labor and Employment Relations Act, No. 7, enacted 2013*. [http://www.parliament.gov.ws/images/ACTS/Acts\\_2013/Labour\\_and\\_Employment\\_Relations\\_Act\\_2013\\_-\\_Eng.pdf](http://www.parliament.gov.ws/images/ACTS/Acts_2013/Labour_and_Employment_Relations_Act_2013_-_Eng.pdf).
- Government of Samoa. *Constitution of the Independent State of Western Samoa, enacted 1960*. [http://www.paclii.org/ws/legis/consol\\_act/cotisows1960535/](http://www.paclii.org/ws/legis/consol_act/cotisows1960535/).
- Government of Samoa. *Crimes Act, No. 10, enacted 2013*. [http://www.parliament.gov.ws/images/ACTS/Acts\\_2013/Crimes\\_Act\\_2013\\_-\\_Eng.pdf](http://www.parliament.gov.ws/images/ACTS/Acts_2013/Crimes_Act_2013_-_Eng.pdf).
- Government of Samoa. *Education Act 2009, No. 9, enacted 2009*. [http://www.paclii.org/ws/legis/num\\_act/ea2009104/](http://www.paclii.org/ws/legis/num_act/ea2009104/).
- Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- U.S. Embassy- Apia. *reporting, January 17, 2015.*



17. Government of Samoa. *Occupational Safety and Health Regulations 2014*, enacted June 11, 2014. [http://www.mcil.gov.ws/iros\\_h\\_wp/forms/Occupational%20Safty%20And%20Health%20Regulation%202014.pdf](http://www.mcil.gov.ws/iros_h_wp/forms/Occupational%20Safty%20And%20Health%20Regulation%202014.pdf).
18. U.S. Department of State official. E-mail communication to USDOL official. March 8, 2015.
19. ILO Committee of Experts. *Observation concerning Minimum Age Convention, 1973 (No. 138) Samoa (ratification: 2008) Published: 2014*; accessed March 3, 2015; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
20. Government of Samoa. *Transnational Crime Unit - Ministry of the Prime Minister and Cabinet*, Ministry of the Prime Minister and Cabinet, [online] [cited March 3, 2015]; <http://www.mpmc.gov.ws/divisions/transnational-crime-unit/>.
21. Government of Samoa. *National Policy of Children of Samoa 2010-2015*, enacted 2010. <http://www.mwscd.gov.ws/images/stories/PUBLICATIONS%20WEBSITE/New-update%202013/Ministry%20Policies/NATIONAL%20POLICY%20FOR%20CHILDREN%202010-2015.pdf>.
22. Government of Samoa Ministry of Finance. *Strategy for the Development of Samoa 2012-2016*. Apia; July 20, 2012. [http://www.samoajls.ws/english/images/stories/uploads/Strategy\\_for\\_the\\_Development\\_of\\_Samoa\\_2012-2016\\_English.pdf](http://www.samoajls.ws/english/images/stories/uploads/Strategy_for_the_Development_of_Samoa_2012-2016_English.pdf).
23. Government of Samoa. *Millennium Development Goals: Second Progress Report*. Apia; 2010. [http://www.mof.gov.ws/Portals/195/Services/Aid%20Coordination/mdg\\_report.pdf](http://www.mof.gov.ws/Portals/195/Services/Aid%20Coordination/mdg_report.pdf).
24. Government of Samoa. *Samoa Education Sector Plan*, enacted December 2013. [http://planipolis.iiep.unesco.org/upload/Samoa/Samoa\\_Education\\_Sector\\_Plan\\_2013-2018.pdf](http://planipolis.iiep.unesco.org/upload/Samoa/Samoa_Education_Sector_Plan_2013-2018.pdf).
25. United Nations Pacific. *United Nations Development Assistance Framework (UNDAF) For the Pacific Region 2013-2017*. Suva; 2013. [http://pacific.one.un.org/images/stories/2013/UNDAF\\_Summary\\_Report.pdf](http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf).
26. United Nations Pacific. "Samoa: UNDAF Results Matrix 2013-2017." (2013); [http://www.pacific.one.un.org/images/stories/undaf%20results%20matrix%2021%2001%2013\\_samoa%20as%20annex%202.pdf](http://www.pacific.one.un.org/images/stories/undaf%20results%20matrix%2021%2001%2013_samoa%20as%20annex%202.pdf).
27. ILO. *Samoa Decent Country Programme (2013-2016)*; January 2014. <http://www.ilo.org/public/english/bureau/program/dwcp/download/samoa1316.pdf>.
28. Government of Australia. *Aid Activities in Samoa*. Canberra; 2010. [http://www.auseid.gov.au/country/cbrief.cfm?dcon=9205\\_8231\\_8940\\_8250\\_1457&countryid](http://www.auseid.gov.au/country/cbrief.cfm?dcon=9205_8231_8940_8250_1457&countryid).
29. ILO. *Report of the Samoa National Child Labor and Trafficking Forum*. Apia; 2014.

# São Tomé and Príncipe

## MINIMAL ADVANCEMENT

In 2014, São Tomé and Príncipe made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government established an Anti-Child Labor Committee to coordinate its efforts to combat child labor and continued to fund and participate in programs that include the goal of eliminating or preventing child labor, including its worst forms. However, children in São Tomé and Príncipe are engaged in child labor, including in domestic and street work. The Government has not adopted legislation to protect all children under age 18 from hazardous occupations and agencies responsible for child labor law enforcement lacked sufficient resources to conduct inspections.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children in São Tomé and Príncipe are engaged in child labor, including in domestic service and street work.(1-6) Table 1 provides key indicators on children's work and education in São Tomé and Príncipe.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	15.4 (6,218)
Attending School (%)	5-14 yrs.	68.8
Combining Work and School (%)	7-14 yrs.	13.7
Primary Completion Rate (%)		104.0



Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 2, 2000.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (3, 5)
	Fishing,* activities unknown (1, 3)
Industry	Carpentry,* woodworking* (1-3)
	Domestic service (3, 5, 6)
Services	Working in shops (2, 3, 5)
	Street work, including begging (1-4, 6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.




On the island of São Tomé, children are sent to work in another family's home. In this cultural practice, known as *Mina Quia*, the child conducts domestic activities including washing clothes, cooking, and taking care of other children in the home.(3) Some children are permitted to attend school as long as they are able to conduct their domestic duties. However, limited evidence suggests that many children who work in *Mina Quia* are victims of sexual abuse and domestic violence.(3)

There is a high loss of students between the first (first through fourth grade) and second level (fifth and sixth grade) of primary education. Evidence suggests that additional costs and a lack of schools that offer fifth and sixth grade are barriers to accessing education.(4, 9, 10)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

São Tomé and Príncipe has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 128 of the Legal Regime of Individual Employment Conditions (11)
Minimum Age for Hazardous Work	Yes	18	Article 129 of the Legal Regime of Individual Employment Conditions (11)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 129 and 134 of the Legal Regime of Individual Employment Conditions (11)
Prohibition of Forced Labor	Yes		Articles 159 and 160 of the Penal Code (12)
Prohibition of Child Trafficking	Yes		Articles 160, 172, and 181 of the Penal Code (12)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179-181 of the Penal Code (12)
Prohibition of Using Children in Illicit Activities	Yes		Articles 279, 280, and 289 of the Penal Code (12)
Minimum Age for Compulsory Military Recruitment	Yes	18	<i>Legislation title unknown</i> (13, 14)
Minimum Age for Voluntary Military Service	Yes	17	<i>Legislation title unknown</i> (13, 14)
Compulsory Education Age	Yes	12	Article 6(1) of the Basic Education System Law (15, 16)
Free Public Education	Yes		Article 55 of the Constitution; Article 6(1) of the Basic Education System Law (16, 17)

The Legal Regime of Individual Employment Conditions prohibits children under age 18 from engaging in heavy work carried out in unhealthy or dangerous conditions. It also prohibits underground and night work; however, this legislation is not specific enough to facilitate enforcement.(11) During the reporting period, the Government completed a draft list of hazardous activities for children and submitted it to the National Assembly for review; the list awaits final approval.(18, 19)

The Basic Education System Law establishes a mandatory 6 years of free primary education, which may be completed as early as age 12.(15, 16) Children who stop attending school before reaching the minimum age for employment are especially vulnerable to the worst forms of child labor, as they are not in school but may not legally work either.

## III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

# São Tomé and Príncipe

## MINIMAL ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The Department of Labor Inspection within the Ministry of Labor and Social Affairs*	Enforce labor laws, including those regarding child labor.(19) The Department of Labor Inspection utilizes small, ad hoc teams to investigate labor exploitation cases. Members are from Labor Inspection and other government agencies, including immigration officials, police officers, tax administrators, social workers, and members of the Social Security Administration.(5, 20)
The Prosecutor's Office and Criminal Police Investigation Unit within the Ministry of Justice and Human Rights*	Enforce criminal laws against child trafficking, forced labor, commercial sexual exploitation, and the use of children in illicit activities.(19, 20)

\* Agency responsible for child labor enforcement was created during the reporting period.

Research found no evidence that law enforcement agencies in São Tomé and Príncipe took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Government employed 15 labor inspectors. According to the Government, the number of inspectors is insufficient to deal with the full range of labor issues in São Tomé and Príncipe.(19) Inspectors did not receive training on child labor during the reporting period. According to the Department of Labor Inspection, it received a budget of only \$16,000 in 2014; as a result, labor inspectors lack equipment and other resources to conduct daily operations.(19)

There were no child labor inspections conducted throughout the reporting period.(19) Although the inspection teams typically plan and announce labor inspections, they are permitted to conduct unannounced inspections. Inspections are typically site visits.(19)

Children found by the Department of Labor Inspection are referred to the Department of Social Services within the Ministry of Labor and Social Affairs for counseling and integration into recreational and educational activities.(19, 20)

### *Criminal Law Enforcement*

Information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor was not available. Investigators did not receive training on the relevant worst forms of child labor during the reporting period.(19) According to the Government, there were no reported cases, investigations, or prosecutions involving the worst forms of child labor during the reporting period. Ministry of Justice and Human Rights officials can refer child victims to the Department of Social Services within the Ministry of Labor and Social Affairs for counseling and integration into recreational and educational activities. (19, 20)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Anti-Child Labor Committee*	Raise awareness to eliminate the worst forms of child labor by 2016 and all forms of child labor by 2020.(18) Composed of representatives from Government institutions and members of the ILO, NGOs, labor unions, Chamber of Commerce, and UNICEF.(19)
Directorate of Social Protection and Solidarity	Carry out support programs for families to ensure children attend school. Administer the Disadvantaged Mothers program ( <i>Mães Carentadas</i> ). Worked on the elaboration of a draft list of hazardous occupations for children.(3)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of São Tomé and Príncipe has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan for Education (2002-2015)*	Mobilizes relevant institutional stakeholders so that all children in every part of the country are able to benefit from a quality education. States that basic education is free and compulsory for 6 years.(21)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

During the reporting period, the Government finalized a draft National Action Plan on Child Labor, including the list of hazardous activities for children; the National Action Plan is under review by the National Assembly for approval.(19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of São Tomé and Príncipe funded and participated in programs that included the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Workshops for Awareness of the Worst Forms of Child Labor†	Ministry of Labor and Anti-Child Labor Committee program that held nationwide workshops to raise awareness on the worst forms of child labor. The workshops occurred during the first half of 2014 and participants included Government officials, teachers, trade union representatives, businessmen, and the general public.(18, 19) An ILO consultant initiated a study to assess the impact of the workshops on the worst forms of child labor.(19)
Support centers*‡	Government-funded centers run by NGOs with social work staff for approximately 250 at-risk children.(5, 19) The three centers are located in areas with high concentrations of poor families, orphans, and street children. The centers work with parents of at-risk children, provide stipends to families to keep children in school, and teach income-generating skills to children.(19)
Disadvantaged Mothers Program ( <i>Mães Carenciadas</i> )*‡	UNICEF and Government-funded program that provides microcredit loans to families in need. Also offers subsidies for children of mothers who are heads of household to attend school until age 15.(3, 20, 22)
XIV Government Program ( <i>Programa do XIV Governo</i> )*	Government program that seeks to improve the quality of education by providing more infrastructure, educational opportunities, and technical and professional training for students in primary and secondary education.(3)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of São Tomé and Príncipe.

In 2014, the Government worked with the ILO to conduct research on child labor in all sectors of the economy.(19)

Research found no evidence of programs to specifically address children engaged in domestic service or street work in São Tomé and Príncipe.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in São Tomé and Príncipe (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2014
	Ensure that hazardous occupations or activities prohibited for children are specific enough to facilitate enforcement.	2009 – 2014
	Establish a compulsory education age that is equal to or higher than the minimum age for employment.	2014



# São Tomé and Príncipe

## MINIMAL ADVANCEMENT

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Allocate sufficient funding to the Department of Labor Inspection and Ministry of Justice and Human Rights to ensure that: <ul style="list-style-type: none"> <li>■ There is a sufficient number of trained labor inspectors in order to provide adequate coverage of the workforce;</li> <li>■ Inspectors and investigators receive adequate training;</li> <li>■ Labor inspectors have the necessary equipment and resources to conduct inspections;</li> <li>■ Proactive child labor inspections and investigations are conducted even in the absence of reported cases.</li> </ul>	2009 – 2014
	Make information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor publicly available.	2014
Government Policies	Integrate child labor elimination and prevention strategies into the National Plan for Education.	2014
Social Programs	Expand existing education programs and increase the number of schools that offer fifth and sixth grade to ensure all children have access to basic education.	2010 – 2014
	Assess the impact that existing programs may have on addressing child labor.	2011 – 2014
	Implement programs to specifically address children in domestic service and street work.	2009 – 2014

### REFERENCES

- U.S. Embassy- Libreville. *reporting*, March 12, 2010.
- Reis, C. “Trabalho infantil começa a ser cada vez mais frequente em São Tomé e Príncipe.” *ionline.pt* [online] June 16, 2010 [cited February 3, 2012]; <http://www1.ionline.pt/conteudo/64787-trabalho-infantil-comeca-ser-cada-vez-mais-frequente-em-sao-tome-e-principe>.
- ILO-IPEC. *Estudo sobre a aplicação das Convenções n. 138 e n. 182 da OIT e suas recomendações na legislação nacional dos países da CPLP*. Geneva; 2013. [http://www.ilo.org/ippec/Informationresources/WCMS\\_222484/lang--en/index.htm](http://www.ilo.org/ippec/Informationresources/WCMS_222484/lang--en/index.htm).
- UNICEF. *Annual Report 2013- São Tomé and Príncipe*. [http://www.unicef.org/about/annualreport/files/Sao\\_Tome\\_and\\_Principe\\_COAR\\_2013.pdf](http://www.unicef.org/about/annualreport/files/Sao_Tome_and_Principe_COAR_2013.pdf).
- U.S. Embassy- Libreville. *reporting*, February 13, 2014.
- U.S. Department of State. “São Tomé and Príncipe,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dld=220151>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster 2 Survey, 2000. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Childs Rights Information Network. *São Tomé and Príncipe: Children’s Rights References in the Universal Periodic Review*. Geneva, Office of the United Nations High Commissioner for Human Rights; January 31, 2011. <http://ftp.crin.org/resources/infoDetail.asp?ID=23920&flag=report#>.
- UNICEF. *São Tomé and Príncipe Country Programme Document 2012-2016*; September 15, 2011. Report No. E/ICEF/2011/P/L.27. [http://www.unicef.org/about/execboard/files/Sao\\_Tome\\_Principe\\_final\\_approved\\_2012-2016\\_20\\_Oct\\_2011.pdf](http://www.unicef.org/about/execboard/files/Sao_Tome_Principe_final_approved_2012-2016_20_Oct_2011.pdf).
- Government of São Tomé and Príncipe. *Regime Jurídico das Condições Individuais de Trabalho*, enacted June 11, 1992. [http://www.legis-palop.org/index.php?option=com\\_docman&task=cat\\_view&gid=62&Itemid=76&limitstart=10](http://www.legis-palop.org/index.php?option=com_docman&task=cat_view&gid=62&Itemid=76&limitstart=10).
- Government of São Tomé and Príncipe. *São Tomé and Príncipe Penal Code Law 6/2012*, enacted November 6, 2012.
- Child Soldiers International. “Appendix II: Data Summary Table on Recruitment Ages of National Armies,” in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London, UK; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) São Tomé and Príncipe (ratification: 2005) Submitted: 2013*; accessed January 14, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:::.](http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:::)
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) São Tomé and Príncipe (ratification: 2005) Submitted: 2013*; accessed January 14, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:::.](http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0:::)
- Government of São Tomé and Príncipe. *Lei de Bases do Sistema Educativo*, Lei No. 2/2003, enacted June 2, 2003.
- Government of São Tomé and Príncipe. *Constituição da República Democrática de São Tomé e Príncipe*, enacted January 25, 2003. <http://www.gov.st/data/filestorage/docs/constistp.pdf>.
- U.S. Embassy- Libreville official. E-mail communication to USDOL official. March 18, 2015.
- U.S. Embassy- Libreville. *reporting*, February 6, 2015.
- U.S. Embassy-Libreville official. E-mail communication to USDOL official. April 17, 2015.
- Government of São Tomé and Príncipe. *Plano nacional de acção 2002-2015*, enacted November 18, 2002.
- U.S. Embassy- Libreville official. E-mail communication to USDOL official. February 21, 2012.

In 2014, Senegal made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government convened a tripartite workshop to revise its laws concerning the worst forms of child labor, and the National Task Force Against Trafficking in Persons (CNLTP) designed a national database to collect data on human trafficking. However, children in Senegal continue to engage in child labor in agriculture and in the worst forms of child labor in forced begging. Senegalese laws do not fully protect children from child labor, and enforcement agencies lack adequate resources to effectively carry out their work. Furthermore, the responsibility for enforcing child labor laws is spread over several ministries, and redundancy among interagency bodies impedes effective implementation of efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Senegal are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in forced begging. (1-4) Table 1 provides key indicators on children's work and education in Senegal.

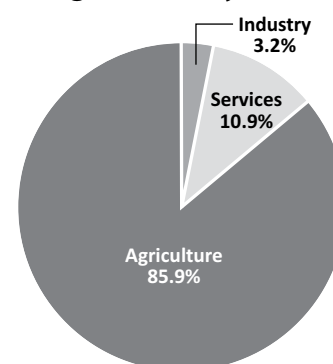
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	10.3 (377,148)
Attending School (%)	5-14 yrs.	54.8
Combining Work and School (%)	7-14 yrs.	5.2
Primary Completion Rate (%)		60.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Deuxième Enquête de Suivi de la Pauvreté au Sénégal (ESPS-II) Survey, 2011.(6)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Herding cattle* (2, 3)
	Fishing,* activities unknown (1-3)
	Farming,* including the production of millet,* corn,* and peanuts* (2, 7-9)
Industry	Washing ore and carrying water and heavy loads† while mining gold and salt,* and quarrying rock* (2, 7, 8, 10-14)
	Domestic work (1, 2, 7-10, 15)
Services	Work in tailoring shops,* metal and woodworking shops,* and garages* (2, 3, 7)
	Street vending (2, 9, 16-18)
Categorical Worst Forms of Child Labor‡	Domestic work, mining gold,* and farming,* sometimes as a result of human trafficking (1, 8, 14, 15, 19, 20)
	Commercial sexual exploitation as a result of human trafficking* (1, 8, 9, 20, 21)
	Forced begging, sometimes as a result of human trafficking (2, 7-10, 20, 22-25)
	Used in illicit activities, including in the production of drugs* (18)
	Forced labor in garbage collection* (2, 26, 27)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

# Senegal

## MINIMAL ADVANCEMENT




In Senegal, it is a traditional practice to send boys to Koranic schools, called *daaras*, for education. However, instead of receiving an education, many students, known as *talibés*, are forced to beg by their teachers, known as *marabouts*.(2, 25, 28) The *marabouts* take the *talibés*' earnings and often beat those who fail to meet the daily quota.(8, 10, 25, 28) The *talibés* often live in overcrowded, unsanitary conditions; receive inadequate food and medical care; and are vulnerable to physical and sexual abuse.(25, 27) They typically come from rural areas within Senegal and from neighboring countries, sometimes as a result of human trafficking.(8, 25, 29, 30) A 2013 census of *daaras* in the Dakar region conducted by the Ministry of Justice found that almost 30,000 of the nearly 55,000 *talibés* are forced to beg.(7, 20, 31, 32) Both UNICEF and the Ministry of Labor, Social Dialogue, and Institutional Relations (MOL) stress the need to conduct assessments outside the Dakar region to determine whether an increase in *daara* enrollment has also led to an increase in forced begging.(7)

Access to education in Senegal may be limited by the unavailability of schools and the lack of resources, particularly in rural areas.(9, 18, 33) There are also not enough teachers in Senegal, and both students and teachers are frequently absent.(9, 33, 34) School-related fees and competing economic opportunities further undermine the incentives for poor families to send their children to school.(2, 9, 15) Additionally, students who do not have birth registration certificates are unable to take primary school exit exams.(34) Some girls reportedly leave school after being sexually harassed by school staff, or as a result of early pregnancy.(2, 9)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Senegal has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article L. 145 of the Labor Code (35)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Ministerial Order N° 3749 Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of Ministerial Order N° 3750 Determining the Types of Hazardous Work Prohibited for Children and Youth; Article 1 of Ministerial Order N° 3751 Determining the Categories of Business and Work Prohibited to Children and Youth (36-38)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Article 2 of Ministerial Order N° 3749 Determining and Prohibiting the Worst Forms of Child Labor; Article 2 of Ministerial Order N° 3750 Determining the Types of Hazardous Work Prohibited to Children and Youth; and Article 2 of Ministerial Order N° 3751 Determining the Categories of Business and Work Prohibited to Children and Youth (36-38)
Prohibition of Forced Labor	Yes		Article L. 4 of the Labor Code; Article 2 of Ministerial Order N° 3749 Determining and Prohibiting the Worst Forms of Child Labor (35, 38)
Prohibition of Child Trafficking	Yes		Article 1 of Law N° 2005-06 Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of Ministerial Order N° 3749 Determining and Prohibiting the Worst Forms of Child Labor; Articles 323 and 324 of the Penal Code (38, 40)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of Ministerial Order N° 3749 Determining and Prohibiting the Worst Forms of Child Labor (38)
Minimum Age for Compulsory Military Recruitment	No*		
Minimum Age for Voluntary Military Service	Yes	18	Article 19 of Law N° 2008-28 (41, 42)
Compulsory Education Age	Yes	16	Article 3 of Law N° 2004-37 (43)
Free Public Education	Yes		Article 3 of Law N° 2004-37; Articles 21 and 22 of the Constitution (43, 44)

\* No conscription (42)

The laws governing hazardous work, Ministerial Orders N° 3750 and 3751, allows boys under age 16 to work in underground mines and quarries if they are doing “light work,” such as sorting and loading ore, handling and hauling trucks within specified weight limits, or handling ventilation equipment.(17, 36, 37, 45).

Article 245 of the Penal Code prohibits begging, with the exception of individuals who solicit alms as part of their religious traditions. Law N° 2005-06 Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims criminalizes profiting from forcing others to beg.(39, 40) There is currently a draft law to improve regulation of *daaras*, and a draft amendment to the Labor Code before the national assembly.(22, 25, 27, 46) The revision of the Labor Code includes an amendment raising the minimum age of work from 15 to 16, establishes harsher penalties for subjecting children to the worst forms of child labor, and extends protections of trade unions to children.(42, 47) Additionally, the Government convened a tripartite workshop to revise Ministerial Orders N° 3749–3751 concerning the worst forms of child labor.(16)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL)	Enforce child labor laws in the formal sector, which include state-owned corporations, private enterprises, and cooperatives, through the Labor Inspections Office and by using social security inspectors.(7, 26, 30) In the case of the Child Labor Unit, maintain a database of child labor violations, and monitor and evaluate child labor activities.(3, 29)
Ministry of Justice	Enforce all laws, including those on child trafficking and forced labor, and prosecute violations.(7) Houses the Department of Correctional Education and Social Protection, which provides legal protection to children, organizes prevention initiatives, and oversees rehabilitation of children who are in conflict with the law. Operates protection centers, social rehabilitation centers, and multipurpose centers.(1)
Ministry of the Interior and Public Security	Arrest perpetrators of the worst forms of child labor.(7) In the case of the Children's Unit, specialize in child protection within the city of Dakar. In the case of the Vice Squad, combat the commercial sexual exploitation of children, particularly related to tourism.(1) In the case of the local police and national police, intervene in cases of forced labor and report cases involving children to the Children's Unit.(1, 7, 42)
Office of the President's Coordination Unit for the Fight Against Child Labor	Contribute to the creation and implementation of child protection policies, and develop a national system for collecting and disseminating data about vulnerable children.(1, 7)
Ministry of Women, Family, and Children	Contribute to the creation and implementation of child protection policies, and implement services to victims of exploitative child labor practices.(48) Operate a toll-free child protection line through which the public can report child labor abuses.(1, 8, 25, 49)

Law enforcement agencies in Senegal took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the MOL employed 80 labor inspectors and investigators, which is insufficient to adequately enforce labor laws throughout the country. None of the inspectors are dedicated solely to child labor issues and they are not required to check for

# Senegal

## MINIMAL ADVANCEMENT

child labor violations during inspections.(7) New inspectors received training in international labor standards, including child labor issues, and Regional Inspectorates received a refresher training from the Directorate General of Labor and Social Security during the reporting period. ILO officials; UNICEF; and the Ministry of Women, Family, and Children have indicated that the training is adequate.(3, 7) Article L. 197 of the Labor Code permits inspectors to conduct unannounced visits to establishments under their purview, which excludes private homes and private farms.(7, 35) Article L. 241 of the Labor Code grants inspectors the authority to assess penalties for minor offenses.(35, 42) However, inspectors rarely assess penalties due to a lack of detailed legislation on enforcement; judges typically determine penalties for violations.(47) Inspections are not proactively planned and are focused primarily on the formal sector, while most children are employed in the informal sector. No inspections were conducted during the reporting period for the purpose of enforcing child labor laws.(7) No violations were found, nor were there any penalties issued or fines collected during the reporting period. Child labor violations are resolved through conciliation at the Labor Inspectorate or are referred to a tribunal for judgment.(7) Government officials, UNODC, UNICEF, and local NGOs have stated that existing penalties may not be severe enough to deter employers from exploiting children in the workplace, particularly since penalties are rarely enforced.(7) The number of calls related to child labor made to the Ministry of Women, Family, and Children's hotline is not known.

### *Criminal Law Enforcement*

In 2014, the Children's Unit within the police force employed three agents and its territorial jurisdiction was limited to Dakar. (1, 42) In addition, the Ministry of Education's *daara* inspectorate employs eight full-time staff, including two inspectors.(27) Although other police stations in Senegal are expected to report cases involving children to the Children's Unit, research found no evidence that this occurs regularly; the number of dedicated inspectors is also insufficient, given the scope of the problem.(1, 49) The National Task Force Against Trafficking in Persons (CNLTP) partnered with other organizations to provide several training sessions for law enforcement and judicial officials, to improve the enforcement of Law N° 2005-06 Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims.(20) However, the CNLTP did not have the resources to fund training sessions themselves.(47) During the reporting period, 100 boys were withdrawn from situations of forced begging and were reunited with their families.(7) Additionally, the Government convicted three individuals for human trafficking.(20) No statistics are available on the total number of investigations, prosecutions, convictions, or penalties assessed as a result of these crimes. There is no formal referral mechanism between law enforcement and social service providers, although the Minors Brigade frequently places children in police custody in shelters.(50)

With few exceptions, *daaras* are not subject to government regulation or inspection, since they are private institutions. The Government has been reluctant to create legislation to regulate *daaras* for fear of losing the support of powerful Muslim leaders or appearing to attack Islamic education.(22, 25, 27, 46) The Government reports that existing laws are sufficient to effectively prosecute and punish individuals who use *talibés* for personal profit.(22, 25, 27, 46) However, the courts have had limited success in applying existing laws prohibiting forced begging, partly because some courts and law enforcement officials are not aware that applying Law N° 2005-06 is not in conflict with the Penal Code.(47) Prosecutions under Law N° 2005-06 have been almost nonexistent, despite widespread evidence of forced begging by *talibés*.(22, 25, 27, 46) Criminal laws related to child labor are rarely enforced in practice, especially those against forced begging.(3, 22, 49)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee Against Child Labor	Coordinate initiatives to address child labor, including the National Action Plan on the Prevention and Abolition of Child Labor in Senegal. Chaired by MOL and includes employers' organizations, 20 government ministries, religious leaders, international agencies, and governors of various regions.(7, 29, 49-52)
Inter-Ministerial Commission	Coordinate implementation of the National Strategy on Child Protection and its related action plan.(7)



**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
National Task Force Against Trafficking in Persons, in Particular Women and Children (CNLTP)	Report on human trafficking in Senegal; coordinate the implementation of the National Action Plan on Combating Trafficking in Persons and other efforts to prevent human trafficking, prosecute perpetrators, and protect victims.(19, 42, 53, 54) In 2014, organized several public events to raise awareness of human trafficking issues, including an awareness campaign march in The Gambia; designed a national database to collect data on trafficking.(20)
Senegalese Human Rights Committee	Coordinate human rights entities and make recommendations on laws related to human rights.(1, 55) Independent advisory body that promotes human rights and evaluates the human rights situation in Senegal.(1) Operates with an annual budget of approximately \$125,000 and coordinates government submissions to the UN and the African Union.(54) Composed of 29 members including government entities, private sector organizations, and NGOs.(1, 55)

The Inter-Ministerial Commission met in 2014, but its activities were limited by a lack of funding.(7, 20) Redundancy among the activities of the coordinating bodies also creates confusion and hinders effective collaboration and implementation of efforts.(1, 25) The National Committee Against Child Labor was inactive during 2014.(42, 52) The CNLTP, also faced funding constraints that limited the scope of their efforts.(20)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Senegal has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan on the Prevention and Abolition of Child Labor in Senegal (PCNPETE) (2012-2016)	Aims to raise awareness of child labor issues, reinforce the capacity of law enforcement officials and civil society organizations, and improve the legal framework on child labor, including its worst forms.(3, 16, 22, 54, 56-58) Aims to increase educational and training opportunities for youth, implement pilot cash transfer program by 2016; includes a budget of approximately \$2.7 million.(13 16, 56) In 2014, focused on strengthening the capacity of labor inspectors.(7, 16)
National Strategy on Child Protection	Addresses child protection through a national body to coordinate social policy with relevant ministries. Specifically identifies the issue of child begging and the need to enforce laws and policies to protect children from forced begging.(3, 27) Includes an action plan with a recommended budget of \$18 million.(3)
National Action Plan to Combat Trafficking in Human Beings (2012-2014)	Aims to strengthen the legal framework to prevent human trafficking, effectively implement laws, provide protection and care for victims, and strengthen social and educational initiatives for vulnerable children. Implemented by the CNLTP.(1, 20)
National Strategy for Economic and Social Development (SNDES) (2013-2017)*	Includes goals such as promoting youth employment and entrepreneurship, increasing access to social services such as education and health services, and improving the quality of education. Establishes a 10-year education cycle and commits to increasing employment opportunities for youth.(33) The 10-Year Education and Training Program (2012-2025) included in the SNDES aims to improve the education system by mobilizing human and financial resources to enhance educational quality, improve physical infrastructure, and promote vocational training.(9, 33)
National Framework Plan for the Eradication of Child Begging (2013-2015)	Aims to combat child begging by regulating <i>daaras</i> , providing services to children removed from the street, and enforcing penalties for individuals who force children to beg.(3, 22, 27, 54)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Senegal funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

# Senegal

## MINIMAL ADVANCEMENT

**Table 8. Social Programs to Address Child Labor**

Program	Description
Project to Fight Against Trafficking and the Worst Forms of Child Labor (2002-2016)‡	Ministry of Women, Family, and Children program that aims to enhance government capacity to design and implement local initiatives to address child trafficking and other worst forms of child labor, particularly forced begging and commercial sexual exploitation.(29) Technical monitoring committees at the local level that are composed of public and private stakeholders oversee implementation of the project, which includes the creation of a support fund to finance activities proposed by local committees.(1, 29)
National Program of Family Assistance Bursaries (2013–2017)*‡	Part of PCNPETE, a government social safety net program that provides \$200 annually to 250,000 vulnerable families with children ages 6 to 12 throughout Senegal to strengthen livelihoods and improve educational outcomes.(16, 54, 59) Total budget for this program was approximately \$18 million in 2014, an increase of \$8 million since 2013.(3, 7)
Daara Mapping Project‡	Project led by the Ministry of Justice and the CNLTP, that seeks to map all <i>daaras</i> located in Dakar to determine which need to be shut down as part of the effort to modernize <i>daaras</i> .(19, 20, 22, 27) Implemented under the auspices of the National Action Plan to Combat Trafficking in Human Beings.(22) Results were presented and validated in 2014.(20)
Partnership for the Rescue and Rehabilitation of Street Children	Government and NGO program that aims to integrate Koranic schools into the public education system and discourage children from begging through a pilot program for 2011-2014.(22) Partners comprising government officials, NGOs, private-sector entities, religious organizations, and the media provide social services to vulnerable children, particularly <i>talibés</i> , and conduct awareness-raising campaigns.(23, 25, 46)
Interagency Program for Improving the Situation of At-Risk Children in Senegal (2009-2014)	\$1.8 million ILO and UNICEF-funded, 5-year program that provides school supplies, vocational training, and assistance with school enrollment directly to victims of the worst forms of child labor.(57, 60, 61) Conducts awareness-raising activities and provides information and training on relevant ILO conventions to local authorities. Also includes a pilot system for observing and monitoring child labor in the rural community of Ngoudiane.(57, 60)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I & II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa subregion by providing policy and capacity-building support for all ECOWAS states.(62, 63)
ECOWAS Regional Action Plan on Child Labor (2012-2015)	Aims to eliminate worst forms of child labor in West Africa by 2015 through the implementation of a regional action plan with 14 other ECOWAS countries.(64) In 2014, met to discuss actions taken since Ghana's 2013 Peer Review, progress of the Regional Action Plan's implementation, and the ILO's Study on "Child Labor and Educational Marginalization in West Africa."(65, 66)
Ginndi Center‡	Ministry of Women, Family, and Children-run shelter that serves abused and vulnerable children, including runaway <i>talibés</i> , street children, and child trafficking victims, with an annual operating budget of approximately \$73,000.(1, 27, 49) Provides shelter, food, education, vocational training, family mediation, and medical and psychological care.(1, 8, 20, 23)
Prevention and Elimination of Child Labor in West Africa (2009–2014)	\$5.4 million Government of Spain-funded, 5-year program in four countries in West Africa that aims to contribute to the progressive elimination of child labor, and to the prevention and immediate elimination of the worst forms of child labor through a systemic and sustainable response by the public and private sectors and by civil society.(61)
Education and Family Life‡	Government project in <i>daaras</i> , which trains Koranic teachers and <i>talibés</i> on the rights of the child and focuses on improving living conditions and quality of education in <i>daaras</i> .(1)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Senegal.

Given the rising number of *talibés* engaged in forced begging, the scope of current government programs and shelters is insufficient to fully address the extent of the problem.(25, 27, 57) Additionally, research found no evidence that the Government has carried out programs to assist children in domestic work, agriculture, or mining during the reporting period.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Senegal (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children under age 18 are prohibited from engaging in hazardous occupations or activities, including in underground mines and quarries.	2009 – 2014
Enforcement	Strengthen enforcement of child labor laws by: <ul style="list-style-type: none"> <li>Increasing the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce;</li> <li>Expanding the territorial jurisdiction of the Children's Unit and training additional agents as necessary to enforce child labor laws throughout the country; and</li> <li>Disaggregate the number of calls related to child labor that are made to the child protection hotline.</li> </ul>	2010 – 2014
	Ensure that penalties are severe enough to deter violations of child labor laws, and that all the laws related to the worst forms of child labor are adequately and evenly enforced, including those against forced begging.	2010 – 2014
	Make statistics regarding the enforcement of child labor laws publicly available, including the number of inspections, prosecutions, violations, and citations/penalties.	2013 – 2014
	Establish a formal referral mechanism between law enforcement and social service providers.	2014
	Ensure that judges and law enforcement officials receive training in how to apply the laws regarding forced begging.	2014
Coordination	Ensure the effectiveness of coordinating mechanisms on child labor by: <ul style="list-style-type: none"> <li>Defining distinct scopes of responsibility;</li> <li>Providing adequate funding and resources to relevant bodies; and</li> <li>Reactivating the National Committee Against Child Labor.</li> </ul>	2010 – 2013
Government Policies	Integrate child labor elimination and prevention strategies into the National Strategy for Economic and Social Development (SNDES).	2013 – 2014
Social Programs	Ensure all children have access to education, including by: <ul style="list-style-type: none"> <li>Increasing educational opportunities in rural areas by building schools and training additional teachers;</li> <li>Eliminating school-related fees or expand the National Program of Family Assistance Bursaries program to offset the cost of education for a greater number of families;</li> <li>Ensuring all children have access to birth registration; and</li> <li>Expanding programs to address the issues that serve as a barrier to girls' education, such as sexual harassment in schools and early pregnancy.</li> </ul>	2011 – 2014
	Assess the impact that existing programs may have on child labor.	2013 – 2014
	Establish additional shelters and develop or expand programs to combat the worst forms of child labor, including in domestic work, agriculture, and mining.	2010 – 2014

## REFERENCES

- UN Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography. *Mission to Senegal*. New York, UN Human Rights Council; December 28, 2010. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/179/61/PDF/G1017961.pdf?OpenElement>.
- U.S. Department of State. "Senegal," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Dakar. *reporting, February 5, 2014*.
- "Le rapport 2012 sur le travail des enfants au Sénégal publié." leral.net [online] February 2013 [cited December 2, 2013]; [http://www.leral.net/Le-rapport-2012-sur-le-travail-des-enfants-au-Senegal-publie\\_a75516.html](http://www.leral.net/Le-rapport-2012-sur-le-travail-des-enfants-au-Senegal-publie_a75516.html).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Deuxième Enquête de Suivi de la Pauvreté au Sénégal (ESPS-II), 2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Dakar. *reporting, January 20, 2015*.
- U.S. Department of State. "Senegal," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226807.htm>.
- UNICEF. *Situation des enfants au Sénégal: Une analyse des évolutions récentes pour une société plus équitable pour les enfants.*; May 2013. <http://pfsenegal.org/wp-content/uploads/2014/08/SITAN-Situation-Enfants-S%C3%A9n%C3%A9gal.pdf>.
- Diatta, JM. "Afrique: Mendicité des enfants, emploi domestique, exploitation dans les mines - Les pires formes de traite des etres humains." allafrika.com [online] July 31, 2014 [cited January 15, 2015]; <http://fr.allafrika.com/stories/201407311310.html>.
- UNODC official. E-mail communication to USDOL official. January 15, 2014.
- UNODC official. *reporting, January 15, 2014*.

13. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 2000)* Published: 2014; accessed April 8, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
14. Barroux, R. "Au Sénégal, l'enfer des mines d'or pour des centaines d'enfants." *Le Monde*, Khalakhéna, Sénégal, June 16, 2014. [http://www.lemonde.fr/planete/article/2014/06/16/au-senegal-l-enfer-des-mines-d-or-pour-des-centaines-d-enfants\\_4438916\\_3244.html](http://www.lemonde.fr/planete/article/2014/06/16/au-senegal-l-enfer-des-mines-d-or-pour-des-centaines-d-enfants_4438916_3244.html).
15. Shryock, R. *Senegalese girls forced to drop out of school and work as domestic help*, UNICEF, [online] November 16, 2010 [cited March 18, 2013]; [http://www.unicef.org/education/senegal\\_56856.html](http://www.unicef.org/education/senegal_56856.html).
16. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Senegal (ratification: 1999)* Published: 2014; accessed October 28, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
17. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Senegal (ratification: 1999)* Published: 2012; accessed February 3, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
18. ILO-IPEC. *The Worst Forms of Child Labor in Conflict and Post Conflict Settings: Results from a research project*. Geneva; 2010.
19. U.S. Embassy- Dakar. *reporting, February 14, 2014*.
20. U.S. Embassy- Dakar. *reporting, February 17, 2015*.
21. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 2000)* Published: 2011; accessed February 6, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
22. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 2000)* Published: 2014; accessed April 8, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
23. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 2000)* Published: 2013; accessed December 2, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
24. UN Committee on the Elimination of Racial Discrimination. *Consideration of Reports Submitted by States Parties Under Article 9 of the Convention: Concluding Observations: Senegal*. Geneva; August 31, 2012. Report No. CERD/C/SEN/CO/16-18. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/SEN/CO/16-18&Lang=Sp](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/SEN/CO/16-18&Lang=Sp).
25. Human Rights Watch. *Off the Backs of Children: Forced Begging and Other Abuses against Talibes in Senegal*. New York; April 2010.
26. U.S. Embassy- Dakar. *reporting, March 10, 2010*.
27. Human Rights Watch. *Exploitation in the Name of Education: Uneven Progress in Ending Forced Child Begging in Senegal*; March 2014. [http://www.hrw.org/sites/default/files/reports/senegal0314\\_ForUpload.pdf](http://www.hrw.org/sites/default/files/reports/senegal0314_ForUpload.pdf).
28. Hussain, M. "Senegalese children forced to beg by renegade teachers' betrayal of principle." *The Guardian*, London, December 11, 2012; Global Development. <http://www.theguardian.com/global-development/2012/dec/11/senegalese-children-forced-beg-renegade-teachers>.
29. U.S. Embassy- Dakar. *reporting, March 2, 2011*.
30. U.S. Embassy- Dakar. *reporting, March 8, 2010*.
31. Lazuta, J. "HRW: Senegal Must Crack Down on Quranic Schools' Forced Begging." *voanews.com* [online] March 19, 2014 [cited 2014]; <http://www.voanews.com/content/hrw-senegal-must-crack-down-on-quranic-schools-forced-begging/1874692.html>.
32. Integrated Regional Information Networks. "Scant Progress on Senegal's Talibé Problem." *IRINnews.org* [online] March 21, 2014 [cited October 28, 2014]; <http://www.irinnews.org/printreport.aspx?reportid=99809>.
33. IMF. *Senegal: Poverty Reduction Strategy Paper*. Washington, DC; July, 2013. Report No. No. 13/194 <http://www.imf.org/external/pubs/ft/scr/2013/cr13194.pdf>.
34. Sidy, A. "Pauvrete, travail precoce, malnutrition, exclusion du systeme educatif, etc. : Le Sénégal peine à bercer ses enfants." *Walfadjiri*, Dakar, March 13, 2013; En ville & en dehors. <http://www.walf-groupe.com/societe/47-en-ville-a-en-dehors/10159-pauvrete-travail-precoce-malnutrition-exclusion-du-systeme-educatif-etc--le-senegal-peine-a-bercer-ses-enfants->.
35. Government of Senegal. *Code du Travail*, Loi n°97-17, enacted December 1, 1997. <http://www.droit-afrique.com/images/textes/Senegal/Senegal%20-%20Code%20du%20travail.pdf>.
36. Government of Senegal. *Arrêté ministériel n° 3750 MFPTEOP-DTSS en date du 6 juin 2003, fixant la nature des travaux dangereux interdits aux enfants et jeunes gens*, enacted June 6, 2003. <http://www.ilo.org/dyn/natlex/docs/SERIAL/64611/64953/F1229124862/SEN64611.pdf>.
37. Government of Senegal. *Arrêté ministériel n° 3751 MFPTEOP-DTSS en date du 6 juin 2003*, enacted June 6, 2003. <http://www.ilo.org/dyn/natlex/docs/SERIAL/64612/64952/F364251671/SEN64612.pdf>.
38. Government of Senegal. *Arrêté ministériel n° 3749 MFPTEOP-DTSS en date du 6 juin 2003*, enacted June 6, 2003. <http://www.ilo.org/dyn/natlex/docs/SERIAL/64610/64951/F2020269921/SEN64610.pdf>.
39. Government of Senegal. *Loi n° 2005-06 du 10 mai 2005 relatif a la lutte contre la traite des personnes et pratiques assimilées et a la protection des victimes*, enacted May 10, 2005. [http://www.centif.sn/Loi\\_2005\\_06.pdf](http://www.centif.sn/Loi_2005_06.pdf).
40. Government of Senegal. *Code Penal*, Loi No. 65-60, enacted July 21, 1965. <http://www.justice.gouv.sn/droitp/CODE%20PENAL.PDF>.
41. Government of Senegal. *Loi n° 2008-28 du 28 juillet 2008*, enacted July 28, 2008. <http://www.jo.gouv.sn/spip.php?article7178>.
42. U.S. Embassy- Dakar official. E-mail communication to USDOL official. March 18, 2015.
43. Government of Senegal. *Loi n° 2004-37 du 15 Décembre 2004*, enacted December 15, 2004. <http://www.jo.gouv.sn/spip.php?article2689>.
44. Government of Senegal. *Constitution of the Republic of Senegal*, enacted January 22, 2001.
45. ILO. *Convention concerning Minimum Age for Admission to Employment (Entry into force: 19 Jun 1976)*. Geneva. [http://www.ilo.org/dyn/normlex/en/f?p=NOR\\_MLEX\\_PUB:12100:0::NO::P12100\\_ILO\\_CODE:C138](http://www.ilo.org/dyn/normlex/en/f?p=NOR_MLEX_PUB:12100:0::NO::P12100_ILO_CODE:C138).
46. UN Committee on the Elimination of Racial Discrimination. *Concluding Observations Concerning the Sixteenth, Seventeenth and Eighteenth Periodic Reports of Senegal as Adopted by the Committee at its Eighty-first Session, Held from 6 to 31 August 2012*. Geneva; October 24, 2012. Report No. CERD/C/SEN/CO/16-18. [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FSEN%2FCO%2F16-18&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FSEN%2FCO%2F16-18&Lang=en).
47. U.S. Embassy- Dakar official. E-mail communication to USDOL official. March 27, 2015.
48. Government of Senegal. *Décret n°2014-874 relatif aux attributions du Ministre de la Femme, de la Famille et de l'Enfance*, enacted July 22, 2014. [http://www.gouv.sn/IMG/article\\_PDF/article\\_a1700.pdf](http://www.gouv.sn/IMG/article_PDF/article_a1700.pdf).
49. U.S. Embassy- Dakar. *reporting, February 5, 2013*.
50. U.S. Embassy- Dakar. *reporting, January 31, 2012*.
51. ILO-IPEC. *Project of Support for the Implementation of the Timebound Programme in Senegal*. IPEC Evaluation. Geneva; December 2007.
52. U.S. Embassy- Dakar official. E-mail communication to USDOL official. February 18, 2014.
53. U.S. Embassy- Dakar. *reporting, February 15, 2013*.
54. UN Human Rights Council. *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, October 21 - November 1, 2013*. Geneva; 2013. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/157/12/PDF/G1315712.pdf?OpenElement>.
55. Government of Senegal. *Loi n° 97-04 du 10 mars 1997 renforçant le statut du Comité Sénégalais des Droits de l'Homme*, enacted March 10, 1997. <http://www.ilo.org/dyn/natlex/docs/SERIAL/47300/42162/F-1132781402/SEN-47300.pdf>.

56. Government of Senegal. *Plan cadre national de prévention et d'élimination du travail des enfants au Sénégal (2012-2016)*. Dakar, Ministère de la Fonction Publique, du Travail et des Relations avec les Institutions, Direction Générale du Travail et de la Sécurité Sociale and Direction des Relations de Travail et des Organisations Professionnelles; October, 2012. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/94517/110939/F962833257/SEN-94517.pdf>.
57. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 2000) Published: 2013*; accessed December 02, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
58. "Lutte contre le travail des enfants au Sénégal ; 37% des enfants sont économiquement actifs." enqueteplus.com [online] July 6, 2013 [cited <http://www.enqueteplus.com/content/lutte-contre-le-travail-des-enfants-aus%C3%A9n%C3%A9gal-37-des-enfants-sont-%C3%A9conomiquement-actifs>].
59. Government of Senegal. *La bourse de sécurité familiale*. Dakar; April 8, 2013. <http://www.gouv.sn/La-bourse-de-securite-familiale.html>.
60. APS. "Travail des enfants: Thiès parmi les régions les plus affectées avec un taux de 58% (spécialiste)." August 13, 2013. <http://www.aps.sn/newsedit/spip.php?article117195>.
61. ILO-IPEC Geneva official. E-mail communication to USDOL official. March 3, 2015.
62. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*. Project Document. Geneva; December 20, 2010.
63. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 3, 2010.
64. ECOWAS. *ECOWAS Regional Action Plan for the Elimination of Child Labour Especially in the Worst Forms*. Abuja; June 2013. [http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms\\_227737.pdf](http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_227737.pdf).
65. ECOWAS. *Member States Meeting on the Implementation of the Regional Action Plan on the Elimination of Child Labour*. ECOWAS Member States Meeting. December 11-14, 2014.
66. ILO-IPEC. *Towards Child Labor Free Cocoa Growing Communities through an Integrated Area Based Approach Project*. Technical Progress Report. Geneva; April 3, 2015.



# Serbia

## MODERATE ADVANCEMENT

In 2014, Serbia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Statistical Office of the Republic of Serbia published the results of the Multiple Indicator Cluster Survey for Serbia and for Serbia Roma Settlements, which includes data on the prevalence of child labor in the country. The Government also established 92 child protection teams across the country that provided social services to street children, and 10 new anti-trafficking teams to improve prevention and protection efforts at the local level. However, children in Serbia are engaged in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking, and in commercial sexual exploitation as a result of human trafficking. Serbia does not have legislation that clearly and comprehensively describes the hazardous occupations or activities prohibited for children. The Government also lacks a national policy to combat child labor and a mechanism to effectively coordinate efforts to address child labor across government agencies.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Serbia are engaged in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking, and commercial sexual exploitation as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in Serbia.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	6.0 (54,045)
Attending School (%)	5-14 yrs.	92.5
Combining Work and School (%)	7-14 yrs.	6.7
Primary Completion Rate (%)		93.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2005.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming,* activities unknown (7)
	Manufacturing,* activities unknown (8)
Industry	Construction,* activities unknown (8)
	Mining* and quarrying* (8)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (3, 9-12)
	Wholesale and retail trade* (8)
	Repairing motor vehicles* (8)
	Working in food service,* information and communication,* and transportation and storage* (8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (1-4, 9, 11, 13, 14)
	Forced begging and used to commit crimes each sometimes as a result of human trafficking* (1, 9, 14)
	Used in the production of pornography* as a result of human trafficking (13)

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Used in illicit activities, including in the production and trafficking of drugs as a result of human trafficking* (13)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In 2014, the Government of Serbia published the final results of the Multiple Indicator Cluster Survey (MICS 5) and the Roma Settlements Multiple Indicator Cluster Survey. The final report indicates that 10 percent of all children in Serbia and 5 percent of children living in Roma settlements ages 5 to 17 are involved in child labor.(15, 16) In rural areas, child labor is more prevalent, with 16 percent of rural children engaged in child labor compared with 5 percent of urban children.(15, 16) Despite these new data, there is still not sufficient research to determine the specific occupations and work activities carried out by children in most relevant sectors.







Children who are most vulnerable to exploitation include children from the Roma population, those from poor rural communities, those living in foster care or low-income families, and those with special needs.(3) The majority of child trafficking victims are trafficked internally.(4)

Economic hardship, ethnic discrimination, and language barriers discourage some children in minority groups from attending school, especially Romani girls.(9, 17) This makes these children more vulnerable to the worst forms of child labor. Individuals at risk of statelessness, particularly Romani parents and their children, often lack birth registration and documentation, which restricts their access to basic social services like health care and education.(9, 17) Although a technical working group exists to streamline complex registration procedures for undocumented minorities, including the registration of children whose parents are not registered, training is still needed for judges, registrars, and social workers to implement the revised procedures properly.(9, 18)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Serbia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 24 of the Labor Law of the Republic of Serbia; Article 66 of the Constitution of the Republic of Serbia (19, 20)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law of the Republic of Serbia; Article 66 of the Constitution of the Republic of Serbia (19, 20)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 25, 84, 87, and 88 of the Labor Law of the Republic of Serbia (20)
Prohibition of Forced Labor	Yes		Article 26 of the Constitution of the Republic of Serbia (19)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code of the Republic of Serbia; Article 26 of the Constitution of the Republic of Serbia (19, 21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 183–185 of the Criminal Code of the Republic of Serbia (21)
Prohibition of Using Children in Illicit Activities	Yes		Article 388 of the Criminal Code of the Republic of Serbia (21)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 4 of the Law on Military, Labor and Material Obligation (22)
Minimum Age for Voluntary Military Service	Yes	18	Article 39 of the Law on the Army (23-25)
Compulsory Education Age	Yes	15	Article 71 of the Constitution of the Republic of Serbia; Articles 94 and 98 of the Law on the Foundations of the Education System (19, 26)
Free Public Education	Yes		Article 71 of the Constitution of the Republic of Serbia; Article 91 of the Law on the Foundations of the Education System (19, 26)

Serbian labor law states that children ages 15 through 17 may not engage in work that is harmful to their health, morals, education, or in work which is prohibited by law.(20) According to article 84 of the Labor Law, employees under age 18 are prohibited from strenuous physical work underground, underwater or at excessive heights, work that may expose them to toxic substances or other health hazards, and activities that are judged by a competent health authority to be harmful. In addition, employees under age 18 may not work longer than 35 hours per week or during the night, with some exceptions.(20) Despite these provisions, the Labor Law does not identify the specific hazardous occupations and activities prohibited for children in all relevant sectors. This lack of specificity presents challenges for effective enforcement action, including the removal of children from hazardous labor situations and the sanctioning of employers.(20)

The Criminal Code prohibits the use of children under age 14 for the production of pornography, but it applies different penalties to those who use children to make pornography based on the age of the child.(21, 27) When this crime involves children under age 14, the penalties range from 1 to 8 years in prison; however, the penalties for using a minor, defined as an individual age 14 and older but who has not yet attained age 18, to make pornographic materials range from 6 months to 5 years.(27) This minimum penalty of 6 months for using minors to create pornography may be an insufficient deterrent for such a serious crime. While in previous years it was unclear whether Serbian law specifically prohibited the use, procuring, or offering of a child for illicit activities, the Government has clarified that Article 388 of the Criminal Code prohibits this offense.(28)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment, Veteran, and Social Policy's Labor Inspectorate	Enforce labor laws and conduct inspections, including those related to child labor.(15)
Ministry of Interior	Enforce laws prohibiting commercial sexual exploitation and human trafficking through the Organized Crime Police Force and the Border Police Force.(29) Oversee the General Police Directorate, which consists of 27 local police directorates, all of which have dedicated anti-trafficking units.(4, 12, 30)
State Prosecutor's Office	Lead investigations on trafficking in persons cases and exchange information through a network of 27 local prosecutors and two NGOs.(30) Provide financial support to the Center for Human Trafficking Victims' Protection by collecting fees from defendants in minor criminal cases.(31)
Center for Human Trafficking Victims' Protection (The Center), Ministry of Labor, Employment, and Social Policy	Identify and rescue child trafficking victims and children at risk of being trafficked, conduct needs assessments, and refer victims to social services. Maintain a database of its beneficiaries and of the services provided to them, and participate in research projects that relate to trafficking.(12) Includes the Agency for Coordination of Protection of Trafficking Victims and the Urgent Reception Center for Trafficking Victims.(12)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Parliamentary Committee on Children	Review all draft legislation in terms of children's rights to ensure that legislation is aligned with international norms and standards. Monitor the implementation of the child-related provisions of all laws.(3) Report to the UN CRC.(3)
Deputy Ombudsman for Children's Rights, Office of the Protector of Citizens	Monitor and conduct research on the situation of children's rights in Serbia. Produce reports on child begging, promote inclusive education of children and legal prohibition of corporal punishment, and manage the drafting of a comprehensive law on children's rights for parliamentary approval.(24, 32)

Law enforcement agencies in Serbia took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor, Employment, and Social Policy employed 241 inspectors in the Serbian Labor Inspectorate.(33) Research found that the Labor Inspectorate generally lacked funding to provide specialized training and the necessary equipment, such as computers and vehicles, to facilitate the adequate enforcement of laws prohibiting child labor.(7, 34, 35)

During the reporting period, the Labor Inspectorate conducted 52,863 labor inspections.(33) Inspectors were authorized to conduct both routine and complaint-driven site visits in the formal sector, including for child labor violations.(15) The Labor Inspectorate also has the authority to penalize businesses that are operating without formal registration.(29) Labor law empowers the Labor Inspectorate to file offense proceedings against any employer who has committed a child labor violation. However, research found that inspectors were sometimes denied the right to enter a workplace to conduct inspections, especially in new private enterprises.(36)

In 2014, the Labor Inspectorate reported that it found no incidents of children under age 15 working, and issued no citations or penalties to employers for violations of child labor law governing minimum age.(15) Inspectors also reported that there were 25 cases of minors ages 15 to 18 employed without parental or guardian approval in violation of the labor law, but it is not clear whether this work was hazardous.(33) If children are identified in situations of exploitative labor, they may be referred to receive social services at a center for social work, found within every locality.(12)

### *Criminal Law Enforcement*

According to Serbian authorities, there are a total of 352 police officers responsible for enforcing criminal laws related to irregular migration, cross-border crime, and human trafficking; the majority of these officers are stationed in Belgrade and in 26 regional departments.(37) During the reporting period, the Government, along with NGOs and international organizations, trained relevant government officials on how to recognize, investigate, and prosecute human trafficking cases, as well as how to assist victims properly.(3, 31) The Ministry of Interior conducted 19 training sessions for 329 police officers.(12)

In 2014, the Government investigated a total of 55 cases of human trafficking, 35 for the purpose of labor exploitation and 20 for commercial sexual exploitation.(12) The Ministry of Interior reported that authorities identified 12 child trafficking victims, 13 children used in the production of pornography, and 48 children used in the production and trafficking of drugs.(13) In the majority of cases, police officers are the first to encounter victims of trafficking whom they then refer to the Center for Human Trafficking Victims' Protection for formal identification and provision of social services.(8, 31) In 2014, the Center assisted 19 child trafficking victims.(12) During the reporting period, the Center for Human Trafficking Victims' Protection was not able to open its emergency shelter, the Urgent Reception Center, due to continued litigation over the shelter's physical location.(8, 12) When fully operational, the Urgent Reception Center will accommodate child trafficking victims on a temporary basis; however, it is not a specialized shelter for children.(31) NGOs raised concerns that the Center for Human Trafficking Victims' Protection lacked procedures to address the specific needs of child trafficking victims.(31)

The Government reported that it registered 11 criminal acts of trafficking in children in 2014, and it charged 13 individuals for these crimes.(13) There were no reports of convictions or sentences issued in these cases.(33) In previous years, a source indicated that children found in forced begging were often penalized for petty offenses instead of being treated as victims of trafficking; however, there are no reports that this occurred in 2014.(4)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established mechanisms to coordinate its anti-trafficking efforts, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Council for Combating Trafficking in Human Beings	Set government policies against trafficking in persons. Includes the Ministers of Finance; Labor, Employment, Veteran, and Social Policy; Health; Justice; Economics; and Education. Chaired by the Minister of Interior.(30)
National Coordinator for Combating Trafficking in Persons (National Anti-Trafficking Coordinator)	Implement the policies of the Council for Combating Trafficking in Human Beings and coordinate the day-to-day anti-human trafficking efforts of the Implementation Team, which includes representatives from the ministries of Interior; Labor, Employment, Veteran, and Social Policy; Justice; Public Administration and Local Self-Government; Foreign Affairs; Education, Science, and Technology; Health; Culture and Information; Youth and Sport; and Trade, Telecommunications, and Tourism. Also includes participants from the Republic Public Prosecutor's Office, the Office for Human Minority Rights, the Security Information Agency, the Commissariat for Refugees and Migration, the Social Inclusion and Poverty-Reduction Team, the Center for Human Trafficking Victims' Protection, and local NGOs.(12) Based in the Ministry of Interior.(30)

In January 2014, the Government reestablished the Council for Children's Rights to coordinate government efforts to address and prioritize children's issues in Serbia. The Council includes representatives from international organizations and various government ministries.(12) In November, the Council agreed to establish a working group that would be responsible for developing an action plan to address the issue of children who beg on the streets, but this working group has yet to convene.(33)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Serbia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Strategy for the Improvement of the Status of Roma in the Republic of Serbia (National Roma Strategy)*	Aims to improve the status of Roma people in Serbia in terms of housing, education, employment, and health.(17) Seeks to include representatives of Roma communities in the process of policy implementation. Resulted from the signing of the Declaration of the Decade of Roma Inclusion (2005–2015) in 2005.(17)
Anti-Discrimination Strategy and Action Plan (2013–2018)†	Seeks to prevent discrimination and improve the situation of nine vulnerable groups, including children and ethnic minorities. Targets children subjected to multiple forms of discrimination, such as Roma children, refugees and internally displaced children, and victims of human trafficking and commercial sexual exploitation, including those used in the production of pornography.(37, 38) In 2014, the Government adopted the Action Plan for Implementation of the Strategy. Specific objectives of the Action Plan include monitoring the progress of efforts to promote inclusive education and reduce discrimination in schools, and ensuring support in education for children with disabilities, Roma children, and children living and working on the streets.(15)
Strategy for Combating Trafficking in Human Beings (2006) and the National Plan of Action to Combat Trafficking in Human Beings (2009–2011)	Aims to address the problem of trafficking in persons in the areas of institutional framework; prevention, assistance, protection, and reintegration of victims; international cooperation; and monitoring and evaluation of mechanisms to combat human trafficking. In effect until the new strategy is adopted, but lacks dedicated state funding for anti-trafficking activities.(30, 37)
Special Protocol on the Treatment of Trafficking Victims by Judicial Authorities	Aims to provide judicial officials with clear guidance to facilitate adequate treatment of trafficking victims.(39)
National Plan of Action for Children and General Protocol on Child Protection from Abuse and Neglect (2005–2015)*	Establishes policies to promote quality education for all children and to protect children from abuse, neglect, exploitation, and violence. Associated protocols include the Special Protocol on Behavior of Law Enforcement Officers in Protecting Juvenile Persons from Abuse and Neglect and the Special Protocol on Protection of Children Accommodated in Social Care Institutions.(24, 27)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.



During the reporting period, the Government continued to consider a draft National Strategy for Preventing and Combating Trafficking in Persons for 2015–2020 (National Strategy) and its accompanying Action Plan for 2015–2016 (Action Plan), but it has not yet been adopted by the National Assembly.(30, 31, 33) The Government reported that the new National Strategy and its Action Plan will incorporate policy positions from the previously proposed National Strategy to Prevent and Protect Children from Trafficking and Exploitation for Pornography and Prostitution (2012–2016).(8) There has not been an up-to-date National Strategy in place since 2011.

Research found that although the Government of Serbia has formulated strategies in the context of the Decade of Roma Inclusion, its commitment to implementation of these strategies has been low. In particular, the National Roma Strategy did not sufficiently address housing issues for Romani people in Serbia who have been forcibly evicted or are at risk of eviction from informal settlements.(33, 40–42) This situation increases the vulnerability of children in such families to involvement in the worst forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Serbia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Child Allowance Program*‡	Government cash benefits program for poor families, conditioned upon school enrollment for children age 7 or older. Provides a regular allowance of approximately \$32 for parents, and of \$39 for single parents with children.(24, 43)
Assistance to Roma Children in Education*‡	Ministry of Education program that seeks to improve the school attendance rate of Roma children. Includes a Serbian language training component to help Roma students integrate into the school environment.(24, 44)
European Support for Roma Inclusion (2013–2014)*	\$5.3 million EU-funded, 2-year project implemented by OSCE to improve the situation of Roma people in Serbia, including by providing support for Roma people to register and obtain official documentation, providing scholarships for Roma children to reduce secondary school dropout rates, and monitoring and improving housing conditions in Roma settlements.(15, 45)
Programs Under Social Security Law*‡	Government program that provides a range of social services, including assistance to trafficking victims.(46) Requires Social Services Centers in 140 communities to maintain 24-hour duty shifts in order to protect children from abuse and neglect, including Roma children.(8, 28)
Local Communities Against Trafficking‡	\$180,000 IOM and Swiss Development Agency-funded project, implemented by the Ministry of Interior in collaboration with NGOs that establishes multi-sector anti-trafficking teams to improve prevention and protection efforts at the local level.(35) Teams consist of representatives from local police departments, the Higher Public Prosecutor’s Office, the Social Welfare Center, the Red Cross, various health institutions, the local branch of the National Employment Agency, schools, civil society organizations, and other local authorities. In 2014, the project expanded to 10 additional cities, bringing the total number of teams to 17.(12, 13)
Strengthening the Identification and Protection of Victims of Trafficking†	IOM, Center for Human Trafficking Victims’ Protection and Ministry of Internal Affairs project that contributes to implementation of the National Anti-Trafficking Strategy by improving mechanisms for the prevention and identification of victims of human trafficking. Establishes general and specific monitoring indicators.(13)
Anti-Trafficking Efforts‡	Government programs that provide support to victims of human trafficking, including through maintaining a national anti-trafficking web site and hotline; providing foreign and domestic trafficking victims with access to social services and medical care, as well as witness and victim protection services; and providing accommodation for child trafficking victims in two Centers for Children Without Parental Care.(3, 12, 47)
Protection for Street Children†‡	Government programs that establish teams within local centers for social services to provide protection for children living and working on the streets.(15) Teams include representatives from the Ministry of Interior, health care professionals, educators, and social workers. In 2014, provided social services to 60 children.(15) A total of 32 local governments established 92 teams; preparations for an additional 35 teams were ongoing.(15)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Serbia.

In 2014, representatives from the Government of Serbia, the ILO, the U.S. Embassy in Belgrade, USDOL, trade unions, international organizations, and NGOs participated in a roundtable discussion named “The Elimination of the Worst Forms

of Child Labor in Serbia: International Experiences and Recommendations.” The panel identified existing gaps in laws, policy, and social programs aimed at addressing the worst forms of child labor in Serbia; it also discussed strategies for addressing these issues. (12, 18)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Serbia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and/or activities prohibited for children are specific enough to facilitate enforcement.	2009 – 2014
	Ensure that the law stipulates a minimum punishment for the use of children over age 14 in the production of pornographic materials that is no less than the minimum penalty for children under age 14.	2011 – 2014
Enforcement	Provide labor inspectors with the necessary training, tools, and equipment to conduct thorough investigations on laws related to child labor.	2010 – 2014
	Ensure that the Labor Inspectorate has the ability to enter and inspect any registered workplace for child labor violations, as guaranteed by the law.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014
	Adopt a new national strategy and action plan for preventing and combating human trafficking in Serbia.	2013 – 2014
	Implement the commitments of the Decade of Roma Inclusion by providing for basic needs, such as adequate housing for Roma families that face evictions or have been evicted.	2011 – 2014
Social Programs	Conduct research to describe the specific work activities carried out by children in the agriculture and industry sectors to inform policy and program design.	2013 – 2014
	Expand and provide adequate funding for existing programs aimed at improving access to education for Roma children.	2014
	Improve the methods of educating and guiding families in need about the requirements for proper registration and documentation in order to receive social assistance; ensure that the revised registration procedures are implemented efficiently and properly.	2011 – 2014
	Fund and support the Urgent Reception Center to protect child victims of human trafficking.	2013 – 2014
	Assess the impact that existing social programs may have on addressing the worst forms of child labor.	2010 – 2014

### REFERENCES

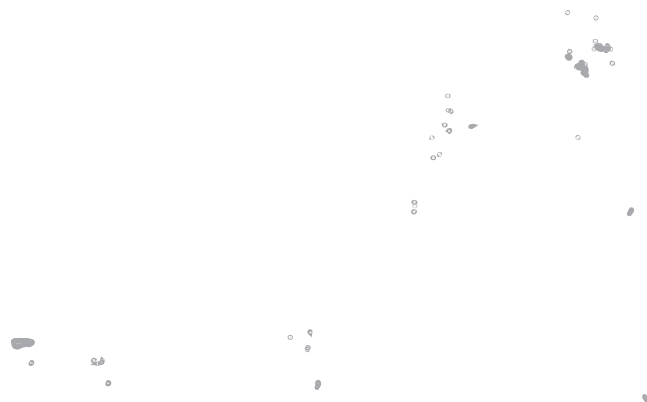
1. Tanjug. “Serbia Mulls Harsher Penalties for Human Trafficking.” b92.net [online] October 15, 2012 [cited May 7, 2014]; [http://www.b92.net/eng/news/society/article.php?yyyy=2012&mm=10&dd=15&nav\\_id=82667](http://www.b92.net/eng/news/society/article.php?yyyy=2012&mm=10&dd=15&nav_id=82667).
2. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Serbia (ratification: 2003)* Published: 2012; accessed January 13, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
3. U.S. Embassy- Belgrade official. E-mail communication to USDOL official. March 1, 2013.
4. U.S. Department of State. “Serbia,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
5. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
6. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2005. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
7. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Serbia (ratification: 2000)* Published: 2012; accessed November 26, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
8. Government of the Republic of Serbia. *reporting, January 28, 2014*.
9. U.S. Department of State. “Serbia,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
10. Sicurella, F. *Belgrade and its street children*. Rovereto, Osservatorio balcani e caucaso; April 10, 2013. <http://www.balcanicaucaso.org/eng/Regions-and-countries/Serbia/Belgrade-and-its-street-children-133529>.

11. Atina official. Interview with USDOL official. April 8, 2014.
12. U.S. Embassy- Belgrade. *reporting, February 12, 2015.*
13. Government of the Republic of Serbia. *reporting, February 2, 2015.*
14. U.S. Embassy- Belgrade. *reporting, January 12, 2015.*
15. Government of the Republic of Serbia. *reporting, January 23, 2015.*
16. Statistical Office of the Republic of Serbia. *Serbia Multiple Indicator Cluster Survey and Serbia Roma Settlements Multiple Indicator Cluster Survey.* Belgrade, UNICEF Belgrade; 2014. [http://www.childinfo.org/files/Serbia\\_2014\\_MICS\\_\(National\\_and\\_Roma\\_Settlements\)\\_Final\\_Report\\_Eng.pdf](http://www.childinfo.org/files/Serbia_2014_MICS_(National_and_Roma_Settlements)_Final_Report_Eng.pdf).
17. Government of Serbia. *Strategy for Improvement of the Status of Roma in the Republic of Serbia.* Belgrade; 2010. <http://www.inkluzija.gov.rs/wp-content/uploads/2010/03/Strategija-EN-web-FINAL.pdf>.
18. U.S. Department of Labor. *Roundtable on the worst forms of child labor.* Travel notes. Washington, DC; April 8, 2014.
19. Government of Serbia. *Constitution of the Republic of Serbia,* enacted November 8, 2006. <http://legislationline.org/documents/action/popup/id/8851/preview>.
20. Government of Serbia. *Labour Law of the Republic of Serbia,* enacted March 15, 2005. <http://www.ilo.org/dyn/travail/docs/2403/Labour%20Law%20Republic%20of%20Serbia.pdf>.
21. Government of Serbia. *Criminal Code of the Republic of Serbia,* enacted February 28, 2006. <http://legislationline.org/documents/section/criminal-codes>.
22. Government of Serbia. *Law on Military, Labour and Material Obligation,* No. 88/2009, enacted 2009. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/85340/95502/F1500276614/SRB85340%20English.pdf>.
23. Child Soldiers International. *Louder than Words, An agenda for action to end state use of child soldiers.* London; 2012. [http://www.child-soldiers.org/publications\\_archive.php](http://www.child-soldiers.org/publications_archive.php).
24. U.S. Embassy- Belgrade official. E-mail communication to USDOL official. May 9, 2014.
25. Government of Serbia. *Law on the Army,* enacted December 11, 2007. [http://www.vs.rs/content/attachments/zakon\\_o\\_vojsci\\_srbije\\_sa\\_izmenama\\_i\\_dopunama.pdf](http://www.vs.rs/content/attachments/zakon_o_vojsci_srbije_sa_izmenama_i_dopunama.pdf).
26. Government of Serbia. *The Law on the Foundations of the Education System,* enacted 2002. [http://www.seio.gov.rs/upload/documents/ekspertske%20misije/protection\\_of\\_minorities/the\\_law\\_on\\_education\\_system.pdf](http://www.seio.gov.rs/upload/documents/ekspertske%20misije/protection_of_minorities/the_law_on_education_system.pdf).
27. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Serbia (ratification: 2003) Submitted: 2010;* accessed November 15, 2011; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO::>.
28. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Serbia (ratification: 2003) Published : 2014;* accessed November 24, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
29. Government of Serbia, Ministry of Labor, Employment and Social Policy official. Interview with USDOL official. April 8, 2014.
30. Government of Serbia, Ministry of Interior, and Anti-trafficking Coordinator official. Interview with USDOL official. April 8, 2014.
31. U.S. Embassy- Belgrade. *reporting, February 6, 2014.*
32. OSCE Mission to Serbia supports work of the Ombudsman in the area of children's rights, Organization for Security and Co-Operation in Europe, [online] July 10, 2009 [cited April 24, 2014]; <http://www.osce.org/serbia/57742>.
33. U.S. Embassy- Belgrade official. E-mail communication to USDOL official. February 26, 2015.
34. U.S. Embassy- Belgrade. *reporting, January 31, 2013.*
35. U.S. Embassy- Belgrade. *reporting, January 17, 2014.*
36. ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Serbia (ratification: 2000) Published: 2012;* accessed July 2, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO::>.
37. Group of Experts on Action Against Trafficking in Human Beings (GRETA). *Report Concerning the Implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by Serbia.* Strasbourg; January 16, 2014. [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA\\_2013\\_19\\_FGR\\_SRB\\_public\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2013_19_FGR_SRB_public_en.pdf).
38. Government of Serbia. *Anti-Discrimination Strategy,* enacted 2013-2018. [http://www.seio.gov.rs/upload/documents/ekspertske%20misije/2014/ad\\_strategzy.pdf](http://www.seio.gov.rs/upload/documents/ekspertske%20misije/2014/ad_strategzy.pdf).
39. Group of Experts on Action Against Trafficking in Human Beings (GRETA). *Reply form Serbia to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties.* Strasbourg; February 4, 2014. [http://www.coe.int/t/dghl/monitoring/trafficking/Source/Public\\_R\\_O/GRETA\\_2013\\_3\\_RQ\\_SRB\\_public.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Source/Public_R_O/GRETA_2013_3_RQ_SRB_public.pdf).
40. Amnesty International. *Serbia: Submission to the UN Committee on Economic, Social and Cultural Rights, 52nd Session.* London; May 2014. <http://www.amnesty.org/en/library/asset/EUR70/008/2014/en/8c4e1ed2-e280-4051-9999-44d5e60cb66d/eur700082014en.pdf>.
41. *Serbia: Evicted Roma families finally granted access to water,* Amnesty International, [online] July 19, 2012 [cited May 7, 2014]; <http://www.amnesty.org/en/news/serbia-evicted-roma-families-finally-granted-access-water-2012-07-19>.
42. Amnesty International. *Serbia: Two years after Belvil forced eviction, Roma still wait for adequate housing.* Public Statement. London; April 25, 2014. <http://www.amnesty.org/en/library/asset/EUR70/010/2014/en/60027db0-9a87-4607-bc08-da25188434b9/eur700102014en.pdf>.
43. USAID. *Promising Approaches - Addressing child trafficking in Europe and Eurasia - Final Report.* Washington, DC; February 2013. [http://pdf.usaid.gov/pdf\\_docs/pnaeb806.pdf](http://pdf.usaid.gov/pdf_docs/pnaeb806.pdf).
44. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Serbia (ratification: 2003) Published: 2008;* accessed January 13, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:11003:0::NO::>.
45. OSCE Mission to Serbia. *European Support for Roma Inclusion,* OSCE, [online] [cited February 20, 2014]; <http://www.osce.org/serbia/119495?download=true>.
46. U.S. Embassy- Belgrade. *reporting, February 14, 2013.*
47. U.S. Embassy- Belgrade. *reporting, February 22, 2012.*

# Seychelles

## MODERATE ADVANCEMENT

In 2014, Seychelles made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Prohibition of Trafficking in Persons Act, which criminalizes all forms of human trafficking and contains provisions to prevent child trafficking and other worst forms of child labor. The Government also adopted the Strategic Framework and National Action Plan on Trafficking in Persons, which provides legal protection and social assistance to victims of human trafficking and commercial sexual exploitation. However, children in Seychelles are engaged in the worst forms of child labor, including in commercial sexual exploitation. The Government has not established a minimum age for hazardous work nor has it determined hazardous occupations or activities prohibited for all children. In addition, the Government has not taken sufficient action to protect children from commercial sexual exploitation through social programs.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Seychelles are engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-6) Table 1 provides key indicators on children’s work and education in Seychelles. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	7-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		104.5

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(7)  
Data were unavailable from Understanding Children’s Work Project’s analysis, 2015.(8)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (3-6)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Children in Seychelles, predominantly girls, are induced into commercial sexual exploitation by peers, family members, and pimps. (4-6) Migrant workers and foreign tourists contribute to the demand for commercial sex, particularly on the main island of Mahe. (4-6, 9) Seychellois children engage in commercial sexual exploitation in nightclubs, bars, guest houses, hotels, brothels, and on the street. (4, 6) According to NGOs, drug addicts under age 18 are among those at risk of commercial sexual exploitation. (5, 6, 9)

Limited evidence suggests that the lack of school infrastructure and limited availability of teachers impede access to education, which may increase the vulnerability of children to the worst forms of child labor. (10)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Seychelles has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 31 of the Constitution (11)
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Article 251 of the Penal Code (11, 12)
Prohibition of Child Trafficking	Yes		Article 4 of the Prohibition of Trafficking in Persons Act (13)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 245 of the Penal Code; Article 2 of the Prohibition of Trafficking in Persons Act (12, 13)
Prohibition of Using Children in Illicit Activities	Yes		Article 73 of the Children Act of 1982 (14)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	18		Article 23 of the Defense Act of 1981 (15)
Compulsory Education Age	Yes	16	Article 33 of the Constitution (11)
Free Public Education	Yes		Article 33 of the Constitution (11)

\* No conscription.(16)

Article 31(b) of the Constitution stipulates that the minimum age for dangerous, harmful, and unhealthy work should be higher than the minimum age for work of 15 years, though it does not specify an age.(11) Article 22(4) of Seychelles' Conditions of Employment Regulations allows children ages 15 to 17 to work in the restaurant, tourism, or entertainment industries and at night with the written approval of a "competent officer," though a definition for "competent officer" is not provided in the legislation. (5, 17)

The Attorney General's office has established a committee to bring Seychelles' national laws into harmony with ILO Convention 182 on the worst forms of child labor. (18, 19) A more specific list of hazardous child labor activities that includes a provision that sets a minimum age for hazardous work at 18 has been developed but was not approved during the reporting period.(19, 20)

In April 2014, the Government adopted the Prohibition of Trafficking in Persons Act, which criminalizes all forms of human trafficking, including the trafficking of children.(4, 6, 13) The law prescribes penalties for those convicted of children trafficking up to 25 years' imprisonment and a fine up to \$55,000, a punishment sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.(4, 6, 13, 21) The law also provides legal protection and social assistance to victims



of human trafficking. Children identified as victims of human trafficking receive specialized assistance that address the needs of minors, including education support and family reintegration services.(6, 13)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Human Resources Development's Labor Monitoring and Compliance Unit	Enforce child protection and child labor laws, investigate complaints and conciliate disputes between employers and workers.(22, 23)
Police Department' Family Squad	Investigate criminal cases involving minors, including issues of commercial sexual exploitation.(5, 22, 24, 25)
Department of Social Affairs' Child Protection Unit	Develop and implement programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor.(5, 22, 24, 25)

Law enforcement agencies in Seychelles took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Human Resources Development employed six labor inspectors.(4) Labor inspectors did not receive training on the worst forms of child labor during the reporting period.(26) Reports indicate there is a lack of trained staff, equipment, transportation, and funding to conduct effective inspections and legal proceedings.(4, 27) Labor inspectors conduct regular checks to monitor school attendance and manage truancy.(28) Labor inspectors are authorized to conduct unannounced or announced inspections. The Inspectorate can initiate routine or targeted inspections based on analysis of compliance data or patterns of complaints.(29) Research could not identify the number of inspections, complaints, citations issued, violations, and penalties assessed related to child labor, commercial sexual exploitation and trafficking of children.

#### *Criminal Law Enforcement*

No information was found regarding the total number of Police Department' Family Squad agents, although agents received training on child trafficking.(30) Reports indicate that investigators handled commercial sexual exploitation cases during 2014; however, reports indicate that no legal action was taken against those who exploited children for commercial sex.(4, 22) Research also did not find information about the number and quality of investigations, prosecutions, convictions, or whether appropriate penalties were applied related to the criminal enforcement of crimes related the worst forms of child labor. Reports indicate there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(4)

A formal referral mechanism is in place between law enforcement agencies and the Department of Social Affairs' Child Protection Unit.(24, 25) During 2014, the Department of Social Affairs conducted community outreach and awareness programs on human trafficking.(4)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Coordinating Committee on Trafficking in Persons	Coordinate actions against trafficking in persons and guarantee the protection of victims at the national level. Committee members are appointed by presidential order.(4, 5) The Committee is chaired by the Ministry of Social Affairs and includes representatives from the Police force, Immigration and Civil Status Department; the Attorney General's Office; and the Ministries of Labor and Human Resource, Foreign Affairs, and Customs. Also includes nongovernmental stakeholders.(13)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
National Council of Children (NCC)	Monitor the implementation of government policies to protect the rights of children and coordinate social programs for victims of child abuse.(18, 22) The Council is a semi-autonomous body established by the NCC Act of 1981.(28, 31) Board members are appointed by the President and includes representatives from government ministries and civil society organizations.(25)
National Commission for Child Protection	Implement, coordinate, and monitor government efforts on child protection.(25) The Commission is chaired by the Ministry of Social Affairs and includes representatives from the Attorney General's Office, Health Department, Police Force, Family Tribunal and Ministry of Education and Youth. Also includes nongovernmental stakeholders.(3, 32)

The National Coordinating Committee on Trafficking in Persons met multiple times during the reporting period to develop the Prohibition of Trafficking in Persons Act and drafted the Strategic Framework and National Action Plan on Trafficking in Persons; both were approved.(4, 21) The National Council of Children met during the year to implement awareness-raising campaigns on child abuse and commercial sexual exploitation.(22) The National Commission for Child Protection was active during the reporting period.(26)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Seychelles has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Social Renaissance Plan of Action (2012-2016)	Establishes a 5-year roadmap in the areas of education, health, employment, human resource development, social affairs, community development, and security.(2) Includes provisions to decrease violations of children's rights, bolster child protection, and enhance services to victims of commercial sexual exploitation, including child victims.(2) Implemented and monitored by Ministries of Home Affairs; Health; Community Development; and Education, Employment and Human Resources Development, among other agencies.(33)
Strategic Framework and National Action Plan on Trafficking in Persons†	Includes goals of enhancing the legal framework to prevent human trafficking and commercial sexual exploitation, effectively implementing laws, providing effective protection and care for victims and strengthening social and educational initiatives for vulnerable children.(4, 6, 34)
National Employment Policy and Strategies†	Incorporates policies to increase employment opportunities for youth and expand programs to assist women, children, and vulnerable groups.(22, 35) Also aims to develop a list of hazardous occupations prohibited for children. Implemented and monitored by the Ministry of Labor and Human Resource Development.(35)
Social Security Benefits*	Increased funding in 2014 budget for social security benefits to better support vulnerable groups. Enhanced benefits to orphans and other at-risk children and youth.(6){U.S. Embassy- Port Louis, #149;U.S. Embassy- Port Louis, #151;U.S. Embassy- Port Louis, #180}
National Action Plan on Early Childhood Care and Education (2013-2014)*	Lays out steps to provide a comprehensive, integrated system for early childhood services.(36)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In November 2014, the Government, in partnership with international organizations, launched a two-month media campaign to raise awareness on trafficking in persons, entitled "Open your eyes," as part of the Strategic Framework and National Action Plan on Trafficking in Persons.(6, 37)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Seychelles funded programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Commercial Sexual Exploitation of Children awareness raising‡	Government program that implements awareness-raising activities aimed at youth. Focuses on the dangers of commercial sexual exploitation.(4)
Juvenile Project of Child Rehabilitation‡	Joint effort by the Ministry of Education and the Department of Social Development to serve vulnerable children, including school dropouts. Provides a package of services, including education and psychological care.(18)
Transportation subsidy*‡	Government-funded program that subsidizes bus fares for students in need who live more than three kilometers from school buildings.(6, 25)
National Early Childhood Care and Education Trust Fund *‡	Government-administered trust fund to promote the healthy development of children.(33) Funded several projects during the reporting period, including the purchase of educational materials and playground equipment and the training of early childcare providers.(33)
Technical and Vocational Education and Training (TVET) Program*‡	Government-implemented training program for secondary school students 16 years of age and older who have difficulty with traditional school curricula. Aims to deter students from dropping out of school.(18) Program enrollment increased in 2014.(19)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Seychelles.

Although the Government has a program to address commercial sexual exploitation, the scope of this program is insufficient to address the full extent of the problem, including the commercial sexual exploitation of children associated with tourism.(18)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Seychelles (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Eliminate legal provisions that potentially allow for children between 15-17 to engage in hazardous work, and ensure law provides a clear definition of a “competent officer.”	2010 – 2014
	Ensure the law specifically prohibits hazardous work for all children under age 18.	2011 – 2014
	Determine hazardous occupations or activities prohibited for all children in consultation with employers’ and workers’ organizations.	2009 – 2014
Enforcement	Ensure adequate funding, human resources, training and transportation for law enforcement agencies.	2014
	Collect and make public information on the number of labor inspections, complaints, citations issued, violations, and penalties assessed; as well as number of criminal investigators, number and quality of investigations, prosecutions, convictions, or whether appropriate penalties were applied related to the criminal enforcement of crimes related the worst forms of child labor.	2011 – 2014
	Strengthen enforcement of laws against the worst forms of child labor, including commercial sexual exploitation.	2011 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014
Social Programs	Conduct research to better understand the extent and nature of the worst forms of child labor in Seychelles.	2013 – 2014
	Ensure that all children have access to education by establishing and implementing a program to address the lack of teachers and schools.	2014
	Expand the scope of programs to address the commercial sexual exploitation of children, including exploitation associated with tourism.	2011 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2011 – 2014

## REFERENCES

1. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Seychelles (ratification: 1999) Submitted: 2011*; accessed April 6, 2012; <http://www.ilo.org/ilolex/english/iloquery.htm>.
2. Government of Seychelles. *National Social Renaissance Plan of Action (2012-2016)*. Port Louis; 2012. [source on file].
3. UN Committee on the Rights of the Child. *Consideration of reports submitted by States parties under article 44 of the Convention: Concluding observations: Seychelles*. Geneva; January 23, 2012. Report No. CRC/C/SYC/CO/2-4. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/403/37/PDF/G1240337.pdf?OpenElement>.
4. U.S. Department of State. "Seychelles," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226809.htm>.
5. UN Human Rights Council. *Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo*; June 5, 2014 <http://www.refworld.org/country,,,SYC,,5398286a4,0.html>.
6. U.S. Embassy- Port Louis. *reporting, January 15, 2015*.
7. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
8. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
9. Display News, UHR. "Preliminary findings on the visit to Seychelles, UN Special Rapporteur on Trafficking in persons, especially women and children, Joy Ngozi Ezeilo." ohchr.org [online] January 31, 2014 [cited January 05, 2015]; <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14212&LangID=E>.
10. UN Human Rights Council. *Report of the Special Rapporteur on the right to education, Addendum : Mission to Seychelles*; May 6, 2014 <http://www.refworld.org/docid/53a2953e4.html>.
11. Government of Seychelles. *Constitution of the Republic of Seychelles*, enacted June 21, 1993. [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=230031](http://www.wipo.int/wipolex/en/text.jsp?file_id=230031).
12. Government of Seychelles. *Penal Code*, CAP. 73, enacted February 1, 1955. <http://www.unhcr.org/refworld/docid/4d67afc82.html>.
13. Government of Seychelles. *Prohibition of Trafficking in Persons Act*, enacted 2014. [source on file].
14. Government of Seychelles. *Children Act*, enacted 1982. [http://www.africanchildforum.org/clr/Legislation%20Per%20Country/Seychelles/seychelles\\_children\\_1982\\_en.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/Seychelles/seychelles_children_1982_en.pdf).
15. Government of Seychelles. *Defense Act*, enacted 1981. <http://www.seylii.org/sc/legislation/consolidated-act/58>.
16. Child Soldiers International. *Louder than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
17. Government of Seychelles. *Conditions of Employment Regulations*, enacted 1991. [http://www.ilo.org/dyn/travail/docs/2103/Employment%20Act%20\(Conditions%20of%20Employment\)%20Regulations%201991%20-%20employment.gov.sc.pdf](http://www.ilo.org/dyn/travail/docs/2103/Employment%20Act%20(Conditions%20of%20Employment)%20Regulations%201991%20-%20employment.gov.sc.pdf).
18. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Seychelles (ratification: 1999) Published: 2013*; accessed December 7, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.
19. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Seychelles (ratification: 1999) Published: 2014*; accessed April 10, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
20. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Seychelles (ratification: 2000) Published: 2014*; accessed November 12, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
21. Seychelles News Agency. *Seychelles introduces law against human trafficking: Convicts can get up to 25 years jail time*, Seychelles News Agency, [online] April 16, 2014 [cited January 06, 2015]; <http://www.seychellesnewsagency.com/articles/730/Seychelles-introduces-law-against-human-trafficking-Convicts-can-get-up-to-25-years-jail-time#sthash.EObYunlp.dpuf>.
22. U.S. Embassy- Port Louis. *reporting, February 3, 2015*.
23. Ministry of Labor and Human Resources Development. *Labour Monitoring & Compliance Section*, Government of Seychelles, [online] [cited February 12, 2015]; <http://www.employment.gov.sc/about-us/section-and-units/labour-relation-division/labour-monitoring-compliance?tmpl=component&print=1&page=>.
24. Government of Seychelles. "Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (1993 – 2009)." (2011); [http://www.mfa.gov.sc/uploads/files/filepath\\_42.pdf](http://www.mfa.gov.sc/uploads/files/filepath_42.pdf).
25. Child Rights Information Network. *Seychelles: Child Rights References in the Universal Periodic Review*, CRIN, [online] [cited March 9, 2013]; <http://www.crin.org/resources/infoDetail.asp?ID=26135>.
26. U.S. Embassy- Port Louis official. E-mail communication to USDOL official. April 08, 2015.
27. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Seychelles (ratification: 2005) Published: 2014*; accessed November 12, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
28. U.S. Department of State. "Seychelles," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/204373.pdf>.
29. Ministry of Labor and Human Resources Development. *Procedures for Inspection*, Government of Seychelles, [online] [cited February 12, 2015]; <http://www.employment.gov.sc/procedures-for-inspection>.
30. U.S. Embassy- Port Louis. *reporting, February 12, 2015*.
31. Government of Seychelles. *National Council for Children Act*, enacted January 1, 1981. <http://www.seylii.org/sc/legislation/consolidated-act/137>.
32. UN Committee on the Rights of the Child. *Summary record of the 1655th meeting: Consideration of reports submitted by States parties under article 44 of the Convention*. Geneva; 2012 June 6., Report No. CRC/C/SR.1655. in file.
33. U.S. Embassy- Port Louis. *reporting, January 30, 2013*.
34. Government of Seychelles and International Organization for Migration. "Launch of trafficking in persons media campaign and strategic framework and action plan on trafficking in person and the IOM/UNODC workshop on trafficking in persons " tip.sc [online] November 06, 2014 [cited January 06, 2015]; <http://www.tip.sc/news/launch-of-trafficking-in-persons-media-campaign-and-strategic-framework-and-action-plan-on-trafficking-in-person-and-the-iomunodc-workshop-on-trafficking-in-persons-tip>.
35. Ministry of Labor and Human Resources Development. *National Employment Policy and Strategies*. Port Louis; 2014. <http://www.employment.gov.sc/phocadownload/nepolicy.pdf>.
36. U.S. Embassy- Port Louis. *reporting, January 16, 2014*.
37. Seychelles Nation. "'Open your eyes' to trafficking in persons." nation.sc [online] December 3, 2014 [cited February 3, 2015]; <http://www.nation.sc/article.html?id=243833>.

# Sierra Leone

## MODERATE ADVANCEMENT

In 2014, Sierra Leone made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified the Palermo Protocol on Trafficking in Persons, and funded and designated some members for the National Commission for Children. The Government also increased the number of labor officers and factory inspectors, and participated in social programs to address child labor and child trafficking. However, children in Sierra Leone continue to engage in child labor, including in agriculture and in the worst forms of child labor, including in mining. Sierra Leone's laws do not adequately protect children from involvement in hazardous work and the country does not have an approved national action plan on child labor. During the last half of 2014, the Government had to re-direct most of its resources to address an outbreak of Ebola Virus Disease (EVD). Thousands of children became ill or lost parents during the outbreak and schools were closed from June through December.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sierra Leone are engaged in child labor, including in agriculture.<sup>(1)</sup> Children are also engaged in the worst forms of child labor, including in mining. Children working in the mining sector load, carry, and wash and sieve gravel.<sup>(1)</sup> Other children in this sector hawk or deliver goods, perform errands, or are exploited in commercial sexual exploitation.<sup>(1)</sup>

Table 1 provides key indicators on children's work and education in Sierra Leone.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	51.3 (897,142)
Attending School (%)	5-14 yrs.	67.0
Combining Work and School (%)	7-14 yrs.	43.3
Primary Completion Rate (%)		72.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.<sup>(2)</sup>

Source for all other data: Understanding Children's Work Project's analysis of statistics from the Demographic and Health Survey, 2013.<sup>(3)</sup>

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of coffee, cocoa, and palm oil (4-6)
	Fishing,* including deep-sea fishing,*† mending nets, and working on boats in the open seat† (1, 7-9)
	Farming, including planting, weeding and harvesting (1)
	Forestry, activities unknown (10)
Industry	Mining† for alluvial diamonds, sand,* gold,* including loading gravel in sacks or basins, carrying sacks on their heads, washing, and sieving (1, 7, 11, 12)
	Quarrying† and crushing stone, including granite, breaking rock, shoveling, and transporting gravel* (9, 11, 13, 14)
	Construction, activities unknown (10)
	Manufacturing,† activities unknown (10)
Services	Scavenging scrap metals and recyclable materials from dumpsites (1, 7, 11, 15)
	Domestic work (1, 7)
	Street work, including begging, trading and selling goods (1, 9, 12, 16)



**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Portering,† including carrying heavy loads (1, 11)
	Working as apprentices,* including in auto-repair shops and on transportation vehicles ( <i>poda poda</i> ) (1)
	Begging as a result of human trafficking (1, 7, 17)
Categorical Worst Forms of Child Labor‡	Forced domestic work sometimes as a result of human trafficking (18)
	Forced stealing (1, 11)
	Commercial sexual exploitation sometimes as a result of human trafficking (1, 11, 12, 17)
	Forced labor at granite and alluvial diamond mines, sometimes as a result of human trafficking (1, 11, 12, 17)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Sierra Leone is a source, transit and destination country for children trafficked for the purposes of forced labor and commercial sexual exploitation.(9) Children are mostly trafficked to urban areas for sexual exploitation, domestic work and petty trading.(9) Children are also trafficked internally for forced labor in agriculture, fishing, diamond mines, and begging. Reports suggest that children from Sierra Leone may also be trafficked to Nigeria, The Gambia, Côte d’Ivoire, Liberia, Guinea Bissau and Guinea for forced labor and forced prostitution.(9) Children from Nigeria, Liberia and Guinea are trafficked to Sierra Leone for begging, mining, portering, and commercial sexual exploitation.(9)







According to the Education Act, the Government has established the right to free primary education.(19) However, in practice, families pay for their children’s uniforms, supplies, transportation and other school costs.(1, 11, 20) Some children work part-time in order to help cover these costs.(21) Other factors limit children’s access to education, including a lack of schools, early marriage and pregnancy, sexual abuse from teachers, and poor school conditions.(1, 11, 21-23) Although the Person with Disability Act prohibits discrimination in education, children with disabilities in Sierra Leone are less likely to attend school than other children due to discrimination and inadequate school facilities.(11, 23, 24)

According to a Government report, there were over 2,800 deaths due to Ebola Virus Disease (EVD) in Sierra Leone from May to December 2014.(25) More than 16,000 children were negatively impacted by EVD, including approximately 8,000 who lost parents to the disease.(18) Reports indicate that many children also began working during this time to help their families.(26, 27) The Government of Sierra Leone closed schools from June to December to prevent the spread of Ebola and redirected most of its resources to address the outbreak.(9, 28, 29) The Government also established interim centers to provide care to children orphaned by Ebola and took steps to prevent child trafficking as a result of the crisis.(18)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Sierra Leone has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

# Sierra Leone

## MODERATE ADVANCEMENT

The Government ratified the Palermo Protocol on Trafficking in Persons in 2014.(9, 30)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 125 of the Child Right Act, 2007; Section 52 of Chapter 212, Employers and Employed Act, 1960 (31, 32)
Minimum Age for Hazardous Work	Yes	18	Section 126 and 128 (3) of the Child Right Act, 2007; Section 47-51 and 53-56 of Chapter 212, Employers and Employed Act, 1960 (31, 32)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section 128 of the Child Right Act, 2007; Sections 47-51 and 53-56 of Chapter 212, Employers and Employed Act, 1960; Sections 164 and 170 of the Mines and Minerals Act, 2009 (31-33)
Prohibition of Forced Labor	Yes		Section 19 of the Constitution of Sierra Leone, 1991 (34)
Prohibition of Child Trafficking	Yes		Part II, Section 2 of the Anti-Human Trafficking Act, 2005; Section 60 of the Child Right Act, 2007 (31, 35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 19-34 of the Sexual Offenses Act, 2012; Part II, Section 2 of the Anti-Human Trafficking Act, 2005 (35, 36)
Prohibition of Using Children in Illicit Activities	Yes		Sections 7 and 13 of the National Drugs Control Act, 2008 (37)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 28 of the Child Right Act, 2007 (31)
Compulsory Education Age	Yes	15	Section 3 of the Education Act, 2004; Section 125 of the Child Right Act, 2007 (19, 31)
Free Public Education	Yes		Section 3 of the Education Act, 2004; Section 9 of the Constitution of Sierra Leone; Section 11(c) of the Child Right Act, 2007 (19, 31, 34)

\* No conscription (38)

Sierra Leone's laws contain conflicting provisions regarding children's work and are not in line with ILO C. 138, which requires children to be at least 13 years of age to engage in light work, at least 14 years of age to work as apprentices, and to receive specific instruction or vocational training in order to engage in hazardous labor prior to the age of 18.(39) For example, Section 127 of the Child Right Act sets the minimum age for light work at 13 years; however, Section 51 of the Employers and Employed Act provides an exception for children under the age of 12 to be engaged in agricultural, horticultural or domestic light work for their parents, with government approval.(31, 32, 39) Section 135 of the Child Right Act sets the minimum age for apprenticeships at 15, but Section 57 of the Employers and Employed Act permits children age 13 and older to work as apprentices, with their consent and the permission of a parent or guardian.(31, 32, 39) Furthermore, Section 54 (2) of the Employers and Employed Act allows male children to participate in mining beginning at the age of 16, without receiving instruction or vocational training.(32, 39) In addition, Sierra Leone's labor laws prescribe fines that may neither reflect the present value of Sierra Leone's currency nor be commensurate with the severity of the crimes. For example, penalties for all violations of the Employers and Employed Act are liable to a fine of only 50 pounds or to imprisonment of six months.(1, 32) In 2014, the Government began reviewing its labor laws to address these issues and is considering whether to adopt a list of hazardous work prohibited to children under the age of 18.(14) The Government also began considering potential revisions to its Anti-Trafficking Law of 2005.(18)

Research did not find a law protecting children from involvement in illicit activities other than drug-related crimes.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA)	Enforce child labor law and monitor compliance with child labor regulations.(1, 7) Head National TIP Secretariat; develop and implement digitized database to track all TIP cases in Sierra Leone.(40)
Ministry of Labor and Social Security—Child Labor Unit (CLU)	Supervise implementation of ILO C. 138 and 182; and formulate, implement, and monitor compliance with child labor regulations.(7, 39)
District Councils	Enforce child labor laws in the informal sector.(1)
Village Child Welfare Committees	Promote awareness on child rights. Report child welfare concerns to village and government officials who are responsible for children's issues. Provide recommendations and instructions on the maintenance and support of specific village children. Address complaints and concerns of adults or children in the village.(15, 31)
Ministry of Mines and Mineral Resources	Enforce regulations against the use of child labor in mining and monitor the field. Has the authority to suspend licenses of mining operators who engage in child labor.(7)
Sierra Leone Police—Family Support Unit (FSU)	Investigate, prosecute and track statistics on various crimes, including child trafficking and child labor.(7, 15)
Transnational Organized Crime Unit (TOCU)	Provide statistics and information on cases of trafficking in persons (TIP). Responsible for enforcing human trafficking cases.(40)

Law enforcement agencies in Sierra Leone took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Labor employed 3 Senior Labor Officers, 20 Labor Officers, 11 Factory Inspectors and four Labor Inspectors, an increase of 16 Labor officers and 4 Factory Inspectors from 2013. Three labor inspectors received training in 2014. (14) The Ministry of Mineral Resources had an estimated 350 Mines Monitors in 2014 to enforce regulations against the use of child labor in mining activities.(9) According to the Mines and Minerals Act, the Minister, after consultation with the Minerals Advisory Board, can revoke licenses from license holders who are found to be using child labor.(33) Research did not find information indicating any licenses were revoked in 2014.(14)

The Ministry of Labor is responsible for conducting both routine and complaint-based inspections. Inspections can be announced or unannounced.(14) The Government conducted only occupational safety and health (OSH) inspections in formal sector workplaces in 2014 and no child labor violations were found during these visits.(14) Research did not find information about the total number of OSH inspections conducted or whether the inspectorate has the authority to determine penalties for child labor violations. Despite an increase in personnel dedicated to labor inspection, the Government lacks a sufficient dedicated budget and other resources to effectively enforce labor laws.(41)

The Government has a mechanism to refer cases to police and other government agencies.(7) The Child Right Act requires the establishment of a child welfare committee (CWC) in every village, chiefdom and district. About 70 child welfare committees were in existence in Sierra Leone in 2014; however more need to be established to meet the requirements of the Act.(7)

### ***Criminal Law Enforcement***

In 2014, the Government raided brothels to enforce laws against commercial sexual exploitation and took steps to assist nine Sierra Leonean women and girls who reported working in Kuwait as domestic workers in conditions similar to slavery.(9, 18) The Family Support Unit of the Sierra Leone Police conducted two operations to withdraw children from street work and forced child labor. The first operation, was conducted nationwide, while the second, was a pilot project focusing on the East End of the capital. (9) However, adult perpetrators identified through the two operations were only provided with warnings.(9) Due to a lack of 'safe homes' and shelters, police officers in Sierra Leone who handle these types of operations will sometimes provide temporary housing to the victims in their own homes.(9)

During the reporting period, members of the Republic of Sierra Leone Armed Forces, the Sierra Leone Police, the Immigration Department, the Office of National Security and other personnel involved in trans-border operations, as well as union leaders, law

# Sierra Leone

## MODERATE ADVANCEMENT

enforcement officers, personnel of the Ministry of Labor, and the TIP National Task Force and its stakeholders participated in TIP training.(18) Awareness campaigns were also held for youth, border guards, police, immigration officials, and other stakeholders on human trafficking and migrant smuggling.(18)

In 2013, police had investigated 24 cases of child trafficking nationwide and 163 cases of “child cruelty,” which included child labor-related offenses.(7, 40) In 2014, the majority of these cases were concluded; however, there were no trafficking convictions and research was unable to find information indicating how many of the 163 cases of “child cruelty” included child labor-related offenses.

The Government has a complaint line for issues related to child protection, but it is not targeted toward child labor.(7) In 2014, the Government upgraded its database to identify areas and sectors affected by human trafficking, as well as the related number of victims, prosecutions, and convictions. The database is expected to be operational in early 2015.(18) The TIP Task Force also began developing a National Referral Mechanism to better serve trafficking victims.(18)

Research did not find information regarding the number of criminal investigators in Sierra Leone. The Sierra Leone Police had no funding for investigating child labor issues, and reports indicate a lack of sufficient funding for office facilities, transportation, and fuel.(7, 11) Human trafficking cases are handled inefficiently by the courts and cases are often dropped before completion because of pressures and other difficult circumstances faced by victims.(18)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National TIP Task Force	Coordinate the needs and requirements of agencies involved in providing shelter and services for victims, gather data on reported trafficking cases, and meet regularly to develop policy and address the issue of child trafficking.(7, 42) Task Force is headed by the MSWGCA and members include government ministries, NGOs, international organizations, and diplomatic missions.(15, 17) In 2014, the Anti-TIP Plan was being updated by the Government, but formal meetings of the task force were halted in November due to the Ebola crisis.(18)
National Technical Steering Committee on Child Labor	Meet on an ad-hoc basis to discuss major issues related to child labor as they arise.(7, 39)
National Commission for Children	Coordinate and exchange information in accordance with Child Right Act. Advise the government on ways to improve the condition and welfare of children in Sierra Leone.(31) In 2014, the Government allocated \$250,000 to the Commission and two Monitoring and Evaluation officers and two Child Protection officers were hired to help carry out its functions. However, the government has yet to name all its members.(14)

The National Technical Steering Committee on Child Labor did not meet during the reporting period.(14)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Sierra Leone has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan on Human Trafficking	Includes strategies for coordination and monitoring by government agencies, prevention, victim identification, protection and referral, and training.(43) The Government updated this plan in 2014. (18)
Agenda for Prosperity (2013-2018)	Addresses child labor, including its worst forms, through expanded social welfare programs and strategies to improve education quality and access.(44)
Transitional Joint Vision For Sierra Leone of the United Nations Family (2013-2014)*	Includes strategies to increase school enrollment for vulnerable children and provide youth employment.(45)
Education Sector Plan (2014-2018)*†	Implements education law and includes provisions to increase access, equity, completion, quality, and relevance of basic education.(46)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The Government drafted a National Action Plan against the Worst Forms of Child Labor, but the plan has yet to be approved.(47)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Sierra Leone participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government participates in other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Program to combat the recruitment of child soldiers and child soldier prevention programs in local schools	Child Soldier Initiative funded a 5-year program that provides child protection training for the police and army. Implements an education program, run by former child soldiers, in 45 schools across five districts of Sierra Leone to teach children about their legal rights, child soldiering and tactics used to recruit children.(48) The program aims to make child rights training mandatory for the local police and armed forces and outlines standards on how troops must engage with children in combat.(48)
Program to combat child trafficking and forced child labor in Sierra Leone	U.S. Department of State-funded two-year project implemented by World Hope International. Rescues and restores trafficking victims in a Trafficking in Persons Recovery Center and combats trafficking through awareness and education at the community level.(49)
Shelters	Government program that refers child trafficking victims to private shelters that house child victims of forced labor and trafficking.(18) In 2014, one shelter, operated by Don Bosco, provided services to 200 victims. However, an IOM shelter created in 2013 ceased operations and now only facilitates the repatriation of victims.(9)
Global Action Program on Child Labor Issues Project (2011-2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010.(39, 50) Aims to build the capacity of the national Government and develop strategic policies to eliminate child labor. Planned activities for Sierra Leone were completed in 2014.(50)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I & II	USDOL-funded regional projects that supported ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region by providing policy and capacity building support for all ECOWAS states.(51, 52)
Tackling Child Labor through Education (TACKLE) project	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states (ACP). Aims to strengthen institutional capacity to formulate and implement child labor strategies, and to conduct research and increase the knowledge base on child labor.(12)
Youth-to-Youth Fund*	German Federal Ministry for Economic Cooperation and Development-funded program implemented in partnership with ILO, United Nations Industrial Development Organization, and Youth Employment Network. Provides youth with financing for small-scale projects aimed at creating employment for young people through entrepreneurship.(53)
Revitalizing Education Development in Sierra Leone (2014-2017)*	\$23.4 million World Bank-funded project that aims to improve education access, equity, completion, quality, and learning outcomes; and to strengthen educational systems in Sierra Leone. Due to the Ebola crisis, project activities did not begin in 2014.(54)
Youth Empowerment and Employment Program (2011-2014)*	\$600,000 UNDP-funded, 4-year program that strengthens national policy, strategy, and coordination for youth employment and seeks to provide basic support services for youth in Sierra Leone, including business development and career advice and guidance. The program provided assistance to 200 youth-led businesses and 400 youth through training and by providing them with inputs and services to establish their own agri-businesses.(55)
UNICEF Country Program*	Works to increase access to basic education, health care and other children's needs. In 2014, worked with the Government to draft a new education sector plan, develop a new national strategy for reducing teen pregnancy, a child welfare strategy, and a strategy for child justice.(23) Provided cash transfers and uniform support to increase access to basic education.(23)

\*The impact of this program on child labor does not appear to have been studied.

Sierra Leone has insufficient shelters and safe houses for children who have been withdrawn from working on the streets or in forced labor.(9)



### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Sierra Leone (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Approve the draft list of hazardous activities prohibited to children.	2014
	Harmonize laws related to light work, apprenticeships, and mining to ensure they are in line with ILO C. 138.	2013 – 2014
	Update labor laws to ensure that penalties are commensurate with the severity of violations.	2010 – 2014
	Ensure that children are prohibited from involvement in all illicit activities.	2014
Enforcement	Ensure adequate resources to enforce child labor laws.	2011 – 2014
	Conduct more civil and criminal enforcement of child labor, including more frequent child labor inspections and issuing citations for violations.	2013 – 2014
	Target child labor issues as part of the child protection complaint line.	2013 – 2014
	Provide police investigators adequate resources to effectively enforce the law.	2012 – 2014
	Make information publicly available about child-labor related inspections, and the number of child labor investigators and investigations.	2014
	Address inefficiencies within the judicial system in the handling of trafficking in persons cases.	2014
	Complete set up of Child Welfare Committees.	2014
Coordination	Convene more regular meetings of the National Technical Steering Committee on Child Labor.	2014
	Fully establish the National Commission for Children by designating members in accordance with Child Right Act requirements.	2014
Policies	Adopt the National Action Plan against the Worst Forms of Child Labor.	2014
Social Programs	Assess the impact of existing social programs on reducing the worst forms of child labor.	2011 – 2014
	Address barriers to education, including school fees, transportation, infrastructure, violence, early pregnancy, and access for children with disabilities.	2013 – 2014
	Ensure the availability of shelters and safe houses for children removed from street work, and victims of forced labor.	2009 – 2014

### REFERENCES

- Government of Sierra Leone. *Draft National Action Plan for the Elimination of the Worst Forms of Child Labour 2014-2017*. Freetown; 2014. [hardcopy on file].
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from the Demographic and Health Survey, 2013. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Dunstan S.C. Spencer. *Farmer Perceptions, Child Labour, and Economics of Tree Crops Production and Marketing in Kailahun, Kenema and Kono Districts of Sierra Leone*. Freetown; 2009 October 1, 2009. [http://www.eds-sl.com/docs/EDSFarmerPerceptions\\_ChildLabour\\_EconsofTreeCrops-Mar2011.pdf](http://www.eds-sl.com/docs/EDSFarmerPerceptions_ChildLabour_EconsofTreeCrops-Mar2011.pdf).
- Dunstan S.C. Spencer. *EDS-PAGE Child Labour Study (April/May 2009) Sample Size*. Freetown; 2009.
- Children of the Nations. *Making Palm Oil in Sierra Leone*, Children of the World, [online] March 28, 2014 [cited December 15, 2014]; <https://cotni.org/news/sierra-leone/2014/03/28/making-palm-oil-sierra-leone>.
- U.S. Embassy-Freetown. *reporting, January 23, 2014*.
- Booth, R. “Fish worth £4m seized in EU crackdown on illegal fishing.” The Guardian, London, April 19, 2011; Environment. <http://www.guardian.co.uk/environment/2011/apr/19/fish-4m-seized-crackdown-illegal/print>
- U.S. Embassy-Freetown. *reporting, January 26, 2015*.
- Statistics Sierra Leone. *Report on National Child Labour in Sierra Leone 2011*. Freetown; 2013. [source on file].
- U.S. Department of State. “Sierra Leone,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220368.pdf>.
- ILO-IPEC. *Good practices in tackling child labour through education*. Geneva, ILO-IPEC; 2013. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=22956>.
- Campbell, G. “The Rock Mining Children of Sierra Leone Have Not Found Peace.” *The Atlantic*, May(2012); <http://www.theatlantic.com/international/archive/2012/05/the-rock-mining-children-of-sierra-leone-have-not-found-peace/257899/>.
- U.S. Embassy-Freetown official. E-mail communication to USDOL official, February 10, 2015.
- U.S. Embassy-Freetown. *reporting, February 14, 2013*.
- Street Children UK. *National Headcount of Street Children in Sierra Leone*. London; April 2012. [http://www.childhope.org.uk/wp-content/uploads/2013/05/Headcount\\_draft\\_report\\_FINALcfedit.pdf](http://www.childhope.org.uk/wp-content/uploads/2013/05/Headcount_draft_report_FINALcfedit.pdf).

17. U.S. Department of State. "Sierra Leone (Tier 2 Watchlist)," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
18. U.S. Embassy-Freetown. *reporting, February 19, 2015*.
19. Government of Sierra Leone. *The Education Act, 2004*, enacted April 1, 2004. <http://www.sierra-leone.org/Laws/2004-2p.pdf>.
20. Kyle O'Donoghue. *Education plants the seeds of a better future for adolescents in Sierra Leone*, UNICEF, [online] 2011 [cited March 12, 2015]; [http://www.unicef.org/adolescence/sierraleone\\_57735.html](http://www.unicef.org/adolescence/sierraleone_57735.html).
21. Open Democracy. *Schools and Sexual Abuse in Sierra Leone*, February 5, 2010 [cited December 16, 2014]; <https://www.opendemocracy.net/annabel-symington/schools-and-sex-abuse-in-sierra-leone>.
22. Farzaneh, N. *An Evaluation of Teenage Pregnancy Pilot Projects in Sierra Leone*, 2013 September. [http://www.unicef.org/evaldatabase/files/SierraLeone\\_2013-001\\_Evaluation\\_of\\_Teenage\\_Pregnancy\\_Pilot\\_Projects\\_in\\_Sierra\\_Leone.pdf](http://www.unicef.org/evaldatabase/files/SierraLeone_2013-001_Evaluation_of_Teenage_Pregnancy_Pilot_Projects_in_Sierra_Leone.pdf).
23. UNICEF. *Sierra Leone Country Programme Document 2015-2018* UNICEF; 2014. [http://www.unicef.org/about/execboard/files/2014-PL10-Sierra\\_Leone\\_CPD-Final\\_approved-EN.pdf](http://www.unicef.org/about/execboard/files/2014-PL10-Sierra_Leone_CPD-Final_approved-EN.pdf).
24. Government of Sierra Leone. *Person with Disability Act, 2011*, enacted May 5, 2011. <http://www.sierra-leone.org/Laws/2011-03.pdf>.
25. Government of Sierra Leone. *Ebola Virus Disease Situation Report, January 1, 2015*. Freetown; 2015. [http://health.gov.sl/wp-content/uploads/2015/01/Ebola-Situation-Report\\_Vol-219.pdf](http://health.gov.sl/wp-content/uploads/2015/01/Ebola-Situation-Report_Vol-219.pdf).
26. O'Carroll, L. "Sierra Leone's Ebola Orphans Face a Situation 'Worst than War'." *The Guardian*, London, November 7, 2014. <http://www.theguardian.com/global-development/2014/nov/07/sierra-leone-ebola-orphans-parents-worse-than-war>.
27. Berehulak, D. "An Ebola Orphan's Plea in Africa: 'Do You Want Me?'" *The New York Times*, New York, December 15, 2014. [http://www.nytimes.com/2014/12/14/world/africa/an-ebola-orphans-plea-in-africa-do-you-want-me.html?partner=rss&emc=rss&smid=tw-nytimes&\\_r=0](http://www.nytimes.com/2014/12/14/world/africa/an-ebola-orphans-plea-in-africa-do-you-want-me.html?partner=rss&emc=rss&smid=tw-nytimes&_r=0).
28. IRIN. "School Lessons by Radio in Sierra Leone." IRINnews.org [online] 2014 [cited December 10, 2014]; <http://www.irinnews.org/printreport.aspx?reportid=100838>.
29. BBC. "Ebola Crisis: Sierra Leone to Reopen Schools in March." *bbc.com* [online] January 22, 2015 [cited March 13, 2015]; <http://www.bbc.com/news/world-africa-30931818>.
30. UN Treaty Collection. *Ratification of Palermo Protocol: Sierra Leone*, [cited October 25, 2014]; [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtmsg\\_no=XVIII-12-a&chapter=18&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtmsg_no=XVIII-12-a&chapter=18&lang=en).
31. Government of Sierra Leone. *The Child Right Act, 2007*, enacted June 7, 2007. <http://www.sierra-leone.org/Laws/2007-7p.pdf>.
32. Government of Sierra Leone. *Chapter 212 of The Laws of Sierra Leone, 2006: Employers and Employed*, enacted 1960.
33. Government of Sierra Leone. *The Mines and Minerals Act, 2009*, enacted January 7, 2010. <http://www.sierra-leone.org/Laws/2009-12.pdf>.
34. Government of Sierra Leone. *The Constitution of Sierra Leone, 1991*, enacted 1991. <http://www.sierra-leone.org/Laws/constitution1991.pdf>.
35. Government of Sierra Leone. *The Anti-Human Trafficking Act, 2006*, Vol CXXXVI, No 44, enacted August 18, 2005. <http://www.sierra-leone.org/Laws/2005-7p.pdf>.
36. Government of Sierra Leone. *The Sexual Offenses Act, 2012*, enacted November 2012. [source on file].
37. Government of Sierra Leone. *National Drugs Control Act, 2008*, enacted August 7, 2008. <http://www.sierra-leone.org/Laws/2008-10.pdf>.
38. Child Soldiers International. "Louder than Words: An Agenda for Action to End the State Use of Child Soldiers," in. London; 2012; [http://child-soldiers.org/global\\_report\\_reader.php?id=689](http://child-soldiers.org/global_report_reader.php?id=689).
39. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Sierra Leone (ratification: 2011) Published: 2014*; accessed February 18, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
40. U.S. Embassy- Freetown. *reporting, February 21, 2014*.
41. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 143 (No. 81) Sierra Leone (ratification: 1961) Published 2014*; accessed October 30, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
42. U.S. Embassy- Freetown. *reporting, February 21, 2012*.
43. Government of Sierra Leone. *National Action Plan on Human Trafficking*. Freetown; 2013. [hard copy on file].
44. Government of Sierra Leone. *Agenda for Prosperity*. Freetown; July 2013. <http://www.statehouse.gov.sl/images/pics/afp%20version%207.1doc.pdf>.
45. UNDP. *Transitional Joint Vision For Sierra Leone of the United Nations Family*. Geneva; 2013. [source on file].
46. Government of Sierra Leone. *Education Sector Plan 2014-2018*. Freetown; 2014. <http://www.globalpartnership.org/content/sierra-leone-education-sector-plan>.
47. ILO Committee of Experts. *Individual Direct Request concerning the Worst Forms of Child Labor, 1999 (No. 182) Sierra Leone (Ratification: 2011) Published 2014*; accessed October 30, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:1:0::NO::>.
48. Rowe, A. *Sierra Leone launches program to stop child soldier recruitment*, Thomson Reuters Foundation, [online] March 7, 2013 [cited March 13, 2015]; <http://www.trust.org/item/20130307172600-2spdf/?source=search>.
49. World Hope International. *Sierra Leone: Anti-Trafficking*, World Hope, [online] 2013 [cited March 16, 2015]; <http://www.worldhope.org/page.aspx?pid=535>.
50. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
51. ILO-IPEC. *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS*. Project Document. Geneva; September 25, 2009.
52. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS –II*. Project Document. Geneva; October 2011.
53. ILO. *About Youth-to-Youth Fund- Sierra Leone*, ILO, [online] [cited March 13, 2015]; <http://www.ilo.org/public/english/employment/yen/whatwedo/projects/y2y/sierraleone/about.htm>.
54. World Bank. *Revitalizing Education in Sierra Leone*. Washington, DC, September 2014. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/AFR/2014/12/02/090224b0828d8ada/1\\_0/Rendered/PDF/Sierra0Leone000Report000Sequence001.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/AFR/2014/12/02/090224b0828d8ada/1_0/Rendered/PDF/Sierra0Leone000Report000Sequence001.pdf).
55. UNDP. *Youth Employment and Empowerment Programme*, UNDP, [online] 2014 [cited March 12, 2015]; [http://www.sl.undp.org/content/sierraleone/en/home/operations/projects/poverty\\_reduction/youth-empowerment-and-employment-programme/](http://www.sl.undp.org/content/sierraleone/en/home/operations/projects/poverty_reduction/youth-empowerment-and-employment-programme/).

# Solomon Islands

## MODERATE ADVANCEMENT

*In 2014, Solomon Islands made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government enacted the Immigration Act, which prohibits transnational human trafficking and establishes specific penalties for the trafficking of children. Multiagency inspection teams also made site visits to logging camps and fishing areas throughout the country to inspect for human trafficking violations. With technical assistance from the ILO, the Government participated in a Child Labor and Trafficking Forum and a rapid assessment workshop to identify and develop strategies to address the worst forms of child labor in the country. However, children in Solomon Islands are engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Education is not compulsory, and laws do not adequately protect all children from hazardous work and commercial sexual exploitation. In addition, the Government has not established a body to coordinate efforts to combat child labor, and resources for enforcement are lacking.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Solomon Islands are engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Solomon Islands. Data on some of these key indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		85.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting and collecting palm oil fruits on plantations* and sea cucumbers* (1, 6)
Industry	Alluvial mining* (1)
	Construction on roads and buildings, including making bricks* (1)
Services	Domestic work,* including in logging camps and on fishing boats (1, 3)
	Scavenging for cans and metal in garbage dumpsites, streets, and streams* (1)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of trafficking (1-3, 7, 8)
	Used in the production of pornography* (3)
	Used in illicit activities, including in the trafficking of drugs* (1, 8)
	Forced domestic work,* including in logging camps and on fishing boats (1-3, 9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In 2014, the Government requested that the ILO conduct a 2-day rapid assessment and strategies workshop to identify the worst forms of child labor in Solomon Islands.(1) Despite this effort to improve data collection on the types of work carried out by children, the Government continues to lack comprehensive data on the prevalence and nature of child labor in the country.




Research indicates that both boys and girls are engaged in commercial sexual exploitation associated with the logging; tourism; and fishing industries in areas near logging camps, near or aboard commercial fishing vessels, and in the capital city of Honiara.(1-3, 7) There are reports that some family members put their minor children up for “informal adoption” in order to pay off debts or offer them in marriage to loggers and miners; subsequently, the children may be forced into domestic work or commercial sexual exploitation.(1, 2)

The Government’s Free Fee Basic Education (FFBE) Policy provides free education for children in grades one through nine, but it may not be sufficient to cover the true cost of attendance for all children. The Policy permits school administrators to request additional contributions from families such as cash, labor, and fundraising on behalf of the school.(1, 10) Additional school fees, uniform costs, book fees, and transportation needs may still prevent some children, particularly girls, from attending school.(1, 11)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Solomon Islands has ratified some key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	12	Article 46 of the Labor Act (12)
Minimum Age for Hazardous Work	Yes	15	Article 47 of the Labor Act (12)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 47–49 of the Labor Act (12)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Articles 256 of the Penal Code (13, 14)
Prohibition of Child Trafficking	Yes		Part 7 of the Immigration Act (15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 144, 149–150, and 173–174 of the Penal Code (14)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	No		
Free Public Education	No		

† No standing military (16)

The Government has not ratified two conventions relevant to the worst forms of child labor known to occur in Solomon Islands,

# Solomon Islands

## MODERATE ADVANCEMENT

namely the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol on Trafficking in Persons.

The Labor Act permits children as young as age 12 to work.(12) This is not consistent with international standards, which require a minimum age no lower than 15 for admission to employment. In addition, legislation governing the hazardous occupations and activities prohibited for children does not fully comply with international standards. According to the Labor Act, children under age 15 are prohibited from working in the industrial sector or on ships, and children under age 16 are prohibited from working in underground mines.(12) Male children between the ages of 16 and 18 may be permitted to work in mines, on ships, or during the night in industrial undertakings with a medical certificate or with specific written permission from the Commissioner of Labor.(12) Despite these provisions, Solomon Islands does not have a comprehensive law protecting all children under age 18 from involvement in hazardous work. While the law defines the hazardous activities prohibited for children in the industrial sector, it does not define the hazardous activities in the agricultural or service sectors in a manner that is specific enough to facilitate the enforcement of child labor laws and the removal of children from these hazardous activities.(17) In addition, according to the Commissioner of Labor, the existing penalties and fines for employing children in hazardous conditions are too insignificant to serve as deterrents.(17) While forced labor is prohibited, the law does not establish specific penalties for a forced labor conviction.(14)

On August 1, 2014, the Immigration Act and its implementing regulations came into force. The law contains provisions to prohibit and punish transnational trafficking in persons, with heightened penalties for the trafficking of children. However, it does not sufficiently address domestic human trafficking issues.(15, 18) Recognizing this deficiency, the Ministry of Justice and Legal Affairs reported that the Solomon Islands Cabinet has approved a draft Penal Code amendment that would complement the Immigration Act so it more comprehensively prohibits all forms of trafficking in persons.(18)

Gaps in legislation also leave some children vulnerable to commercial sexual exploitation. The Penal Code does not protect boys ages 15 to 18 from use in commercial sexual exploitation.(9, 14) While the law criminalizes the production, distribution, and possession of pornography, it does not specifically prohibit the use, procurement, or offering of a child for the production of pornography. Laws do not prohibit the use of children in illicit activities, such as drug trafficking.(14, 17)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Commerce, Industry, Labor, and Immigration (MOCILI)	Enforce child labor laws. The Department of Immigration within MOCILI is the lead agency on issues of human trafficking.(17, 19)
Royal Solomon Islands Police (RSIP)	Enforce criminal laws against the worst forms of child labor, including forced child labor, commercial sexual exploitation, and the use of children in illicit activities.(9) Work in partnership with the Australian-led Regional Assistance Mission to Solomon Islands on human trafficking and commercial sexual exploitation cases.(17)

Law enforcement agencies in Solomon Islands took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

Research did not find information on the number of inspectors responsible for child labor law enforcement, nor on the specific level of funding allocated for this purpose. Sources, including the Government, noted that inadequate resources and lack of technical capacity among enforcement agencies have prevented meaningful enforcement of labor laws.(9, 19) According to the Labor Act, labor inspectors have the authority to conduct unannounced inspections in any workplace.(12) However, the Ministry of Commerce, Industry, Labor, and Immigration (MOCILI) did not provide data on the number of inspections conducted, violations discovered, or penalties assessed with regard to child labor.(1) There is no evidence that a referral mechanism exists to ensure that



children found in exploitative labor situations receive appropriate social services.

### *Criminal Law Enforcement*

In 2014, research did not find information on the specific number of investigators responsible for the enforcement of criminal laws related to the worst forms of child labor. According to the Immigration Division's Chief Immigration Officer for Enforcement, multiagency inspection teams, including the Royal Solomon Islands Police, conducted site visits in logging and fishing companies throughout the country to monitor for evidence of human trafficking. These investigations did not uncover any cases of trafficking in persons, and there were no prosecutions, convictions, or penalties issued for human trafficking offenses.<sup>(1)</sup> The Government lacks procedures to systematically identify and refer victims of the worst forms of child labor to social service providers.<sup>(18)</sup>

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism on trafficking in persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Trafficking in Persons Advisory Committee	Coordinate efforts to address human trafficking across the government. <sup>(19)</sup> Comprises representatives from the Royal Solomon Islands Police Force, the Office of the Director of Public Prosecutions, and the Ministries of Labor, Foreign Affairs and Trade, Justice, Customs, Social Welfare, and Immigration, as well as various NGOs. Convened several times during the reporting period and was working to finalize Terms of Reference to formalize the Committee. <sup>(19, 20)</sup>

The Government of Solomon Islands has established the National Advisory Committee on Children to advise the Cabinet on general issues affecting children, coordinate the implementation of the UN CRC, and develop advocacy materials to promote the rights of children. Members of the Committee include the Social Welfare Division (SWD); the Ministry of Health and Medical Services (MHMS); the Ministry of Women, Youth and Children Affairs (MWYCA); and the Ministry of Education and Human Resource Development (MEHRD).<sup>(21)</sup> Research found that the Committee does not function as a coordinating mechanism to specifically address child labor issues.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Solomon Islands has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Children's Policy with National Action Plan (2010–2015)*	Commits the Government to substantially improving services and the legal framework for child protection over a 5-year period. <sup>(21)</sup> Objectives of the policy include ratifying the UN CRC Optional Protocols, raising the minimum age for employment to 18, achieving universal primary education, registering all births by 2015, and creating a mechanism for the coordination and enforcement of child protection laws and policies. <sup>(21)</sup>
Free Fee Basic Education (FFBE) Policy*	Aims to increase educational access by subsidizing school fees for grades one through nine. <sup>(10)</sup>
National Youth Policy (2010–2015)*	Develops a strategic action plan to address six key issues related to the well-being of youth in Solomon Islands, including (1) career development, (2) participation in governance, (3) youth and well-being, (4) youth and peace building, (5) youth and sustainable development, and (6) youth mainstreaming. <sup>(1)</sup>
UNDAF for the Pacific Region (2013–2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu. <sup>(22)</sup> In Solomon Islands, aims to strengthen policy, legislation, and programs to protect children from exploitation and to improve access to education for children in remote areas. <sup>(23)</sup>

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

# Solomon Islands

## MODERATE ADVANCEMENT

In 2014, research found no evidence that the Government made efforts to address the objectives related to child labor outlined in the National Children’s Policy with National Action Plan. Although the Free Fee Basic Education (FFBE) Policy provides 9 years of free basic education, the Policy does not make education compulsory.(1, 10) The lack of standards in this area may increase the risk of children’s involvement in child labor.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence of programs that include the goal of eliminating or preventing child labor, including its worst forms. In 2014, the Government participated in a Child Labor and Trafficking Forum aimed at identifying the types of work carried out by children and developing strategies to address the worst forms of child labor in Solomon Islands. The ILO reported that, based on the results of the workshop, key stakeholders discussed the need to develop social programs targeting child labor.(1)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Solomon Islands (Table 8).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the Palermo Protocol on Trafficking in Persons.	2014
	Increase the minimum age for employment and hazardous work to 15 and 18, respectively, and ensure that hazardous occupations and activities are clearly defined and prohibited for children in all relevant sectors.	2009 – 2014
	Strengthen penalties for violating child labor laws and establish penalties for forced labor.	2009 – 2014
	Ensure that legal provisions are enacted to comprehensively prohibit domestic human trafficking.	2014
	Ensure that the law prohibits the commercial sexual exploitation of boys under age 18.	2009 – 2014
	Ensure that the law prohibits the use, procurement, and offering of a child for the production of pornography and for use in illicit activities.	2011 – 2014
Enforcement	Collect data on efforts to enforce child labor laws and make this information publicly available, including the number and training of labor inspectors and criminal investigators, the number and type of inspections carried out, the number of child labor law violations found, and the number of penalties and citations issued.	2009 – 2014
	Allocate funds to ensure that relevant agencies have the resources necessary to enforce laws relevant to the prevention and elimination of child labor, including its worst forms.	2009 – 2012, 2014
	Establish a referral mechanism between law enforcement agencies and social service providers to ensure that children engaged in child labor, including its worst forms, receive appropriate services.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2010 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014
	Implement the National Children’s Policy with National Plan of Action for 2010–2015.	2014
	Ensure that policy establishes a compulsory education age that is no less than 15 years.	2009 – 2014
Social Programs	Conduct research on child labor in Solomon Islands to inform policy and program design.	2013 – 2014
	Establish programs to provide financial support for families with school-aged children who are unable to afford additional school expenses, including the cost of uniforms, textbooks, and transportation, and ensure that schools do not impose additional school fees on students for the mandated period of free education, as established by national policy.	2014
	Institute programs to address the worst forms of child labor in Solomon Islands.	2011 – 2014

## REFERENCES

1. U.S. Embassy- Port Moresby. *reporting, December 28, 2014.*
2. U.S. Department of State. "Solomon Islands," in *Trafficking in Person's Report-2013*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226814.htm>.
3. U.S. Department of State. "Solomon Islands," in *Country Reports on Human Rights- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220230>.
4. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
5. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
6. ILO Committee of Experts. *Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Solomon Islands (ratification: 1985) Published: 2014*; accessed November 7, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:0::NO:13100:P13100\\_COMMENT\\_ID:3149406](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:0::NO:13100:P13100_COMMENT_ID:3149406).
7. Marau, D. "Sr Doreen's Story: The Untold Stories of Human Trafficking." Solomon Star, Honiara, August 9, 2011. <http://www.solomonstarnews.com/news/national/11705-sr-doreens-story-the-untold-stories-of-human-trafficking>; previously online.
8. Osifelo, E. "Alarming Rate in Child Labour, Trafficking." Solomon Star, Honiara, November 29, 2014; National News. <http://www.solomonstarnews.com/news/national/5124-alarming-rate-in-child-labour-trafficking>.
9. U.S. Embassy- Port Moresby. *reporting, January 16, 2014.*
10. Office of the United Nations High Commissioner for Human Rights. *Solomon Islands: Child Rights References in the Universal Periodic Review*. UPR Report. Geneva, CRIN; May 4, 2011. <http://www.crin.org/resources/infodetail.asp?id=25544>.
11. U.S. Embassy Port Moresby official. E-mail communication to USDOL official. May 20, 2014.
12. Government of Solomon Islands. *Labour Act (Chapter 73)*, enacted 1996. <http://www.pacii.org>
13. Government of Solomon Islands. *Constitution of Solomon Islands*, enacted July 7, 1978. [http://www.pacii.org/sb/legis/consol\\_act/c1978167/](http://www.pacii.org/sb/legis/consol_act/c1978167/)
14. Government of Solomon Islands. *Penal Code (Chapter 26)*, enacted 1996. [http://www.pacii.org/sb/legis/consol\\_act/pc66/](http://www.pacii.org/sb/legis/consol_act/pc66/)
15. Government of Solomon Islands. *Immigration Act 2012*, No.3 of 2012, enacted March 9, 2012. [http://www.pacii.org/sb/legis/num\\_act/ia2012138/](http://www.pacii.org/sb/legis/num_act/ia2012138/).
16. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
17. U.S. Embassy- Port Moresby. *reporting, March 16, 2011.*
18. U.S. Embassy- Port Moresby. *reporting, February 4, 2015.*
19. U.S. Embassy- Port Moresby. *reporting, January 21, 2014.*
20. U.S. Embassy- Port Moresby. *reporting, November 25, 2014.*
21. Government of Solomon Islands. *National Children's Policy with National Plan of Action*. previously online. Honiara; April 15, 2010.
22. United Nations Pacific. *United Nations Development Assistance Framework (UNDAF) For the Pacific Region 2013-2017*. Suva; 2013. [http://pacific.one.un.org/images/stories/2013/UNDAF\\_Summary\\_Report.pdf](http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf).
23. United Nations Pacific. *Solomon Islands: UNDAF Results Matrix 2013-2017*; 2013. [http://www.pacific.one.un.org/images/stories/2013/sol\\_crm.pdf](http://www.pacific.one.un.org/images/stories/2013/sol_crm.pdf).

# Somalia

## MODERATE ADVANCEMENT

In 2014, Somalia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Federal Government of Somalia ratified ILO C. 182 on the Worst Forms of Child Labor, participated in the “Children, Not Soldiers” campaign to prevent the recruitment and use of children by national armed forces, and participated in a program to strengthen the national criminal justice response to trafficking in persons. However, children in Somalia are engaged in child labor, including in street work and in the worst forms of child labor, including in armed conflict. The terrorist organization al-Shabaab remained the main perpetrator of the abduction and use of child soldiers in Somalia. The Somalia National Army also continued to use child soldiers. There are reports that the Ahlu Sunnah Wal Jama’a militia, which has not yet integrated into the Somalia National Security Forces, also used child soldiers. Somalia continued to lack many necessary mechanisms to effectively address the worst forms of child labor, including established labor and criminal law enforcement systems.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Somalia are engaged in child labor, including in street work. Children are also engaged in the worst forms of child labor, including in armed conflict. (1-11) Table 1 provides key indicators on children’s work and education in Somalia. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	39.8 (1,012,863)
Attending School (%)	5-14 yrs.	48.9
Combining Work and School (%)	7-14 yrs.	20.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(12)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster 3 Survey, 2006.(13)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Threshing grain* (2)
	Digging* (7)
	Herding livestock* (1, 3, 14)
	Fishing,* activities unknown (7)
Industry	Working in construction, including digging (1, 2, 4, 7, 14)
	Working in mines and quarries, including breaking rock for gravel (1, 2, 4, 7, 14)
Services	Street work, including begging,* transporting goods,* washing cars,* conducting minibuses, and selling cigarettes,* <i>khat</i> (a legal, amphetamine-like stimulant), sweets,* and toothbrushes* (1-5, 7)
	Domestic work (1-4)
Categorical Worst Forms of Child Labor‡	Used in armed conflict, sometimes as a result of forced recruitment, including to plant explosive devices, operate checkpoints, serve as human shields and suicide bombers, conduct assassinations, transport weapons, and provide intelligence and logistical support (1, 6-11)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in domestic service, agriculture,* livestock herding,* breaking rock for gravel,* selling or transporting <i>khat</i> ,* and construction work,* each sometimes as a result of human trafficking (5-8, 15-18)
	Commercial sexual exploitation sometimes as a result of human trafficking (5-7, 15, 19, 20)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Due to high poverty levels of poverty and the inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages. Some of these children become victims of forced labor or commercial sexual exploitation.(8) Research also found that children were trafficked into Europe and North America, including as child brides.(7, 8)

The terrorist organization al-Shabaab engages in the widespread and systematic conscription and recruitment of children and is the main perpetrator of using child soldiers in Somalia.(11) Boys as young as age 8 were bribed or forcibly taken from their homes, schools, and the streets to serve as soldiers. Girls were recruited through bribery or by force for sexual servitude and domestic labor. (6, 7)







Research found that the Ahlu Sunnah Wal Jama’a militia, which to date has not yet integrated into the Somali National Army (SNA), has recruited children. Research also found that Somalia’s numerous clan militias use child soldiers.(11) The Federal Government of Somalia (FGS) condemns the use of child soldiers; however, there were reports of children associated with the SNA and its allied militia during the reporting period.(1, 7, 11)

In Somalia, protracted violence has led to the breakdown of all basic services, including public education.(21, 22) In addition, the volatile security situation has led to the displacement of more than 80,000 people.(11) These constraints, as well as the forced recruitment of children from schools by non-state terrorist and militia groups, have limited children’s access to education, as schools are either unavailable or unsafe.(11, 21-23) Additionally, the lack of educational infrastructure hinders children’s access to school.(7, 22)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Somalia has ratified one key international convention concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

In March 2014, Somalia ratified ILO C.182 on the Worst Forms of Child Labor.(24)

Somalia lacks a coherent central legal system.(21, 25, 26) The FGS does not have effective control over some parts of the country, and most essential governance functions were provided by regional administrations, including the self-declared Republic of Somaliland in the northwest and the semi-autonomous region of Puntland in the northeast.(1, 6, 23, 25, 27) Only the laws of the internationally recognized FGS are discussed in this section. The FGS has not ratified the UN CRC Optional Protocol on Armed Conflict; the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; or the Palermo Protocol on Trafficking in Persons.



# Somalia

## MODERATE ADVANCEMENT

The FGS has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 93 of the Labour Code (28)
Minimum Age for Hazardous Work	Yes	16, 18	Article 94 of the Labour Code; article 29 of the Provisional Constitution (28, 29)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 94 of the Labour Code; article 29 of the Provisional Constitution (28, 29)
Prohibition of Forced Labor	Yes		Article 14 of the Provisional Constitution; article 464 of the Penal Code (29, 30)
Prohibition of Child Trafficking	Yes		Article 14 of the Provisional Constitution (29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 403 and 407 of the Penal Code (30)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 29 of the Provisional Constitution (29)
Minimum Age for Voluntary Military Service	Yes	18	Article 29 of the Provisional Constitution (29)
Compulsory Education Age	No		
Free Public Education	Yes		Article 30 of the Provisional Constitution (29)

In April 2014, Parliament issued a public statement on a commercial contract in which it cited pre-1991 laws, suggesting that the FGS continued to recognize relevant historic laws; however, no official determination has been issued.(31)

The Provisional Constitution states that a child under age 18 may not perform work or provide services that are not suitable for the child's age or create a risk to the child's health or development.(29) The Labour Code, however, prescribes a range of minimum ages for certain hazardous activities. For example, the minimum age for construction is 16, and the minimum age for work underground is 18.(28) These prohibitions, however, are not specific enough to facilitate enforcement.

Prohibition of the commercial sexual exploitation of children is included in the 1962 Penal Code; however, the Penal Code requires extensive updating. Many fines in the Code equal less than \$1 today.(5, 32) Furthermore, it appears that under article 405 of the Penal Code, children involved in prostitution would not be protected from criminal charges for prostitution under Somali law.(30)

While the Provisional Constitution states that a person may not be subjected to trafficking, there are no prohibitions against recruitment, harboring, transportation, transfer, or receipt of a person for domestic or international human trafficking. During the reporting period, the FGS drafted a Sexual Offences Bill that would criminalize human trafficking; the bill has not yet been submitted to the Parliament for approval.(8)

The law does not prohibit the use of children in illicit activities.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The FGS has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministries of Labor and Social Affairs, Gender, and Family Affairs	Enforce laws related to the worst forms of child labor.(1)
Somali National Police	Investigate and enforce laws related to the worst forms of child labor, including forced labor, human trafficking, commercial sexual exploitation, and the use of children in illicit activities.(5)

Law enforcement agencies in Somalia did not take actions to combat child labor, including its worst forms.

**Labor Law Enforcement**

In 2014, the FGS did not employ any labor inspectors and conducted no inspections related to child labor.(7, 33)

**Criminal Law Enforcement**

In 2014, the Somali National Police Force, which remained understaffed and undertrained, lacked the capacity to investigate or enforce laws on the worst forms of child labor.(5, 7) No child labor related investigations, prosecutions, or convictions were made.(7, 33)

The Federal Government of Somalia, in partnership with UNICEF, has a referral procedure for the reception and handover of children identified to have been associated with al-Shabaab.(6) However, the SNA continues to detain children for alleged association with armed groups. Many of the children arrested by government security forces were released a few days after the arrest.(11) Research did not find referral mechanisms for children found in other worst forms of child labor such as forced labor and commercial sexual exploitation.

**IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although the FGS has established Child Protection Units, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Child Protection Units under the Ministry of Defense*	Raise awareness on the issues of child soldiers, work with UNICEF to implement the Standard Operating Procedures of protecting children associated with armed conflict, and work closely with Somali National Army (SNA) military focal points to monitor troops for cases of child soldiers. Between June and December 2014, the six Child Protection Units conducted three site assessments of the Jazeera Training Camp in Mogadishu to monitor for child soldiers.(7, 8, 33)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the FGS also had two SNA military focal points who communicated claims of children being present in military barracks. The FGS plans to add four more similar positions in more remote regions.(1, 33)

**V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The FGS has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Children, Not Soldiers Campaign†	Aims to end and prevent the recruitment and use of children by national security forces by 2016. Launched jointly by the Special Representative for the Secretary General for Children and Armed Conflict and UNICEF. Supports eight countries through negotiating and implementing action plans.(34) During the reporting period, more than 8,000 national army soldiers were trained on child protection issues.(11)
Child Soldier Action Plan	Addresses the recruitment and use of child soldiers by armed groups and the Somali security forces.(1, 35) In February 2014, the FGS signed the Standard Operating Procedures for the reception and handover of children separated from armed groups in Somalia.(6, 11)
Action Plan to End the Killing and Maiming of Children in Contravention of International Law	Addresses the killing and maiming of children as a result of conflict in Somalia.(35)
General Order Number One	Prohibits commanders from employing child soldiers, requires training on the protection of children's rights in armed conflict, and authorizes UNICEF to inspect all military camps to verify that child soldiers are not present. Issued by the Chief of Defense Forces.(5)

† Policy was approved during the reporting period.

The Children Associated with Armed Conflict Working Group coordinates implementation of the Child Soldier Action Plan and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law. During the reporting year,

# Somalia

## MODERATE ADVANCEMENT

the group met bimonthly in conjunction with the United Nations Assistance Mission to Somalia, UNICEF, and Child Protection Units.(8, 33)

Despite the Provisional Constitution calling for free education to the secondary level, a universal free education system in Somalia is not in place.(6, 32) Furthermore, there is no compulsory age for education. The lack of standards in this area may increase the risk of children's involvement in child labor.

Although the FGS has adopted policies on children in armed conflict, research found no evidence of a policy on other worst forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the FGS participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The FGS has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Children in Armed Conflict Program	\$388, 890 European Commission-funded, 2-year project implemented by ILO-IPEC to prevent child recruitment and reintegrate children associated with armed forces and groups in south central Somalia.(36) Collaborated with UNICEF to focus on economic reintegration of former child soldiers through vocational and entrepreneurship training and assistance with starting a business or accessing wage employment.(37) Two hundred children associated with armed forces and groups gained adequate life and technical skills that have helped them become productive and integrated community members.(36)
UNICEF Country Program (2011–2015)	In cooperation with the Federal Government of Somalia, aims to equitably increase school enrollment, construct schools, develop curriculum, and train teachers. Also works to prevent the recruitment of children into armed groups and to place former child soldiers into rehabilitation programs.(1, 23) As of August 2014, 500 children have benefitted from the reintegration programs for children associated with armed groups.(38)
Go-2-School Initiative*	\$117 million European Union, USAID, and UK Department for International Development (DFID)-funded, 3-year project implemented by UNICEF, WFP, UNESCO, and International NGOs in partnership with the Federal Government of Somalia.(39) Seeks to enroll 1 million children who are not currently in school. (39, 40) Launched in September 2013, nearly 40,000 children in Central South Somalia have started formal primary education.(39) In 2014, the Federal Government of Somalia opened two public schools in Mogadishu, and the regional governments of Puntland and Somaliland operated other public schools.(7)
SNA Soldiers Pay Screening Plan†	Program funded by the Governments of the United States and Italy that establishes a screening process whereby soldiers' identity and age are verified before they receive their pay. Screening teams comprising African Union officers, local Somali tribal elders, and high-ranking SNA officers verify the identity and age of each soldier before they receive payment.(5, 33)
Serendi Rehabilitation Center	Norwegian and Danish-operated center in partnership with the Federal Government of Somalia that rehabilitates children formerly associated with armed groups before reintegrating them into society.(17, 33) By August 2014, approximately 55 children had been directed to the center by the National Intelligence Security Agency.(17)
Strengthening the National Criminal Justice Response to Trafficking in Persons through Legislative Assistance and Capacity Building in Somalia†	\$750,000 USDOS-funded, 3-year project implemented by UNODC to enhance the criminal justice response to trafficking in persons within the territories of Somaliland and the Federal Government of Somalia. Aims to strengthen legal frameworks to meet international requirements. Develops and delivers multidisciplinary training programs on victim identification, victim-centered investigations, and prosecution of trafficking cases.(41)

\*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

Although the Federal Government of Somalia has implemented programs to address child soldiers, research found no evidence that it has carried out programs to assist children in other forms of child labor, including other worst forms of child labor.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Somalia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict; the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Clarify whether the Labor Code is still in effect under the Federal Government of Somalia.	2009 – 2014
	Ensure a legal framework on child labor is in place that includes a minimum age for work and hazardous work, and that hazardous activities and occupations prohibited for children are specific enough to facilitate enforcement.	
	Update the Penal Code to ensure that penalties for the commercial sexual exploitation of children are sufficiently stringent to deter violations.	2013 – 2014
	Ensure that the laws protect children involved in forced prostitution from criminal charges.	2011 – 2014
	Adopt laws prohibiting child trafficking and the use of children in illicit activities.	2009 – 2014
Enforcement	Establish an infrastructure to enforce laws relating to child labor, including its worst forms, and ensure adequate funding, human resources, and training for law enforcement agencies.	2009 – 2014
	Ensure that criminal investigations on the worst forms of child labor take place, and that violators are prosecuted and convicted in accordance with the law.	2012 – 2014
	Establish mechanisms between the Somali National Police and social welfare services to refer children found in all worst forms of child labor.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2014
Government Policies	Adopt a comprehensive policy and national action plan to provide free, compulsory education for all children. Establish a compulsory education age that is equal to or higher than the minimum age for work.	2009 – 2014
	Adopt a policy that addresses all relevant worst forms of child labor, including forced labor and commercial sexual exploitation.	2014
Social Programs	Take steps to provide sufficient schools and facilities for children to access school.	2013 – 2014
	Assess the impact of the Go-2-School Initiative on child labor.	2014
	Develop programs to prevent and address child labor, including in agriculture, and other worst forms of child labor, including forced labor.	2009 – 2014

## REFERENCES

- U.S. Department of State. "Somalia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220158>.
- Reytab Association for Social Development (REASD). *The List of the Interviewed Children Involved in Child Labour in Baidoa from 16th-19th July 2011*. Baidoa; 2011. [source on file].
- ILO-IPEC. *Child Labour in Somaliland: A rapid assessment in Hargeisa, Burao and Borama*. Geneva; December 2011 <http://www.ilo.org/ipecinfol/product/viewProduct.do?productId=20635>.
- Reytab Association for Social Development (REASD). *A Rapid Assessment on Child Labour in Baidoa from 16-19 July 2011*; July 27, 2011. [source on file].
- U.S. Embassy- Nairobi. *reporting, January 27, 2014*.
- U.S. Department of State. "Somalia " in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- U.S. Embassy- Nairobi. *reporting, January 13, 2015*.
- U.S. Embassy- Nairobi. *reporting, February 17, 2015*.
- Human Rights Watch. "Somalia," in *World Report- 2014*. New York; 2014; <http://www.hrw.org/world-report/2014/country-chapters/somalia>
- Amnesty International. *No Place Like Home*. London; 2014. <http://www.amnesty.org/en/library/asset/AFR52/001/2014/en/109361a7-4d78-493c-94ed-7d76d81faa6b/af520012014en.pdf>.
- United Nations Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 – S/2015/409)*; June 5, 2015. [http://www.un.org/gal/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/gal/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Nairobi. *reporting, February 4, 2011*.
- IRIN. "Somalia: Human Trafficking on the Increase." IRINnews.org [online] April 2, 2010 [cited February 20, 2013]; <http://www.irinnews.org/report.aspx?reportid=88668>.
- Human Rights Watch. *No Place for Children: Child Recruitment, Forced Marriage, and Attacks on Schools in Somalia*. New York; 2012. <http://www.hrw.org/reports/2012/02/19/no-place-children>.
- UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *UN Special Representative for Children and Armed Conflict Calls for Full Implementation of Action Plans by Federal Government of Somalia*; August 22, 2014. <https://childrenandarmedconflict.un.org/press-release/special-representative-calls-for-full-implementation-action-plans-somalia/>.

# Somalia

## MODERATE ADVANCEMENT

18. UNICEF. *Teenage girl held captive by Al Ashabaab starts a new life*. March 13, 2014. [http://www.unicef.org/lesaro/5440\\_somalia2014\\_teenage-girl.html](http://www.unicef.org/lesaro/5440_somalia2014_teenage-girl.html).
19. UN. *Somalia* UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict, [online] May 15, 2014 [cited October 28, 2014]; <https://childrenandarmedconflict.un.org/countries/somalia/?contentonly=1>
20. Human Rights Watch. "The Power These Men Have Over Us"; 2014. [http://www.hrw.org/sites/default/files/reports/somalia0914\\_ForUploadR.pdf](http://www.hrw.org/sites/default/files/reports/somalia0914_ForUploadR.pdf).
21. UN General Assembly Human Rights Council. *Report of the Working Group on the Universal Periodic Review: Somalia*; July 11, 2011. Report No. A/HRC/18/6. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/145/90/PDF/G1114590.pdf?OpenElement>.
22. Somalia Education Cluster. *Joint Rapid Education Needs Assessment Central and Southern Somalia*; August 2011. [source on file].
23. UNICEF. *Somalia: Country Programme Document 2011-2015*. New York; February 11, 2011. [http://www.unicef.org/about/execboard/files/Somalia\\_CPD\\_-\\_revised\\_11\\_February\\_2011.pdf](http://www.unicef.org/about/execboard/files/Somalia_CPD_-_revised_11_February_2011.pdf).
24. ILO. "Somalia ratifies ILO Convention No. 182." ilo.org [online] March 24, 2014 [cited February 8, 2014]; [http://www.ilo.org/ipec/news/WCMS\\_239612/lang-en/index.htm](http://www.ilo.org/ipec/news/WCMS_239612/lang-en/index.htm).
25. Child Rights Information Network. *Inhumane Sentencing of Children in Somalia: Universal Periodic Review*. London; March 2011. [http://www.google.com/url?sa=t&rct=j&q=somali%20penal%20code&source=web&cd=31&ved=0CCMQFjAAOB4&url=http%3A%2F%2Fwww.crin.org%2Fdocs%2FSomalia\\_final.doc&ei=W21XT8iyBMXl0QHNgZGWDw&usq=AFQjCNGNy6dGU\\_k6NHzyYpk1txOG5T1iZQ](http://www.google.com/url?sa=t&rct=j&q=somali%20penal%20code&source=web&cd=31&ved=0CCMQFjAAOB4&url=http%3A%2F%2Fwww.crin.org%2Fdocs%2FSomalia_final.doc&ei=W21XT8iyBMXl0QHNgZGWDw&usq=AFQjCNGNy6dGU_k6NHzyYpk1txOG5T1iZQ).
26. ILO. *Success Africa III - Realising a New Era of Social Justice through Decent Work: Success Stories from Africa*. Geneva; 2011. [http://www.ilo.org/addisababa/information-resources/publications/WCMS\\_166742/lang-en/index.htm](http://www.ilo.org/addisababa/information-resources/publications/WCMS_166742/lang-en/index.htm).
27. U.S. Department of State official. E-mail communication to USDOL official. June 4, 2013.
28. Government of Somalia. *Law No. 65 to Promulgate the Labour Code*, enacted October 18, 1972. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_127639.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_127639.pdf).
29. Government of Somalia. *Constitution of the Federal Republic of Somalia*, enacted August 2012. <http://unpos.unmissions.org/LinkClick.aspx?fileticket=BoBdMxtErhc%3d&tabid=9744&language=en-US>.
30. Government of Somalia. *Penal Code*, enacted December 1962. <http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,SOM,,4bc5906e2,0.html>.
31. U.S. Embassy- Nairobi official. E-mail communication to USDOL official. May 29, 2014.
32. U.S. Embassy- Nairobi. *reporting, February 14, 2014*.
33. U.S. Embassy- Nairobi official. E-mail communication to USDOL official. April 10, 2015.
34. U.S. UN New York. *reporting, September 15, 2014*.
35. UN Security Council. *Report of the Secretary-General on Somalia*; September 3, 2013. Report No. S/2013/521. [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2013/521](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/521).
36. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
37. ILO. *Prevention of child recruitment and reintegration of children associated with armed forces and groups in south central Somalia*. Nairobi; 2014. [http://www.ilo.org/addisababa/information-resources/publications/WCMS\\_239787/lang-en/index.htm](http://www.ilo.org/addisababa/information-resources/publications/WCMS_239787/lang-en/index.htm).
38. UNICEF. *Somalia Humanitarian Situation Report*; 2014. [http://www.unicef.org/appeals/files/UNICEF\\_Somalia\\_Humanitarian\\_SitRep\\_8\\_-\\_August\\_2014.pdf](http://www.unicef.org/appeals/files/UNICEF_Somalia_Humanitarian_SitRep_8_-_August_2014.pdf).
39. UNICEF. *First year of Somalia's Go 2 School Campaign sees thousands of children in class for the first time*; September 8, 2014. [http://www.unicef.org/somalia/reallives\\_15403.html](http://www.unicef.org/somalia/reallives_15403.html).
40. UN General Assembly. *Report of the Independent Expert on the Situation of Human Rights in Somalia*; August 16, 2013. Report No. A/HRC/24/40. [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/A\\_HRC\\_24\\_40.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/A_HRC_24_40.pdf).
41. U.S. Department of State. *reporting, October 8, 2014*.



*In 2014, South Africa made a significant advancement in efforts to eliminate the worst forms of child labor. The Government passed amendments to the Basic Conditions of Employment Act, which extended protection to children working in the informal sector and increased the penalty for child labor violations from 3 to 6 years imprisonment. The Government also drafted regulations to implement the 2013 Prevention and Combatting of Trafficking in Persons Act. The Government's Department of Home Affairs published new regulations for the 2002 Immigration Act that includes new documentation requirements intended to prevent the illegal movement of children. The Government's Department of Social Development also implemented a food relief program for households with vulnerable and orphaned children, as well as child-headed households. Studies also indicate that the Government's Child Support Grant and the Old Age Pension may help reduce child labor. However, children in South Africa are engaged in child labor, including agriculture and domestic work. Government social programs to address child labor do not match the scope of the problem and barriers to education access remain. The Government also does not make enforcement data publicly available.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in South Africa are engaged in child labor, including in agriculture and domestic work.(1-5) Table 1 provides key indicators on children's work and education in South Africa. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	7-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		98.5

Source for primary completion rate: Data from 2004, UNESCO Institute for Statistics, 2014.(6)  
Data were unavailable from Understanding Children's Work Project's analysis, 2014.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting sugarcane,* mango,* lychee,* bananas,* grapes,* citrus,* and other fruits* (1, 2, 4)
	Forestry,* activities unknown (1)
	Domestic work (1, 2, 5)
Services	Garbage scavenging for food items*† (1, 8)
	Food service,* activities unknown (2, 9)
	Street work, including vending and begging (2, 3, 5, 9, 10)
Categorical Worst Forms of Child Labor‡	Used in illicit activities,* including drug trafficking,* home burglaries,* gang-related activity,* and the production and selling of liquor*† (1, 5, 11)

# South Africa

## SIGNIFICANT ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation* sometimes as a result of human trafficking* (2, 5, 9-12)
	Forced labor in domestic work, agriculture, food service, street vending, and begging each sometimes as a result of human trafficking (2, 5, 9-12)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.







‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children in South Africa are trafficked from rural to urban areas, including to Bloemfontein, Cape Town, Durban, and Johannesburg. Girls are trafficked for commercial sexual exploitation and domestic work and boys are trafficked for work in agriculture, food service, begging, and street vending.(9, 10) Reports indicate that orphaned children in South Africa are especially vulnerable to human trafficking.(5) The Government reports that girls are more likely than boys to be involved in child labor.(13) However, the Government does not collect comprehensive data on the number of children engaged in the worst forms of child labor.(2, 5, 14) Although birth certificates are required to qualify for services, including education, more than 20 percent of babies are not registered by their first birthday.(2, 15). The Department of Home Affairs adopted regulations to ensure compliance with the 2010 amendments to the Births and Deaths Registration Act which went into effect in March 2014; the amendments require that children are registered within 30 days of birth.(8, 16) Although access to free education is mandated by law, school fees vary depending on the municipality and region.(1) The Government implements a no-fee school program that covers the poorest primary schools.(1, 17, 18) According to the Government, 81 percent of schools are “no fee.”(1, 17) The Government also provides some fee waivers to children receiving government grants.(15, 19, 20) The Government provides books and stationery, but all families must pay for uniforms and other school-related expenses, which may affect children’s access to education.(2, 8, 10, 19, 21)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

South Africa has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 43 of the Basic Conditions of Employment Act (BCEA) (22)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the BCEA Regulations on Hazardous Work by Children in South Africa (22-24)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 4–10 of the Regulations on Work by Children in South Africa; Part II, Articles 6- 9 of the BCEA; Regulations on Hazardous Work by Children in South Africa (23, 24)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Forced Labor	Yes		Chapter 2 of the Constitution; Article 141 of the Children's Amendment Act; Article 48 of the BCEA (24-26)
Prohibition of Child Trafficking	Yes		Article 141 of the Children's Amendment Act; Criminal Law Amendment Act 32 (11, 25, 27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 141 of the Children's Amendment Act (25, 27)
Prohibition of Using Children in Illicit Activities	Yes		Article 141 of the Children's Amendment Act (25)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 52 of the Defense Act 42 (28, 29)
Compulsory Education Age	Yes	15	Chapter 2, Articles 1- 5 of the South African Schools Act (2, 30, 31)
Free Public Education	Yes		Chapter 2, Article 5 of the South African Schools Act (2, 30, 31)

\*No conscription (29)

In 2014, the Government passed amendments to the Basic Conditions of Employment Act (BCEA), increasing the penalty for child labor violations from 3 years to 6 years of imprisonment. These amendments now provide protection for children working in the informal sector.<sup>(16)</sup> In 2013, the Government approved the 2013 Prevention and Combating of Trafficking in Persons Act (PCTPA), a comprehensive national anti-trafficking law that includes specific provisions for child trafficking, but the Act has yet to be promulgated and take effect.<sup>(1, 5, 32)</sup> During the year, the South African Department of Justice and Constitutional Development drafted regulations to implement the PCTPA for when it takes effect. Likewise, the Department of Home Affairs drafted regulations to implement the PCTPA, but these regulations have yet to be submitted to Parliament for approval.<sup>(8)</sup>

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
South African Department of Labor (SADOL)	Enforce child labor laws. <sup>(1, 33)</sup> Inspectors identify suspected cases of child labor and human trafficking and forward evidence to South African Police Service (SAPS) officials, who investigate and forward cases to the South African Department of Justice and Constitutional Development for prosecution. <sup>(10, 12)</sup> Coordinate a report entitled "State of Child Labor in South Africa." <sup>(21)</sup>
Department of Social Development (DSD)	Provide child protection and social services to vulnerable children, including victims of trafficking. <sup>(2, 16, 34)</sup>
South African Department of Justice and Constitutional Development	Enforce criminal laws on the worst forms of child labor. <sup>(1, 33)</sup>
National Prosecuting Authority (NPA)	Prosecute criminal cases, including human trafficking cases. <sup>(1)</sup>
South African Police Service's Human Trafficking Desk	Monitor and evaluate efforts to investigate human trafficking crimes, train investigators, and refer human trafficking cases to provincial SAPS units. <sup>(1)</sup>
Labor Centers	Serve as field offices for inspectors to investigate child labor violations. Operated by Child Labor Intersectoral Support Groups. <sup>(1, 21)</sup>

Law enforcement agencies in South Africa took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the South African Department of Labor (SADOL) employed 1,324 labor inspectors and conducted more than 129,259 routine inspections, including unannounced site visits, to protect vulnerable workers, including child laborers. The compliance

# South Africa

## SIGNIFICANT ADVANCEMENT

level for these inspections was 75 percent.(16) The Government allocated more than \$36 million to SADOL for inspection and enforcement service during the year. A limited number of sources indicate that labor inspectors do not inspect farms without an invitation due to concerns of entering private property and safety, which may leave children working in agriculture unprotected.(1, 16, 21) In addition, SADOL does not have the legal authority to assess penalties for labor law violations, but inspectors may make recommendations to the court.(16) SADOL lacks a central unit to administer training programs to labor inspectors.(1) The Government supported the IOM training of labor inspectors during the year.(16) However, the Government did not make complete statistics publicly available on the number of child labor investigations opened, closed, or resolved, or the number of citations made and convictions achieved.(16) Depending on the type of offense, child labor violations are tried in either a criminal or a labor court.(12)

Inspectors send cases that involve foreign nationals to the Department of Home Affairs before they are transferred to the South African Department of Justice and Constitutional Development. Inspectors also refer cases that may involve a child labor to social workers who provide welfare needs such as child protection and care.(1, 35) However, the current shortage of social workers may delay this practice. The Department of Social Development (DSD) has acknowledged the shortage of social workers and is working to address this need by offering scholarships to students interested in pursuing that field of study.(21, 35)

### *Criminal Law Enforcement*

In 2014, the Government supported the IOM's training sessions for officers on human trafficking issues, including on legal frameworks, agency roles, and identification criteria.(5, 16) During the year, there was one conviction under BCEA's child labor provisions, and there were three cases of suspected child labor that had not been prosecuted.(16) The South African Department of Justice and Constitutional Development, South African Police Service (SAPS), National Prosecuting Authority (NPA), and Department of Home Affairs collaboratively trained their staff on the new regulations for the 2013 PCTPA(36). The Government's Department of Home Affairs published new regulations for the 2002 Immigration Act that includes new documentation requirements intended to prevent the illegal movement of children.(36) However, the Government does not publish comprehensive data on human trafficking cases, including the number of prosecutions or convictions. In addition, investigators lack sufficient training on how to identify victims of human trafficking.(11) The Government funded an NGO-operated hotline that refers child labor complaints to government protection agencies or the South African Police Service (SAPS).(1) However, it is unknown how many complaints related to child labor were made to government-funded hotlines.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Implementation Committee on Child Labor	Monitor and support advocacy and awareness raising; mainstreaming of child labor into government policies; and the implementation of child labor programs, legislation, and enforcement.(1, 33) Chaired by SADOL; members include representatives from commercial agriculture, trade unions, and government agencies, including SAPS.(1) Includes provincial level child labor coordinating structures.(4).
Child Labor Intersectoral Support Groups	Facilitate the prevention of all types of child labor, including children scavenging and as a result of human trafficking. Established by SADOL and managed by child labor coordinators in each province; members include multiple government agencies.(1, 21)
Trafficking in Persons Task Team	Coordinate the Government's anti-trafficking efforts. Led by the NPA's Sexual Offenses and Community Affairs Unit and SADOJ's Victim Support Directorate, members include SADOL, DSD, and DHA, as well as other representatives of national law enforcement.(1, 5)

\* Mechanisms to coordinate efforts to address child labor were created during the reporting period.

In 2014, the Implementation Committee on Child Labor met on a quarterly basis, but members did not submit progress reports on efforts to implement the country's national strategy to eliminate child labor to the executive branch.(8)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of South Africa has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Child Labor Program of Action for South Africa, Phase III (CLPA) (2013–2017)	Serves as the primary policy instrument to prevent and eliminate child labor in South Africa.(12, 16, 31) Promotes government activities and calls for the promotion of new laws against the worst forms of child labor.(1, 12, 31) Also includes a list of indicators to monitor the Government’s efforts against child labor.(31)
South African Education Action Plan to 2014*	Serves as the first phase of a comprehensive national education plan through 2025. Focuses on addressing 27 education goals, including ensuring that all students stay enrolled in school through age 15.(37)
National Development Plan 2030*	Provides a comprehensive development plan for South Africa, including economic development, education, and social protection.(38)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was launched during the reporting period.

Although the Government drafted a new anti-trafficking national action plan in 2013, it has yet to be approved.(5, 8)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of South Africa funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Child Support Grant‡	Government program, led by the Department of Social Development (DSD) and the South African Social Security Agency (SASSA) that provides monthly direct cash transfer to primary caregivers with vulnerable children.(1, 2, 15, 21, 39-41) Helps alleviate economic pressures and lower the cost of raising a child.(1, 2, 12, 15, 39-41) Reaches more than 10 million children.(21) Sources have indicated that as a result of the Child Support Grant, recipients may be less likely to send their children away for child labor and are more likely to have positive educational outcomes.(1, 2, 21, 42)
Old Age Pension‡	SASSA government led program that provides cash transfers to eligible adults over age 60. Several assessments of the program’s impact indicate that children’s school attendance and completion increase and child labor decreases in rural households with male pension recipients, especially for boys in households with male recipients.(1, 41) Studies also indicate a decrease in the total hours worked by children, especially among girls.(1, 41)
Care Dependency Grants and Foster Care Grants‡	SASSA government led program that encourages children to remain in school and not enter the labor market as a means of preventing child labor, including the worst forms of child labor, by.(1)
Social Service Program‡	DSD program that administers social services to vulnerable individuals, including child laborers, based on referrals from social workers.(1, 14, 15)
National School Nutrition Program*‡	Government program funded through a conditional grant that provides school meals to vulnerable children. The program targets primary and secondary school learners.(19, 21, 43)
Food Relief Program†‡	DSD and SASSA food relief program to assist vulnerable and orphaned children, and child-headed households with insufficient income.(16)
Shelters and Care Centers‡	DSD program that funds 13 shelters and oversees 17 NGO-operated centers for victims of abuse and human trafficking, including children.(5, 11, 34)
Awareness Raising Campaigns‡	Government program that conducts training on anti-human-trafficking.(5)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor through data collection and research.(44)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of South Africa.



# South Africa

## SIGNIFICANT ADVANCEMENT

The Government has identified constraints on its capacity to offer social protection for children. For example, the child protection system still lacks a sufficient number of skilled staff to assist the majority of children who need care.(15, 35) Although South Africa has programs that target child labor, the scope of these programs is insufficient, including in agriculture and domestic work.(1, 2)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in South Africa (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Promulgate the 2013 Trafficking in Persons Bill.	2013 – 2014
Enforcement	Establish and enforce appropriate procedures to protect the safety of labor inspectors and allow for and facilitate labor inspections in all regulated areas, including on farms.	2009 – 2014
	Provide sufficient training and systems for law enforcement personnel to identify the worst forms of child labor, including human trafficking cases.	2009 – 2014
	Publicly report the number of child labor cases and child trafficking cases opened, closed, and resolved, and the number of convictions or penalties assessed.	2009 – 2014
	Increase the number of social workers to ensure protections against hazardous work for children of legal working age.	2011 – 2014
	Disaggregate the number of complaints made to the Government’s hotline that relate to child labor.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing youth policies.	2013 – 2014
Social Programs	Conduct research and collect comprehensive data on child labor, including its worst forms, to inform policies and programs.	2013 – 2014
	Implement programs to ensure that all children have birth certificates.	2010 – 2014
	Ensure that children can complete primary school by subsidizing or defraying the cost of books, uniforms, and other fees.	2009 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2013 – 2014
	Dedicate sufficient resources to better ensure support to children in the social protection system and increase the number of skilled staff in the child protection system.	2011 – 2014
	Institute programs to address the worst forms of child labor in agriculture and domestic work.	2010 – 2014

### REFERENCES

- U.S. Consulate- Johannesburg. *reporting, February 7, 2014.*
- U.S. Department of State. “South Africa,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/>.
- Rother, H. “Falling through the Regulatory Cracks: Street selling of Pesticides and Poisoning among Urban Youth in South Africa.” *International Journal of Occupational and Environmental Health*, 16(no. 2)(2010); <http://worldcat.org> [source on file].
- U.S. Consulate- Johannesburg. *reporting, January 31, 2013.*
- U.S. Embassy- Pretoria. *reporting, February 21, 2014.*
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- U.S. Consulate- Johannesburg official. E-mail communication to USDOL official. April 13, 2015.
- U.S. Department of State. “South Africa,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/index.htm>.
- U.S. Consulate- Johannesburg. *reporting, December 21, 2010.*
- Government of South Africa. *Tsireledzani: Understanding the Dimensions of Human Trafficking in Southern Africa*. Pretoria; March 2010. [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_142882.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_142882.pdf).
- U.S. Consulate- Johannesburg. *reporting, February 2, 2010.*
- City Press. “Child labour still unacceptably high.” *citypress.co.za* [online] August 1, 2013 [cited March 19, 2014]; <http://www.citypress.co.za/news/child-labour-still-unacceptably-high-minister/>.

14. Gaura, D. *World Day Against Child Labour: South Africa's forgotten children*. Johannesburg, Gender Links; June 9, 2011. <http://www.genderlinks.org.za/article/world-day-against-child-labour-south-africas-forgotten-children-2011-06-09>.
15. Government of South Africa. *Situation Analysis of Children in South Africa*. Pretoria; April 2009. <http://www.thepresidency.gov.za/docs/pcsagdch/situation-analysis.pdf>.
16. U.S. Consulate- Johannesburg. *reporting, January 16, 2015*.
17. Minister of Labor, Republic of South Africa. *Speech at the Child Labour Conference: The Hague*; May 11, 2010.
18. Minister of Social Development, Republic of South Africa. *Speech by the Minister of Social Development, Ms. Bathabile Dlamini, at the Launch of the Food for All Campaign, Makgori Village- North West*. Pretoria, Department of Social Development; December 22, 2011. [http://www.dsd.gov.za/index.php?option=com\\_content&task=view&id=373&Itemid=106](http://www.dsd.gov.za/index.php?option=com_content&task=view&id=373&Itemid=106).
19. Department of Education. *Pocket Guide to South Africa 2010/2011 Education*. Pretoria; 2011.
20. Government of South Africa. *Child labour: Programme of Action for South Africa: Phase 2: 2008-2012*. Pretoria, Department of Labour; 2007.
21. U.S. Consulate- Johannesburg official. E-mail communication to USDOL official. May 13, 2014.
22. Government of South Africa. *Basic Conditions of Employment Act, No. 75 of 1997*, enacted December 5, 1997. [www.justice.gov.za/labourcourt/docs/1997-075.pdf](http://www.justice.gov.za/labourcourt/docs/1997-075.pdf).
23. Department of Labour. *Regulations on Hazardous Work By Children*. Pretoria; n.d. <https://www.labour.gov.za/downloads/documents/useful-documents/basic-conditions-of-employment/childlabourooklet2012.pdf>.
24. Government of South Africa. *Basic Conditions of Employment Act (75 of 1997): Regulations on Hazardous Work by Children in South Africa*, No. 32862, enacted January 15, 2010. <http://www.polity.org.za/article/basic-conditions-of-employment-act-751997-regulations-on-hazardous-work-by-children-in-south-africa-gazette-no-32862-regulation-7-2010-01-28>.
25. Government of South Africa. *The Children's Amendment Act of 2007*, enacted March 2008.
26. Government of South Africa. *Constitution*, enacted 1996. <http://www.justice.gov.za/legislation/constitution/constitution.htm>.
27. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) South Africa (ratification: 2000) Submitted: 2010*; accessed October 26, 2012; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2309446](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2309446).
28. Government of South Africa. *Defense Act 42 of 2002*, No. 42, enacted February 2003. <http://bit.ly/zF64Vj>
29. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/user\\_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf](http://www.child-soldiers.org/user_uploads/pdf/appendix2datasummarytableonrecruitmentagesofnationalarmies9687452.pdf).
30. Government of South Africa. *South African Schools Act*, No. 84 of 1996, enacted November 15, 1996. <http://www.acts.co.za/south-african-schools-act-1996/index.html>.
31. Government of South Africa. *Child labour: Programme of Action for South Africa: Phase 3: 2013-2017*. Pretoria, Department of Labour; 2013.
32. Government of South Africa. *Act No. 7 of 2013: Prevention and Combatting of Trafficking in Persons Act*, enacted July 29, 2013.
33. U.S. Consulate- Johannesburg official. E-mail communication to USDOL official. May 31, 2013.
34. U.S. Department of State. "South Africa," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/index.htm>.
35. Hweshwe, F. "Government beefs up social work studies." *Vuk'uzenzele*, Pretoria, January 26, 2011; *Regulars*. [http://www.info.gov.za/vukuzenzele/2011/number40/regulars\\_1111social\\_studies.htm](http://www.info.gov.za/vukuzenzele/2011/number40/regulars_1111social_studies.htm).
36. U.S. Embassy- Pretoria. *reporting, February 11, 2015*.
37. Evans, C. "South African Education Action Plan to 2014." *borgenproject.org* [online] August 6, 2013, [cited November 16, 2014]; <http://borgenproject.org/south-african-education-action-plan-for-2014/>
38. Government of South Africa. *National Development Plan 2030*. Pretoria; August 15, 2012. <http://www.gov.za/documents/detail.php?cid=348761>.
39. ILO-IPEC. *Towards the Elimination of the Worst Forms of Child Labor (TECL), Phase II*. Technical Progress Report. Geneva; October, 2011.
40. South African Social Security Agency, Department of Monitoring and Evaluation, Strategy and Business Development. *Statistical Report on Social Grants, Report No. 39*. Pretoria, SASSA; February 28, 2011.
41. Stephen Devereux, and Colette Solomon. "Can Social Protection Deliver Social Justice for Farmwomen in South Africa?" in *Social Protection for Social Justice*; April 13-15, 2011; Brighton, UK; <http://www.ids.ac.uk/files/dmfile/DevereuxSolomon2011FarmwomenandsocialprotectioninSouthAfricaCSPconferencedraft.pdf>.
42. Djebbari H., and H. Mayrand. *Cash Transfers and Children's Living Arrangements in South Africa*. Québec; 2011. [http://www.ipc.umich.edu/pdf/childfostering\\_hdjebbari.pdf](http://www.ipc.umich.edu/pdf/childfostering_hdjebbari.pdf).
43. Department of Education. *National School Nutrition Programme: A Guide for Secondary Schools*. Pretoria; 2009.
44. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2014.

# South Sudan

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

In 2014, South Sudan made efforts to eliminate the worst forms of child labor, but was also complicit in the forced recruitment of children for armed conflict. While the Government made efforts by launching the Children, Not Soldiers campaign to raise awareness about child protection and to penalize perpetrators that recruit child soldiers, South Sudan is receiving this assessment of no advancement because the Sudan People's Liberation Army (SPLA) recruited, sometimes forcibly, children to fight the opposition group led by former Vice President Riek Machar. In addition, gaps in legislation continue to put children at risk and child labor laws are not effectively enforced.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children are engaged in the worst forms of child labor, including in armed conflict and commercial sexual exploitation, sometimes as a result of human trafficking. (1-7) Table 1 provides key indicators on children's work and education in South Sudan.

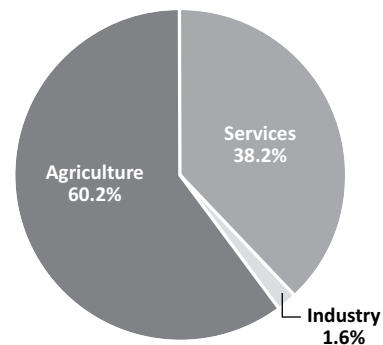
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	45.6 (463,624)
Attending School (%)	5-14 yrs.	31.5
Combining Work and School (%)	10-14 yrs.	10.9
Primary Completion Rate (%)		37.4

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2014.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Fifth Housing and Population Census, 2008.(9)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming activities,* including planting* and harvesting* (10-12)
	Cattle herding† (10, 11, 13, 14)
	Breaking rocks to make gravel*† (15, 16)
Industry	Construction,*†including building* and transporting materials* (12, 17)
	Brick making* (4)
	Mining,*† activities unknown (4)
	Domestic work (5, 13, 14, 18)
Services	Street work, including vending, washing cars, polishing shoes, collecting empty bottles, and pushing delivery carts (4, 5, 19-21)
	Scrap metal collection* (22)
	Cow dung collection* (13)
	Work in slaughterhouses,*including transporting livestock* and meat* (12, 23)
	Forced labor in cattle herding, domestic work,* construction,* brick making,* rock breaking,* begging,* and market vending* (4, 17, 24)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation,* sometimes as a result of human trafficking* (2-7)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Used in illicit activities, such as selling drugs* (17)
	Used as border patrols,* community police officers,* and bodyguards to military commanders*(25)
	Used in armed conflict,* sometimes as a result of forced recruitment* (3, 4, 26, 27)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In 2014, children were recruited for armed conflict, including by the Sudan People’s Liberation Army (SPLA).(4, 10, 25, 28) The Government stationed child soldiers in Bentiu and Rubokona, and sometimes used them as bodyguards.(29) In addition, the Government recruited child soldiers, sometimes forcibly or with the aid of community leaders, to fight against the opposition group, Sudan People’s Liberation Army- In Opposition (SPLA-IO), led by former Vice President Riek Machar during the reporting period.(25, 30-35) Riek Machar’s SPLA-IO also recruited and used many child soldiers during the reporting period.(7, 25, 36, 37) In February 2014, there were reports that children were abducted by SPLA-IO in Malakal in Upper Nile.(28)







During the year, an inter-ethnic conflict in Bentiu resulted in the deaths of hundreds of Nuer and non-Nuer South Sudanese nationals, and caused the displacement of more than 22,000 persons in South Sudan.(38) Many of these displaced families found refuge in the civilian protection sites of the United Nations Mission in South Sudan (UNMISS). Some families in the internally displaced camps placed their daughters in commercial sexual exploitation for money, particularly in Bentiu in Unity State, and Malakal in Upper Nile State.(7) The ongoing conflict may have diminished the Government’s ability to deliver aid, provide education, and address the worst forms of child labor.(38)

Although the Constitution and the Child Act provide for free primary education, in practice, parents must often pay teachers’ salaries—a cost that is prohibitive for many families.(14, 39, 40) The cost of uniforms also prevents some children from attending school.(5) Food insecurity and the high cost of living may also impede access to education in South Sudan, as many families may not be able to afford to send their children to school.(41-44) Many children (especially in rural areas) do not have access to schools, often due to the lack of infrastructure.(14, 39, 40, 45, 46) During the reporting period, there were several incidents of attacks on schools that resulted in lootings and military occupancy.(28) The lack of access to education may increase the risk of children’s involvement in the worst forms of child labor.(28, 47) In addition, there has not been a comprehensive child labor survey in South Sudan and during the year the National Disarmament, Demobilization, and Reintegration Commission (NDDRC) continued monitoring the government’s efforts to ban the use of child soldiers.(35)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

South Sudan has ratified a few key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

South Sudan’s national legislative assembly passed a bill in 2013 to allow the ratification of the UN CRC; the UN CRC Optional Protocol on Armed Conflict; the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the two optional protocols. The bill now awaits the President’s signature.(23, 48) South Sudan has not ratified the Palermo Protocol.

# South Sudan

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 25.3 of the Child Act (49)
Minimum Age for Hazardous Work	Yes	18	Articles 5, 22.3 and 25.1 of the Child Act (49)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 25.2 of the Child Act (49)
Prohibition of Forced Labor	Yes		Article 277 of the Penal Code; Article 13 of the Constitution (50, 51)
Prohibition of Child Trafficking	Yes		Article 22.3(b) of the Child Act; Articles 269, 270, 278, 279, 281, and 282 of the Penal Code; Article 17.1(h) of the Constitution (49-51)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 22.3(c) and (d) of the Child Act; Articles 258 and 276 of the Penal Code (49, 50)
Prohibition of Using Children in Illicit Activities	Yes		Article 24.1 of the Child Act (49)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 31.1 of the Child Act (49)
Minimum Age for Voluntary Military Service	Yes	18	Article 31.1 of the Child Act; Section 22.2 of the Sudan People's Liberation Army Act (49, 52)
Compulsory Education Age	Yes	13	Article 9.1(b) of the General Education Act (23, 53)
Free Public Education	Yes		Article 6(a) of the General Education Act; Article 14.1 of the Child Act; Article 29.2 of the Constitution (11, 14, 49, 51)

In South Sudan, the minimum age provision for work in the Child Act does not apply to children outside of a formal employment relationship, such as children working in domestic work.(49) Children are only required to attend school until age 13, as the General Education Act requires that a child enrolls in school between ages 5 to 6, and primary education in South Sudan lasts 8 years.(23, 53) This standard makes children between the ages of 13 and 14 particularly vulnerable to the worst forms of child labor, as they are not required to be in school, but they are not legally permitted to work either.(23) Although Articles 31.2 of the Child Act already prohibits the use of children in any military or paramilitary activities and Article 32 punishes violators with imprisonment for a term not exceeding ten years or with a fine or both, the Government in 2014 amended the Sudan People's Liberation Army (SPLA) Act of 2009 to provide additional protections and established punitive measures for SPLA officials who recruit children or use schools for military purposes. In September 2014, the Ministry of Defense issued a Punitive Order against commanders who had children in their military unit.(49, 54) Although in 2013 the Government drafted an updated list of hazardous work for children, the list has not been finalized.(55)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Public Service, and Human Resource Development (MoLPS & HRD)	Develop labor policies, enforce child labor laws, conduct workplace inspections, and oversee the operation of vocational training centers.(14, 49, 56) Through the Ministry's Child Labor Unit, investigate cases of child labor.(10)
Ministry of Gender, Child, and Social Welfare (MoGC & SW)	Coordinate activities on children's rights and act as the focal ministry for child protection.(57)
SPLA's Child Protection Unit	Identify child soldiers and provide training on children's rights to child protection officers and members of the SPLA.(58)
Ministry of Interior	Enforce criminal laws to combat human trafficking and maintain a database on crime statistics.(59)
Ministry of Justice	Protect citizens' rights and enforce the Comprehensive Peace Agreement and the Constitution, including child protection provisions in those laws.(11, 60)
South Sudan Police Services	Enforce criminal laws related to the worst forms of child labor.(14, 23)



**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Human Rights Commission	Raise awareness of human rights, monitor the application of human rights in the Constitution, and investigate complaints regarding human rights violations, such as human trafficking.(61, 62)

Criminal law enforcement agencies in South Sudan took some action to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Child Labor Unit of the Ministry of Labor, Public Service, and Human Resource Development (MoLPS & HRD) was comprised of an estimated 10 labor inspectors and 2 investigators, which appears to be insufficient for the size of the population.(35, 54) MoLPS & HRD officials reported that they lacked sufficient resources, such as vehicles for transport, to conduct labor investigations.(12, 35) It is unclear whether labor inspectors conducted unannounced inspections or whether the inspectorate has the authority to issue penalties.(35) Research did not find information on the quality of inspections, whether labor inspectors received training, how many child labor citations were issued, or whether penalties were applied for the citations issued during the reporting period.(35) The National Steering Committee on Child Labor, led by the Ministry of Labor, was charged with coordinating efforts across government ministries to combat child labor; but evidence indicates that the Committee was inactive during the year, and no referral mechanisms were established to report and address child labor violations.(35)

Research did not find information on the Government's efforts to collect, maintain, or make child labor data publicly available.(6, 35)

### *Criminal Law Enforcement*

In 2014, the IOM, in coordination with INTERPOL, provided training to immigration and customs officials that included presentations on how to combat human trafficking.(54) In October 2014, the IOM and UNDP provided a second training seminar to 20 law enforcement officials on issues related to sexual and gender-based violence that also included a session on human trafficking.(12, 54) However, research found no information on how many investigators were responsible for enforcing the laws on the worst forms of child labor; how many investigations, prosecutions, convictions had occurred; or whether appropriate penalties were applied.(35) Research also found no information on whether a referral mechanism exists between law enforcement and social service entities.(35)

During the reporting period, the Sudan People's Liberation Army (SPLA) recruited children for armed conflict, even though the Child Act sets the minimum age for voluntary military recruitment at 18.(23, 49) Although the Joint Action Plan to Combat the Use of Child Soldiers commits the SPLA to holding its military officers accountable for the recruitment or use of children, research found no information that the Government had investigated or prosecuted officers who had allegedly committed such crimes.(35) However, in September 2014, following the implementation of the Children, Not Soldiers awareness campaign targeting military officials, the SPLA released from military service 32 children in Wau and 43 children in Jonglei.(54) Prosecutors and law enforcement officials are not familiar with the Child Act's prohibitions on the worst forms of child labor, as it has not been adequately disseminated.(23, 57, 63)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinate efforts to combat the worst forms of child labor across government ministries. Led by the MoLPS & HRD.(10)
National Disarmament, Demobilization, and Reintegration Commission (NDDRC)	Oversee and coordinate the implementation of the Joint Action Plan to Combat the Use of Child Soldiers and reintegrate children formerly engaged in armed conflict.(3, 4, 14, 64) In 2014, the Government recommitted itself to the Joint Action Plan. The NDDRC and UNICEF partnered with each other to release child soldiers from armed forces.(12, 65) Despite this, neither the Government nor the SPLA-IO has made significant progress in honoring commitments to release child soldiers from armed conflict.(28)

# South Sudan

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

Research could not confirm whether the National Steering Committee on Child Labor had coordinated activities to combat child labor in 2014.(6)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of South Sudan has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Joint Action Plan to Combat the Use of Child Soldiers	Requires the SPLA to demobilize children within its ranks.(66) Aims to improve efforts to verify the age of new recruits and provide reintegration services, such as vocational training, to demobilized children.(4, 67, 68) In June 2014, the Government recommitted itself to the implementation of the Joint Action Plan by signing an agreement with the UN.(65) In August 2014, the Government signed a work plan detailing the implementation steps for the agreement, which aims to end the recruitment and use of children by armed forces, the killing and maiming of children, sexual violence against children, and the use of schools for military purposes by July 2015.(54, 65) Throughout the demobilization efforts, girls from the Greater Pibor region were released. Reintegration and rehabilitation services, such as interim care centers, were available for the demobilized children.(12)
MoLPS & HRD's Policy Framework and Strategic Plan (2012–2016)	Aims to eliminate child labor, and support workplace best practices in occupational safety and health.(69, 70)
UN Development Assistance Framework (2012–2016)	Seeks to improve access to and quality of education; includes provisions for social protection and the reintegration of ex-combatants.(12, 71)
War-Disabled, Widows, and Orphans Commission Policy (2010–2014)*	Aims to provide orphans with services such as education, special education, and employment training.(72)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

It is unclear whether an implementation timeline and budget exist for the War-Disabled, Widows, and Orphans Commission Policy.(72)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of South Sudan participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues Project (2011–2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor, established by the Hague Global Child Labor Conference in 2010, by year 2016. Aims to build the capacity of the Government and develop strategic policies to address the elimination of child labor in South Sudan.(73)
Tackling Child Labor Through Education Project	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states.(74) Aims to improve the child labor and education legal framework, strengthen the Government's capacity to develop and implement child labor strategies, carry out activities to combat child labor, and collect data on child labor and education in South Sudan.(74)
World Bank Grant*	World Bank-funded, \$9 million program that aims to improve employment and financing opportunities for youth and women, including by supporting 50,000 small business entrepreneurs and generating 250 jobs.(75)
UNICEF Country Program (2012–2015)	UNICEF-funded program implemented by the Government that aims to develop child protection systems, with an emphasis on birth registration, child-sensitive justice system, and reintegration services for children affected by armed conflict.(76, 77)
UNICEF Child Protection Working Group Situation and Response Trainings†	In August 2014, UNICEF-funded training implemented by the Government officials on identifying needs, gaps, and trends in order to effectively respond to child protection risks, hazards, and threats.(78, 79)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Children, Not Soldiers Campaign†	Ministry of Defense program to raise awareness of child protection principles publicly and within the SPLA, and hold perpetrators accountable for recruiting child soldiers. Also aims to end the recruitment and use of children in armed conflict by the end of 2016.(80) Under the Children, Not Soldiers campaign, the month of November was declared the month for the NDDRC to screen the military, and to demobilize and reintegrate child soldiers.(81)
Refugee assistance programs*	Government programs to assist refugees and allow the return of South Sudanese (including families and children) from North Sudan. Receive support from the UN High Commissioner for Refugees, the IOM, USAID, USDOS, and other organizations; also include the provision of food, shelter, emergency reintegration, and livelihood assistance.(3, 82-84)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

Although South Sudan has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in agriculture. Reports also suggest that the level and amount of rehabilitation services provided to child soldiers are not sufficient to meet the total need.(85)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in South Sudan (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC; the UN CRC Optional Protocol on Armed Conflict; and UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Extend the protection for minimum age of work to all children.	2012-2014
	Ensure that the compulsory education age is equivalent to the minimum age for work.	2013 – 2014
	Finalize the updated list of hazardous work for children and the 2012 Labor Bill.	2013 – 2014
	Provide sufficient human and financial resources, as well as personnel training for effective inspection and enforcement efforts.	2012 – 2014
Enforcement	Ensure that prosecutors and law enforcement officials are familiar with the Child Act, which prohibits the worst forms of child labor.	2013 – 2014
	Establish referral mechanisms for labor inspectors, criminal enforcers, and social services providers to facilitate effective labor law enforcement and the implementation of social programs that address child labor issues	2014
	Ensure that the National Disarmament, Demobilization, and Reintegration Commission is able to screen SPLA barracks and other military sites, and to remove child soldiers from the army.	2014
	Track and make publicly accessible information on the number of child labor investigators; types of investigations; areas of investigations; and citations, penalties, prosecutions, and convictions for crimes involving child labor, including its worst forms.	2012 – 2014
	Investigate and prosecute officers responsible for the recruitment or use of children in armed conflict.	2013 – 2014
	Ensure the Child Act's , minimum age for voluntary military recruitment at 18 year is enforced.	2012 – 2014
	Ensure that the National Steering Committee on Child Labor is able to coordinate activities to combat child labor.	2013 – 2014
Government Policies	Ensure that policies such as the National Social Policy and the Policy on Children Without Appropriate Care and Support are enacted.	2012 – 2014
	Ensure that the War-Disabled, Widows, and Orphans Commission Policy has an appropriate budget and implementation timeline.	2012 – 2014

# South Sudan

NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Strengthen efforts to lessen the impact that food insecurity and the high cost of living may have on rural populations' ability to educate children.	2012 – 2014
	Improve access to education by addressing the lack of school infrastructure in rural areas, registering all children at birth, and prohibiting the occupation of schools by armed groups and forces.	2012 – 2014
	Ensure that children can complete their primary education by subsidizing or defraying the cost of school uniforms and teachers' salaries.	2014
	Assess the impact that existing programs may have on child labor, including the refugee assistance programs and World Bank Grant.	2012 – 2014
	Conduct a national child labor survey, including research to determine the activities carried out by children to inform policies and social programs.	2013 – 2014
	Ensure that the level and amount of rehabilitation services provided to child soldiers are sufficient.	2014
	Increase the scope of social programs to reach more children at risk of child labor, including in agriculture.	2012 – 2014

## REFERENCES

- Understanding Children's Work. *Labour Market in South Sudan*. Rome; December 2011. [http://www.ucw-project.org/attachment/Labour\\_market\\_in\\_South\\_Sudan\\_childlabour\\_youthemployment20120131\\_173344.pdf](http://www.ucw-project.org/attachment/Labour_market_in_South_Sudan_childlabour_youthemployment20120131_173344.pdf).
- Integrated Regional Information Networks. "South Sudan: Sex Workers Risk Violence, HIV in Juba's Brothels." IRINnews.org [online] November 28, 2011 [cited March 11, 2014]; <http://www.irinnews.org/report/94320/south-sudan-sex-workers-risk-violence-hiv-in-juba-s-brothels>.
- U.S. Department of State. "South Sudan," in *Country Reports on Human Rights Practice- 2012*. Washington, DC; April 22, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Department of State. "South Sudan," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/index.htm>.
- Confident Children Out of Conflict. *Child Exploitation in Juba: A Study on Street Children and Child Labour in Juba, South Sudan*; September 2013.
- U.S. Embassy- Juba. *reporting, March 6, 2014*.
- U.S. Embassy- Juba. *reporting, February 26, 2015*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Fifth Housing and Population Census, 2008. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "South Sudan," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220374.pdf>.
- U.S. Embassy- Juba. *reporting, February 1, 2013*.
- U.S. Embassy-Juba official. E-mail communication to USDOL official. April 16, 2015.
- ILO-IPEC. *Child Labour and Education in Pastoralist Communities in South Sudan*. Geneva; October 23, 2013. [http://www.ilo.org/ipece/Informationresources/WCMS\\_IPEC\\_PUB\\_24057/lang-en/index.htm](http://www.ilo.org/ipece/Informationresources/WCMS_IPEC_PUB_24057/lang-en/index.htm).
- U.S. Embassy- Juba. *reporting, February 10, 2012*.
- USDOL-ILAB. *Trip report*. Washington, DC; March 2, 2012.
- Taban Kuich, B. "Unity State: Women Crush Stones to Fight Poverty." *sudantribune.com* [online] May 10, 2013 [cited March 4, 2014]; <http://www.sudantribune.com/spip.php?article46524>.
- ILO-IPEC. *The Worst Forms of Child Labour in Conflict and Post Conflict Settings: Results from a Research Project*. Geneva; 2010. [http://www.ilo.org/ipece/areas/Armedconflict/WCMS\\_145948/lang-en/index.htm](http://www.ilo.org/ipece/areas/Armedconflict/WCMS_145948/lang-en/index.htm).
- Mori, K. "Situational of Child Domestic Workers in Juba, South Sudan," in *World Day Against Child Labour*; June 25, 2013; Juba; <http://institutechildstudies.org/wp-content/uploads/2012/06/Situation-of-Child-Domestic-Workers-in-Juba-S.Sudan-25.06.pdf>.
- Taban Kuich, B. "Sudan: Street Children on the Rise in Unity State Markets." *allafrica.com* [online] October 9, 2012 [cited October 25, 2012]; <http://allafrica.com/stories/201210100047.html?page=2>.
- Nakimangole, P. "Child Labour Rampant In South Sudan Major Towns." *gurtong.net* [online] November 30, 2013 [cited January 14, 2014]; <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/13964/Child-Labour-Rampant-In-South-Sudan-Major-Towns.aspx>.
- Alnour Ango, and Simon Owaka. "South Sudan: Labour Undersecretary Decries Rising Number of Street Children." *allafrica.com* [online] November 14, 2012 [cited November 16, 2012]; <http://allafrica.com/stories/201211150036.html>.
- BBC News. "South Sudan Child Scrap Metal Diggers Blown up in Juba." *bbc.com* [online] October 17, 2013 [cited March 4, 2014]; <http://www.bbc.com/news/world-africa-24563786>.
- U.S. Embassy- Juba. *reporting, March 11, 2014*.
- Sudan Tribune. "South Sudan: Child Returns Home Eight Years After Abduction." Juba, December 9, 2011. <http://www.sudantribune.com/spip.php?article40938>.
- Human Rights Watch. "South Sudan: Child Soldiers Thrust Into Battle." *hrw.org* [online] August 20, 2014 [cited November 17, 2014]; <http://www.hrw.org/news/2014/08/20/south-sudan-child-soldiers-thrust-battle>.
- Gridneff, I. "Child Soldiers Fighting in South Sudan Conflict, Says UN." *The Telegraph*, London, January 17, 2014. <http://www.telegraph.co.uk/news/worldnews/africaandindianocan/south-sudan/10579738/Child-soldiers-fighting-in-South-Sudan-conflict-says-UN.html>.
- Agence France Presse. "Child Soldiers Fighting In South Sudan, UN Envoy Says." *huffingtonpost.com* [online] January 17, 2014 [cited January 22, 2014]; [http://www.huffingtonpost.com/2014/01/17/child-soldiers-south-sudan\\_n\\_4617105.html](http://www.huffingtonpost.com/2014/01/17/child-soldiers-south-sudan_n_4617105.html).
- United Nations Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 - S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).



29. Donaldson, DB. "South Sudan: Child Soldiers Enter Fight on Government Army Side, Condemned by Human Rights Watch" thespeaker.co [online] August 20, 2014 [cited November 24, 2014]; <http://thespeaker.co/south-sudan-child-soldiers-enter-fight-government-army-side-condemned-human-rights-watch/>.
30. Odiwuor, K. "South Sudan's Child Soldiers - A Step Backwards." IRINnews.org [online] August 25, 2014 [cited November 9, 2014]; <http://www.irinnews.org/report/100534/south-sudan-s-child-soldiers-a-step-backwards>.
31. Burrige, T. "Child soldiers still being recruited in South Sudan." bbc.com [online] October 26, 2014 [cited November 17, 2014]; <http://www.bbc.com/news/world-africa-29762263>.
32. BBC News. "South Sudan militia frees first group of child soldiers- UN" bbc.com [online] January 27, 2015 [cited February 11, 2015]; <http://www.bbc.com/news/world-africa-31009349>.
33. Middle East Eye. "US, China urged to step up efforts for peace in Sudan and South Sudan" middleeasteye.net [online] January 28, 2015 [cited February 11, 2015]; <http://www.middleeasteye.net/news/us-china-urged-step-efforts-peace-sudan-and-south-sudan-626282751>.
34. McKeever, C. "In South Sudan, a long way back to freedom." unicef.org [online] January 27, 2015 [cited February 11, 2015]; [http://www.unicef.org/infobycountry/southsudan\\_78942.html](http://www.unicef.org/infobycountry/southsudan_78942.html).
35. U.S. Embassy- Juba. *reporting, January 8, 2015*.
36. Human Rights Watch. "South Sudan: Government Forces Recruiting Child Soldiers" hrw.org [online] February 16, 2015 [cited March 13, 2015]; <http://www.hrw.org/news/2015/02/16/south-sudan-government-forces-recruiting-child-soldiers>.
37. BBC News. "South Sudan sides 'recruit 9,000 children to fight'" bbc.com [online] April 30, 2014 [cited March 13, 2015]; <http://www.bbc.com/news/world-africa-27220244>.
38. International Coalition For The Responsibility to Protect. *The Crisis in South Sudan*. Status Report. New York; 2014. <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-south-sudan>.
39. Daniel Maxwell, Kirsten Gelsdorf, and Martina Santschi. *Livelihoods, Basic Services and Social Protection in South Sudan*. London, Feinstein International Center; July 2012. <http://www.odi.org.uk/resources/docs/7716.pdf>.
40. Integrated Regional Information Networks. "Analysis: South Sudan Struggles to Meet Demand for Education." IRINnews.org [online] September 4, 2012 [cited October 26, 2012]; <http://www.irinnews.org/Report/96237/Analysis-South-Sudan-struggles-to-meet-demand-for-education>.
41. Food and Agriculture Organization of the United Nations. "A third of South Sudanese now severely food insecure due to ongoing conflict." fao.org [online] May 10, 2014 [cited November 13, 2014]; <http://www.fao.org/news/story/en/item/231502/icode/>.
42. Integrated Regional Information Networks. "South Sudan: Worsening Food Crisis." IRINnews.org [online] February 20, 2012 [cited October 26, 2012]; <http://www.irinnews.org/Report/94908/SOUTH-SUDAN-Worsening-food-crisis>.
43. World Food Programme. *South Sudan: Overview*, WFP, [online] [cited January 14, 2014]; <http://www.wfp.org/countries/south-sudan/overview>.
44. United Nations. *South Sudan: Consolidated Appeal 2014-2016*. New York; November 14, 2013. [https://docs.unocha.org/sites/dms/CAP/MYR\\_2013\\_South\\_Sudan.pdf](https://docs.unocha.org/sites/dms/CAP/MYR_2013_South_Sudan.pdf).
45. Ministry of Gender, Social Welfare and Religious Affairs. *Preliminary Data Collection on Street Children*. Juba; February 25-March 5, 2009.
46. UNESCO. *Education for All Global Monitoring Report 2011: Building a Better Future: Education for an Independent South Sudan*. Policy Paper. Paris; June 2011. <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/pdf/gmr2011-policy-paper-south-sudan.pdf>.
47. Radio Tamazuj. "88 South Sudan schools occupied by soldiers and displaced people." radiotamazuj.org [online] October 19, 2014 [cited November 18, 2014]; <https://radiotamazuj.org/en/article/88-s-sudan-schools-occupied-soldiers-and-displaced-people>.
48. UN Mission in South Sudan. "Parliament Passes Bill to Ratify Child Rights Convention." reliefweb.int [online] November 20, 2013 [cited January 14, 2014]; <http://reliefweb.int/report/south-sudan-republic/parliament-passes-bill-ratify-child-rights-convention>.
49. Government of the Republic of South Sudan. *The Child Act*, 10, enacted February 10, 2009. <http://www.crin.org/Law/instrument.asp?InstID=1395>.
50. Government of the Republic of South Sudan. *The Penal Code Act*, enacted February 10, 2009. [source on file].
51. Government of the Republic of South Sudan. *The Transitional Constitution of the Republic of South Sudan, 2011*, enacted 2011. <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/5133/The-Transitional-Constitution-Of-The-Republic-Of-South-Sudan-2011.aspx>.
52. Government of the Republic of South Sudan. *The Sudan People's Liberation Army Act, 2009*, enacted 2009. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/98164/116700/F1105592601/SSD98164.pdf>.
53. Government of the Republic of South Sudan. *General Education Act*, 30, enacted 2012.
54. U.S. Embassy- Juba. *reporting, December 3, 2014*.
55. ILO-IPEC. *Good Practices in Tackling Child Labour through Education- Selected Examples from the IPEC TACKLE Project* Geneva; October 2013. <http://www.ilo.org/ipceinfo/product/viewProduct.do?productId=22956>.
56. Government of the Republic of South Sudan. *Labour and Public Service*, [previously online] [cited November 6, 2012]; <http://www.goss-online.org> [source on file].
57. Child Protection Working Group. *Child Protection in Emergencies Desk Review: South Sudan*. New York; March 13, 2013.
58. UN Mission in South Sudan. "SPLA Commanders Trained in Child Protection." reliefweb.int [online] November 27, 2013 [cited January 13, 2014]; <http://reliefweb.int/report/south-sudan-republic/spla-commanders-trained-child-protection>.
59. Government of the Republic of South Sudan. *South Sudan Interior*, [previously online] 2012 [cited November 6, 2012]; <http://www.goss-online.org> [source on file].
60. Government of the Republic of South Sudan. *South Sudan Justice*, [previously online] [cited November 6, 2012]; <http://www.goss-online.org> [source on file].
61. Government of the Republic of South Sudan. *Southern Sudan Human Rights Commission*. previously online. Juba; November 6, 2012. <http://www.goss-online.org> [source on file].
62. Government of the Republic of South Sudan. *The National Human Rights Commission Act, 2009*. [http://www.mpil.de/files/pdf1/human\\_rights\\_commission\\_act\\_2009\\_unofficial\\_translation.pdf](http://www.mpil.de/files/pdf1/human_rights_commission_act_2009_unofficial_translation.pdf).
63. UN General Assembly Security Council. *Technical Assistance and Capacity-Building for South Sudan in the Field of Human Rights*. New York; August 29, 2012. Report No. A/HRC/21/34. [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-34\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-34_en.pdf).
64. Government of the Republic of South Sudan. *South Sudan Disarmament Demobilization and Reintegration*, [previously online] [cited November 6, 2012]; <http://www.goss-online.org> [source on file].
65. UN News Centre. "South Sudan: UN officials welcome launch of campaign to end use of child soldiers." un.org [online] October 29, 2014 [cited November 17, 2014]; [http://www.un.org/apps/news/story.asp?NewsID=49194#\\_VF1ORJTF98E](http://www.un.org/apps/news/story.asp?NewsID=49194#_VF1ORJTF98E).
66. Children and Armed Conflict. *South Sudan Commits to Making the National Army Child-Free*. Press Release. New York, UN; March 12, 2012. <http://childrenandarmedconflict.un.org/press-releases/south-sudan-commits-to-making-the-national-army-child-free/>.
67. UN Security Council. *Cross-Cutting Report: Children and Armed Conflict*. New York; August 27, 2012. <http://www.securitycouncilreport.org/cross-cutting-report/cross-cutting-report-no-3-children-and-armed-conflict.php>.
68. Siddhartha Shrestha, and Julius Uma. *UN and Sudan People's Liberation Army (SPLA) Sign Historic Agreement to Stop Child Recruitment and Release All Children from the National Army*, UNICEF, [online] March 13, 2012 [cited January 11, 2014]; [http://www.unicef.org/infobycountry/southsudan\\_61989.html](http://www.unicef.org/infobycountry/southsudan_61989.html).



# South Sudan

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

69. Ministry of Labour, Public Service, and Human Resource Development. *Policy Framework and Strategic Plan 2012-2016*. Juba; 2012. <http://www.jdt-juba.org/wp-content/uploads/MoLPSHRD-Strategic-Plan.pdf>.
70. Justin Jada Joseph, Alnour Ango, and Simon Owaka. "South Sudan: Strategic Plan for Ministry of Labour, Public Service and HRD." *allafrica.com* [online] July 31, 2012 [cited October 31, 2012]; <http://allafrica.com/stories/201208010369.html>.
71. United Nations. *Development Assistance Framework for the Republic of South Sudan 2012-2013* Juba; 2012. <http://www.ss.undp.org/content/dam/southsudan/library/Reports/UNDAF-12-final.pdf>.
72. Government of the Republic of South Sudan. *War Disabled, Widows and Orphans Commission Policy 2010-2014*. Juba; 2014. <http://www.goss-online.org>.
73. ILO-IPEC. *Global Action Program on Child Labour Issues*. Technical Progress Report. Geneva; May 5, 2014.
74. International Labor Organization. *Tackling Child Labour through Education in African, Caribbean and the Pacific (ACP) States (TACKLE)*. Geneva; March 4, 2014. <http://www.ilo.org/ipecc/projects/global/tackle/lang-en/index.htm>.
75. The World Bank. *South Sudan Signs Landmark Grant with World Bank*, World Bank, [online] March 14, 2012 [cited October 31, 2012]; <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/0,contentMDK:23142339-menuPK:2246551-pagePK:2865106-piPK:2865128-theSitePK:258644,00.html>.
76. UNICEF. *Republic of South Sudan, Country Programme Document 2012-2013*. New York; February 10, 2012. [http://www.unicef.org/about/execboard/files/South\\_Sudan\\_final\\_approved\\_2012-2013\\_English\\_10Feb2012.pdf](http://www.unicef.org/about/execboard/files/South_Sudan_final_approved_2012-2013_English_10Feb2012.pdf).
77. UNICEF. *UNICEF programme cooperation "Extensions of ongoing country programmes"*. New York; September 2013. [http://www.unicef.org/about/execboard/files/2013-19-Extensions\\_decision-SRS2013-English.pdf](http://www.unicef.org/about/execboard/files/2013-19-Extensions_decision-SRS2013-English.pdf).
78. Child Protection Working Group. *South Sudan CP updates for OCHA, March 20-27, 2014*. Juba; 2014. [http://cpwg.net/starter\\_pack/south-sudan-cp-updates-ocha-sitrep-march-2014-eng/](http://cpwg.net/starter_pack/south-sudan-cp-updates-ocha-sitrep-march-2014-eng/).
79. Child Protection Working Group. *Child Protection in Emergencies Situation & Response Monitoring* Juba; August 13, 2014.
80. UN Mission in South Sudan and UNICEF. *South Sudan Commits to Making the National Army Child-Free*. Joint Press Release. Government of South Sudan and UN launch Children, Not Soldiers campaign UN; October 29, 2014. <https://childrenandarmedconflict.un.org/press-release/government-of-south-sudan-and-un-launch-children-not-soldiers-campaign/>.
81. Gama, O. *Kuol Manyang angry over child soldier's claim*, The New Nation, [previously online] November 2, 2014 [cited November 15, 2014]; <http://www.newnationsouthsudan.com/national-news/kuol-manyang-angry-over-child-soldiers%E2%80%99-claim.html>.
82. Shrestha, S. *UNICEF and Partners Respond to the Refugee Situation in Maban, South Sudan*, UN, [online] October 5, 2012 [cited March 11, 2012]; [http://www.unicef.org/infobycountry/southsudan\\_66080.html](http://www.unicef.org/infobycountry/southsudan_66080.html).
83. IOM. *Sudan and South Sudan Sign Return Deal, but April Deadline "Massive Logistical Challenge" Says IOM*, IOM, [online] February 14, 2012 [cited March 11, 2014]; <http://southsudan.iom.int/2012/02/14/sudan-and-south-sudan-sign-return-deal-but-april-deadline-massive-logistical-challenge-says-iom/>.
84. USAID. *South Sudan- Complex Emergency: Fact Sheet #6, Fiscal Year (FY) 2013*. Washington, DC; September 30, 2013. [http://www.usaid.gov/sites/default/files/documents/1866/south\\_sudan\\_ce\\_fs06\\_09-30-2013.pdf](http://www.usaid.gov/sites/default/files/documents/1866/south_sudan_ce_fs06_09-30-2013.pdf).
85. UN Security Council. *Report of the Secretary-General on Children and Armed Conflict in the Sudan*. New York; July 5, 2011. Report No. S/2011/413. <http://watchlist.org/wordpress/wp-content/uploads/SG-CAAC-Report-Sudan-2011.pdf>.

In 2014, Sri Lanka made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government expanded the Child Labor Free District by 2016 program to two new districts. The Government also implemented the fully automated Labor Inspection System Application (LISA) that supports onsite inspection processes in five of nine provinces. However, children in Sri Lanka are engaged in child labor, including in agriculture and in domestic work. The Government's enforcement efforts continued to be weak, particularly with regards to hazardous child labor.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sri Lanka are engaged in child labor, including in agriculture and in domestic work. (1-4) Table 1 provides key indicators on children's work and education in Sri Lanka.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	9.2 (302,865)
Attending School (%)	5-14 yrs.	97.8
Combining Work and School (%)	7-14 yrs.	10.4
Primary Completion Rate (%)		96.9

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Activity Survey, 2008–2009.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2-4, 7)
	Fishing* (1, 3, 7)
Industry	Manufacturing,* activities unknown (3, 4)
	Mining,† including gem mining* (1, 3, 8, 9)
	Construction,* activities unknown (1, 10)
	Production of fireworks*† (1)
Services	Domestic work (2, 3)
	Transportation,* activities unknown (3, 10)
	Street vending and begging (1, 3, 10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1-4, 11)
	Forced labor in domestic work* and begging* each sometimes as a result of human trafficking (1, 2, 12)
	Forced labor in farming,* fish-drying,* and fireworks* production (2, 11)

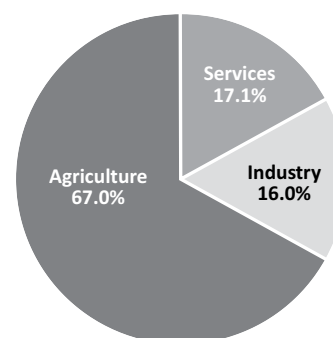
\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.



**Figure 1. Working Children by Sector, Ages 5-14**



# Sri Lanka

## MODERATE ADVANCEMENT

Children, particularly from former conflict zones and from the northern and southeastern plantations and tea estates, are employed as domestic workers in third-party households in Colombo and in other urban areas.(1, 13) There are reports of children being employed as domestic workers due to debt bondage, and of children from tea estates being trafficked internally to perform domestic work in Colombo, for which their payments are withheld and movements are restricted.(2, 3, 11) Some child domestic workers are subject to physical, sexual, and emotional abuse.(3)

There are reports that children are subjected to bonded and forced labor in farming.(11) Children, predominantly boys, are trafficked internally for commercial sexual exploitation in coastal areas as part of the sex tourism industry.(2, 3, 11) Sri Lankan children who move abroad for employment, primarily to Middle Eastern countries, are vulnerable to forced labor and commercial sexual exploitation.(11)




There is a lack of current data on child labor, particularly in the agricultural sector and in manufacturing; there is also a lack of data on child labor in the Northern Province, which was excluded from the Government's 2008/2009 Child Activity Survey because of civil conflict in the region.(14)

Most children in Sri Lanka have access to basic education.(5) However, barriers to accessing education include difficulties traveling to school in some regions, lack of sanitation and clean water, and an inadequate supply of teachers. This is particularly true in the Northern and Eastern Provinces, which have been affected by the civil conflict that ended in 2009.(15)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Sri Lanka has ratified most key international conventions concerning child labor, including its worst forms (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Sections 13 and 34 of the Employment of Women, Young Persons, and Children Act (16)
Minimum Age for Hazardous Work	Yes	18	Section 20A of the Employment of Women, Young Persons, and Children Act (16)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Part III, Employment of Women, Young Persons, and Children Act (17)
Prohibition of Forced Labor	Yes		Section 358A of the Penal Code (18)
Prohibition of Child Trafficking	Yes		Section 360 of the Penal Code (18, 19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286 of the Penal Code; Section 360 of the Penal Code (19, 20)
Prohibition of Using Children in Illicit Activities	Yes		Section 360C of the Penal Code; Section 288B of the Penal Code (18, 20)
Minimum Age for Compulsory Military Recruitment	N/A*		

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	18	Section 2 of the Hazardous Occupations Regulation (17)
Compulsory Education Age	Yes	14	Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation (21-23)
Free Public Education	Yes		Section 47 of the Education Ordinance (22)

\* No conscription (24)

There are no laws regulating employment in third-party households; thereby children ages 14 to 18 who are employed as domestic workers are vulnerable to exploitation.(13)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor (DOL), Ministry of Labor and Labor Relations (MOLLR)	Enforce child labor laws and receive public complaints of child labor filed in national and district-level offices. Refer cases involving the worst forms of child labor to the police and National Child Protection Authority (NCPA).(25)
Children and Women's Bureau of the Sri Lankan Police (CWBSLP)	Enforce laws on child labor, child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities.(10)
NCPA Police Unit	Inspect any premises, interrogate any person, and seize any property suspected to be involved with child abuse, including unlawful child labor.(10, 26)
Department of Probation and Child Care Services (DPCCS)	Coordinate services for child victims of forced labor, trafficking, and commercial sexual exploitation who have been referred to DPCCS by the police and the court. Refer children to centers that provide shelter, medical and legal services, psychological counseling, and life and vocational skills training.(27-29)

Law enforcement agencies in Sri Lanka took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

The Department of Labor (DOL)'s inspectorate employed 428 officers to enforce all labor laws, including those related to child labor. DOL provided training on legal procedures applying to child labor and hazardous child labor to government officials in districts; it also conducted awareness-raising programs for stakeholders helping to eradicate child labor.(30) More than 400 labor officers received training on the collection of evidence during labor inspections, and training manuals for labor inspectors were translated into the local languages of Sinhala and Tamil.(31)

In 2014, DOL conducted 8,300 labor inspections, which included 200 child labor inspections. No child labor law violations were found during these inspections.(32) During the reporting period, DOL received 133 complaints of child labor, leading to the prosecution of 9 cases. Eight of these cases are pending in court, while one case was finalized with a fine of \$750.(32)

During the reporting period, the Ministry of Labor and Labor Relations (MOLLR) implemented the Labor Inspection System Application (LISA) in five of nine provinces. LISA is an automated system in which trained labor inspectors use handheld tablets to input data and record findings during onsite inspections.(31) In thirty district offices, 140 DOL staff members have been trained in operationalizing LISA.(31) Inspectors can use the application to monitor and track specific children and to ensure that they do not return to child labor once they have been identified and removed.(33, 34)

#### *Criminal Law Enforcement*

The Children and Women's Bureau of the Sri Lankan Police (CWBSLP) is staffed by 45 officers in 36 of the country's 460 police stations. In police stations without CWBSLP representation, the officer in charge oversees all the functions of the bureau.(10) The National Child Protection Authority Police Unit (NCPA) has approximately 40 police officers who investigate complaints involving

children, including child labor. The agency also has approximately 250 child protection officers based in the districts who are tasked with preventing child exploitation and victim protection.(10, 34) In 2014, the Government conducted training programs on combatting trafficking in persons. The Government also approved standard operating procedures for identifying, protecting, and referring human trafficking victims.(12)

In 2014, there were six reported cases and five settled cases involving forced child labor as a result of human trafficking.(32) Information on the number of investigations, prosecutions, and convictions of crimes involving the worst forms of child labor is not available for the reporting period. Both the CWBSLP and the NCPA face a shortage of funds that affects their ability to carry out their mandate.(10)

The Government of Sri Lanka has committed to investigating allegations of previous recruitment and use of children in armed conflict by non-state armed forces. While some recruiters of child soldiers were killed during the conflict, research has found no evidence of prosecutions and convictions of living survivors who had violated the law on children and armed conflict.(35-37)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The National Steering Committee on Child Labor	Coordinate the implementation of the Roadmap to End the Worst Forms of Child Labor, the Government's key policy document for the elimination of the worst forms of child labor.(1, 25, 38) Chaired by the Secretary of MOLLR and includes representatives from key government agencies, employer and workers' organizations, ILO, UNICEF, and NGOs.(25)
NCPA	Coordinate and monitor activities related to the protection of children, including activities to combat the worst forms of child labor.(39) Consult with the relevant Government ministries, local governments, employers, and NGOs, and recommend policies and actions to prevent and protect children from abuse and exploitation.(40)
National Anti-Trafficking Task Force (NTF)	Coordinate government anti-trafficking interventions among ministries, departments, law enforcement agencies, and civil society groups. Led by the Ministry of Justice and includes representatives from NCPA, the Sri Lanka Police, Immigration, Foreign Employment Bureau, and civil society groups.(10, 41)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Sri Lanka has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Sri Lanka's Roadmap 2016 on the Worst Forms of Child Labor (2011–2016)	Specifies timebound goals, including developing and/or strengthening the management, coordination, implementation, resource mobilization, and reporting of programs that will lead to the elimination of the worst forms of child labor by 2016.(1) Provides district-level mainstreaming strategies to address specific sectors of child labor, including armed conflict, plantations, fisheries, and tourism. Outlines strategies to include child labor issues within social protection and education goals.(1)
The National Human Resources and Employment Policy for Sri Lanka	Provides an overarching umbrella framework to several existing national policies related to employment and human resources formulated by different ministries. Sets eliminating child labor in hazardous activities as a priority and a goal of zero tolerance for the worst forms of child labor by 2016.(42)
National Education Sector Development Framework and Program II (ESDFP-II) (2012–2016)*	Aims to increase the equitable access, quality, and delivery of education. Supports accelerated learning and nonformal education for dropouts from the formal education system.(43)
National Plan of Action on Anti-Human Trafficking	Plans the implementation of anti-trafficking activities for each member of NTF on an annual basis.(41)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.



The Government has not yet approved the draft National Child Protection Policy. The Policy is intended to ensure effective coordination among all organizations and actors working for the protection and development of children in Sri Lanka; it also outlines key policy recommendations including strengthening and expanding nonformal education opportunities for vulnerable children (including child laborers) in geographic locations with the highest concentrations of vulnerable households. It recommends measures to prevent and eliminate the trafficking of children including through improved detection and identification of traffickers and victims, and to provide greater protections to child victims.(44)

The Government anticipates that the new national child labor policy, drafted by the National Steering Committee on Child Labor with technical assistance from the ILO, will be finalized in 2015.(32) The draft policy aims to end the worst forms of child labor by 2016 through a variety of activities, including effective enforcement of relevant laws and mainstreaming child labor into key development policies and programs.(10)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Sri Lanka funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Child Labor Free Zone by 2016†‡	Local government initiatives that seek to eliminate child labor through the identification of children engaged in child labor, a rehabilitation program, assistance to families of children at risk of engaging in child labor, and an awareness-raising campaign. Operated by the District Secretariats with assistance from the MOLLR and with technical and financial support from the ILO.(45) The program was piloted in Ratnapura in 2013, and expanded to Kegalle and Ampara districts in 2014.(45-47)
Shelter for Victims of Human Trafficking	IOM-funded Ministry of Child Development and Women's Affairs (MOCDWA) shelter that provides victims, including children, with safe shelter and access to medical, psychological, and legal assistance. In 2014, MOCDWA and IOM provided training to shelter staff on victim identification, first aid, counseling skills, and security.(12, 48)
Decent Work Country Program (2013–2017)	ILO technical assistance project detailing the policies, strategies, and results required to make progress toward the goal of decent work for all. Includes four strategies to reduce the worst forms of child labor: (1) capacity building for mainstreaming worst forms of child labor into sectorial plans and programs, (2) area-based integrated approach within districts, (3) strengthening institutional mechanisms for improved coordination and monitoring, and (4) development of a knowledge base for tracking progress.(49)
UN Development Assistance Framework (UNDAF) (2013–2017)	Agreement pegging UN assistance to Sri Lanka's long-term development priorities with the goal of sustainable and inclusive economic growth with equitable access to quality social services, strengthened human capabilities, and reconciliation for lasting peace. Stipulates that UN agencies will support national efforts to strengthen justice for children and achieve the goal of zero tolerance of the worst forms of child labor, including the trafficking of children for exploitative employment.(50)
Transforming School Education*	A \$100 million WB-financed, 5-year education project to support the ESDFP. Objectives include promoting access to primary and secondary education, improving the quality of education, and strengthening governance and delivery of education services.(51) Appoints school attendance committees to promote school enrollment and attendance; runs school nutrition and health programs.(25)
New Beginnings for Children Affected by Conflict and Violence*	USAID-funded project implemented by Save the Children and DPCCS. Objectives include improving care and protection for children, and strengthening child protection mechanisms.(52)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Sri Lanka.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Sri Lanka (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Ensure that the legal framework includes protections for children engaged in domestic work.	2010 – 2014
Enforcement	Publish information on the number of investigations, prosecutions, and convictions of crimes involving the worst forms of child labor.	2014
	Provide additional funding for the police and the NCPA to adequately investigate forced labor, child trafficking, and the commercial sexual exploitation of children.	2011 – 2014
	Prosecute individuals who have violated laws related to children's exploitation in the armed conflict.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing education policies.	2014
Social Programs	Conduct research on child labor in the Northern Province and on the specific activities carried out by children working in farming, manufacturing, construction, and transportation sectors.	2011 – 2014
	Eliminate barriers to education, including uneven distribution of schools, inadequate facilities, and problems with teacher deployment and training.	2012 – 2014
	Assess the impact that existing programs may have on child labor.	2014

## REFERENCES

- Government of Sri Lanka. *Sri Lanka's Roadmap 2016 on the Worst Forms of Child Labour*. Geneva, Ministry of Labour Relations and Productivity Promotion; 2010. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=14876>.
- International Trade Union Confederation. *Internationally Recognised Core Labour Standards in Sri Lanka: Report for the WTO General Council Review of the Trade Policies of Sri Lanka*. Geneva; November 3 and 5, 2010. [http://www.ituc-csi.org/IMG/pdf/Sri\\_Lanka\\_WTO\\_Report\\_2010.pdf](http://www.ituc-csi.org/IMG/pdf/Sri_Lanka_WTO_Report_2010.pdf).
- U.S. Department of State. "Sri Lanka," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labor convention, 1999 (No. 182) Sri Lanka (ratification: 2001) Published 2014*; accessed March 12, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:20010:0::NO:::>
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*. [accessed February 4, 2013] <http://www.uis.unesco.org/pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Child Activity Survey, 2008-2009. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- ILO-IPEC. *Mainstreaming Child Labour Issues in Key Development Policies and Programmes- Sri Lanka: Report of a Preliminary Review*. Geneva; December 2010. <http://www.ilo.org/ipeinfo/product/download.do?type=document&id=18675>.
- ucanews.com reporters. "Education key to ending child labor in Sri Lanka's gem mines." Union of Catholic Asian News, Bangkok, October 18, 2013. <http://www.ucanews.com/news/education-key-to-ending-child-labor-in-sri-lankas-gem-mines/69505>.
- U.S. Embassy- Colombo. *reporting, February 11, 2014*.
- U.S. Embassy- Colombo. *reporting, February 27, 2014*.
- U.S. Department of State. "Sri Lanka," in *Trafficking in Persons Report - 2014*. Washington, DC; 2014; <http://www.state.gov/documents/organization/226848.pdf>
- U.S. Embassy- Colombo. *reporting, March 23, 2015*.
- Salary.lk. *Domestic Work in Sri Lanka*, Wage Indicator Foundation, [online] [cited February 14, 2014]; <http://www.salary.lk/home/labour-law/domestic-work-in-sri-lanka>.
- Government of Sri Lanka Department of Census and Statistics. *Child Activity Survey 2008/2009*. Colombo; August 1, 2011. <http://www.statistics.gov.lk/samplesurvey/CAS200809FinalReport.pdf>.
- UNICEF Sri Lanka. *Out-of-School Children in Sri Lanka: Country Study*. Colombo; February 2013. [http://www.unicef.org/srilanka/2013\\_OSS.pdf](http://www.unicef.org/srilanka/2013_OSS.pdf).
- Government of Sri Lanka. *Employment of Women, Young Persons and Children Act, No. 47 of 1956*, enacted August 17, 2010. [http://www.labourdept.gov.lk/web/images/PDF\\_upload/hazardous/gazatte\\_en.pdf](http://www.labourdept.gov.lk/web/images/PDF_upload/hazardous/gazatte_en.pdf).
- Government of Sri Lanka. *Hazardous Occupations Regulations, 2010*, No. 47, enacted August 17, 2010. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=LKA&p\\_classification=04&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=LKA&p_classification=04&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).
- Government of Sri Lanka. *Penal Code, Amended 2006*, No. 16, enacted April 24, 2006. <http://www.oecd.org/site/adboecdanti-corruptioninitiative/46817262.pdf>.
- Government of Sri Lanka. *Penal Code, Amended 1995*, No. 22, enacted October 31, 1995. [http://hrsl.lk/PFF/Library\\_Domestic\\_Laws/Legislations\\_related\\_to\\_Women/Penal%20code%20\(Amendment%20\)Act%20No%2025%20of%201995.pdf](http://hrsl.lk/PFF/Library_Domestic_Laws/Legislations_related_to_Women/Penal%20code%20(Amendment%20)Act%20No%2025%20of%201995.pdf).
- Government of Sri Lanka. *Penal Code, Amended 1998*, No. 29, enacted June 4, 1998. <http://documents.gov.lk/Acts/1998/Act%20No.%2029/ACT%2029E.pdf>.
- UNESCO. *World Data on Education*; 2010. <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx?ReportID=163>.
- Government of Sri Lanka. *Education Ordinance*, enacted 1939. [http://www.commonlii.org/lk/legis/consol\\_act/e381147.pdf](http://www.commonlii.org/lk/legis/consol_act/e381147.pdf).
- Government of Sri Lanka. *Compulsory Attendance of Children at School Regulation No. 1 of 1997*, enacted 1997.
- Government of Sri Lanka. *Army Act*, enacted [http://www.defence.lk/main\\_pub.asp?fname=armyact](http://www.defence.lk/main_pub.asp?fname=armyact).
- U.S. Embassy- Colombo. *reporting, March 13, 2013*.
- Sri Lanka. *National Child Protection Authority Act, No. 50 of 1998*, enacted 1998. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/52618/65161/E98LKA01.htm>.
- U.S. Embassy- Colombo. *reporting, March 7, 2013*.

28. Department of Probation and Child Care Services. *Counselling Centre*, [online] March 5, 2013 [cited 2013]; [http://www.probation.gov.lk/web/index.php?option=com\\_content&view=article&id=50&Itemid=37&lang=en](http://www.probation.gov.lk/web/index.php?option=com_content&view=article&id=50&Itemid=37&lang=en).
29. U.S. Department of State. "Sri Lanka," in *Trafficking in Persons Report-2012*. Washington, DC; June 19, 2012; <http://www.state.gov/documents/organization/192597.pdf>.
30. U.S. Embassy- Colombo official. E-mail communication to USDOL official. April 3, 2015.
31. ILO. *Promoting Fundamental Principles and Rights at Work in Sri Lanka*. Technical Progress Report. Geneva; September 30, 2014.
32. Government of Sri Lanka. *US Department of Labor's Findings of Child Labor and Forced Labor Information on Sri Lanka*. Washington, DC; February 27, 2015.
33. ILO. *Promoting Fundamental Principles and Rights at Work in Sri Lanka*. Technical Progress Report. Geneva; January 31, 2014.
34. U.S. Embassy- Colombo official. E-mail communication to USDOL official. May 23, 2014.
35. Lanka Standard. "Sri Lanka Faces Impatience in US Over Rights Record." [lankastandard.com](http://lankastandard.com) [online] May 19, 2012 [cited May 23, 2012]; [www.lankastandard.com/2012/05/sri-lanka-faces-impatience-in-us-over-rights-record/](http://www.lankastandard.com/2012/05/sri-lanka-faces-impatience-in-us-over-rights-record/).
36. UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *Children and Armed Conflict: Sri Lanka*, UN Security Council [online] April 26, 2012 [cited April 2, 2013]; <http://childrenandarmedconflict.un.org/countries/sri-lanka/>.
37. Office of the United Nations High Commissioner for Human Rights. *Promoting reconciliation and accountability in Sri Lanka*; February 24, 2014. [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-23\\_AEV.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-23_AEV.doc).
38. Government of Sri Lanka. *US Department of Labor's Findings of Child Labor and Forced Labor Information on Sri Lanka* Washington, DC; February 1, 2013.
39. U.S. Department of State. "Sri Lanka" in *Country Reports on Human Rights Practices- 2012* Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dliid=204411>.
40. National Child Protection Authority. *Functions of the NCPA*, Child Protection, [online] 2010 [cited July 16, 2010]; <http://www.childprotection.gov.lk/about-us/functions-of-the-national-child-protection-authority/>.
41. U.S. Embassy- Colombo. *reporting, March 3, 2014*.
42. Government of Sri Lanka. *The National Human Resources and Employment Policy for Sri Lanka*. Colombo; 2012. [http://www.nhrep.gov.lk/images/pdf/nhrep\\_final.pdf](http://www.nhrep.gov.lk/images/pdf/nhrep_final.pdf).
43. Government of Sri Lanka Ministry of Education. *Education Sector Development Framework and Programme - II (ESDFP-II): 2012-2016*. Colombo; 2012. [http://www.moe.gov.lk/web/images/stories/branchnews/planning/tsep\\_esmf\\_2011.pdf](http://www.moe.gov.lk/web/images/stories/branchnews/planning/tsep_esmf_2011.pdf).
44. Government of Sri Lanka. *National Child Protection Policy*. Draft. Colombo; October 2013. <http://www.childprotection.gov.lk/documents/National%20Child%20Protection%20Policy%20-%20final%20-%202013.10.4.pdf>.
45. ILO. *Ratnapura - a Child Labour Free Zone by 2016*. Press Release. Colombo; June 2013. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-colombo/documents/pressrelease/wcms\\_229824.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-colombo/documents/pressrelease/wcms_229824.pdf).
46. Bandara. "Kegalle District declared a child labour free zone." Daily FT, Dhaka, June 23 2014. <http://www.ft.lk/2014/06/23/kegalle-district-declared-a-child-labour-free-zone/>.
47. Admin. "Sri Lanka to end child labour by 2016." Colombo Gazerter, Colombo, August 14 2014. <http://colombogazette.com/2014/08/14/sri-lanka-to-end-child-labour-by-2016/>.
48. International Organization for Migration. *Sri Lanka to Open First Government Shelter for Women Victims of Human Trafficking*, IOM, [online] December 11, 2012 [cited March 10, 2014]; <http://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2012/pbn-listing/sri-lanka-to-open-first-governme.html>.
49. ILO. *Decent Work Country Programme 2013-2017*. Project Document. Colombo; May 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/srilanka.pdf>.
50. United Nations. *United Nations Development Assistance Framework (UNDAF) 2013-2017*. Colombo; October 2012. <http://un.lk/wp-content/uploads/2013/02/UNDAF-2013-to-2017.pdf>.
51. The World Bank. *Transforming the School Education System as the Foundation of a Knowledge Hub*. Colombo; 2011. <http://www.worldbank.org/projects/P113488/transforming-school-education-foundation-knowledge-hub?lang=en>.
52. Jayasooriya, C. *A Capacity Assessment of Village Child Rights Monitoring Committees in Sri Lanka Supported by Save the Children*. Colombo; March 2013. [http://mhpss.net/wp-content/uploads/group-documents/49/1365570125-CapacityAssessmentofVCRMCs\\_FINALREPORTMarch2013.pdf](http://mhpss.net/wp-content/uploads/group-documents/49/1365570125-CapacityAssessmentofVCRMCs_FINALREPORTMarch2013.pdf).

# Suriname

## MINIMAL ADVANCEMENT

In 2014, Suriname made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government approved the Roadmap to Combat Human Trafficking in Suriname and investigated and prosecuted human trafficking cases. However, children in Suriname continue to engage in child labor in mining and in the worst forms of child labor in commercial sexual exploitation. Additionally, Suriname has not raised the compulsory education age to be equal the minimum age for employment and does not collect or publish data on child labor inspections and violations.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Suriname are engaged in child labor, including in mining. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-8) Table 1 provides key indicators on children’s work and education in Suriname.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	6.4 (6,671)
Attending School (%)	5-14 yrs.	95.8
Combining Work and School (%)	7-14 yrs.	6.6
Primary Completion Rate (%)		87.7

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(9)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 4, 2010.(10)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting crops,* applying pesticides,*† carrying heavy loads*† (1, 3)
Industry	Mining, particularly gold mining (1-6)
Services	Street work,* including vending* (1, 3, 5, 6, 11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (1-3, 5-8)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children, predominantly boys, work in Suriname’s gold mines.(1, 3-5) In gold mining, children carry heavy loads and are exposed to mercury, excessive noise, and extreme heat. Child miners are vulnerable to being crushed by collapsing sand walls.(4) While recent reports suggest that children’s involvement in street vending may be declining, the commercial sexual exploitation of children, sometimes as a result of human trafficking, continues to be a problem, including in mining camps in the country’s interior.(1, 3, 5, 6, 8, 11)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Suriname has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 17 of the Labor Code (1, 3-6, 12)
Minimum Age for Hazardous Work	Yes	18	Articles 20–21 of the Labor Code (1, 3-5, 12)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 2–3 of the Decree on Hazardous Labor (13, 14)
Prohibition of Forced Labor	Yes		Article 15 of the Constitution (5, 15)
Prohibition of Child Trafficking	Yes		Article 307 of the Penal Code (5, 6, 12, 16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 298 of the Penal Code (1, 3, 5, 6, 12)
Prohibition of Using Children in Illicit Activities	Yes		Articles 253 and 306–307 of the Penal Code; Articles 3-4 and 12 of the Narcotics Act (1, 3, 5, 6, 12)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 9 of the Legal Status of Military Personnel Act (17, 18)
Compulsory Education Age	Yes	12	Article 39 of the Constitution; Article 20 of the Law on Basic Education (4, 6, 13, 15)
Free Public Education	Yes		Articles 38–39 of the Constitution (15)

\* No conscription (17)

Article 20 of the Law on Basic Education requires children to attend school until they are at least age 12.(13) This leaves children between ages 12 and 14 particularly vulnerable to the worst forms of child labor, as they are no longer required to attend school and are not legally permitted to work.(1, 4) The Ministry of Education and the Ministry of Labor, Technology, and Employment (MLTE) began collaborating to draft legislation that would raise the compulsory education age to 16, pending parliamentary approval.(19)

## III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).



# Suriname

## MINIMAL ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Technology, and Environment (MLTE)/ Department of Labor Inspections	Enforce laws related to child labor in the formal sector.(4, 5)
Ministry of Justice and Police	Enforce criminal laws related to child labor. Monitor and enforce child labor laws in the informal sector, including on the streets.(3, 5, 6) The Youth Affairs Police covers law enforcement involving children under age 18 and is jointly responsible for child labor-related crimes.(3, 5) The Trafficking in Persons Unit of Police investigates reports and allegations of trafficking in persons and forced sexual exploitation nationwide, including cases involving children.(5, 6)

Law enforcement agencies in Suriname took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the MLTE employed 66 labor inspectors, a decrease of 14 since 2013.(6, 19) There are no child labor-specific inspections; however, standard training for all labor inspectors includes identification of child labor violations.(6, 19) Labor inspections involve site visits and desk reviews; inspectors have the authority to assess penalties, which vary from fines to suspension of licenses. The MLTE collected data on the number of labor inspections conducted in 2014, but it has not made this information publicly available. There were no reports of child labor violations or of children who were removed by labor inspectors, nor were any penalties issued or fines collected that were related to child labor violations.(19)

### *Criminal Law Enforcement*

The Trafficking in Persons (TIP) Unit of Police has 13 full-time officers and has insufficient staff and resources. TIP officers and regular police officers both need additional training to refresh their knowledge from the basic course and learn updated techniques.(19)

In 2014, the TIP Unit of Police investigated 15 potential cases of sex trafficking and 4 potential cases of forced labor; three underage girls were removed from forced prostitution and were provided with basic necessities as a result of investigations in 2014. According to the Prosecutors' Office, investigations are initiated only as a result of complaints filed and are limited by a lack of resources, especially for travel to the interior of the country.(19, 20) When the Youth Affairs Police finds children working on the street, these children are sometimes registered and sent home without being referred to any relevant services.(5, 6) Child trafficking victims are referred to shelters operated by NGOs; however, in 2014, some were placed in juvenile detention facilities due to lack of space in the shelters.(1, 3, 16)

In 2014, three new cases were presented for prosecution for forced child prostitution.(19) During the reporting period, 10 persons were convicted on charges of sex trafficking of minors. Sentences varied from 1 to 9 years of imprisonment.(19)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Commission for the Elimination of Child Labor	Coordinate efforts to combat child labor, including by researching different forms of child labor, advising on policy related to combating child labor, and formulating an action plan.(6) Comprises 11 members, with representation from the Presidential Commission on Child and Adolescent Policy; labor unions; private sector entities; academic institutions; NGOs; the MLTE; and the Ministries of Social Affairs, Education, Regional Development, Justice and Police.(1, 3, 6)
Anti-Trafficking Working Group	Coordinate the Government's anti-trafficking efforts.(1, 3, 5, 6) Provide care to victims of trafficking through government-supported NGOs.(6, 21) Has seven members, six from government agencies and one representing the NGO community. Initiatives include those that target the worst forms of child labor, such as the commercial sexual exploitation of children.(3, 5, 6)

During the reporting period, the National Commission for the Elimination of Child Labor (NCECL) continued to lead government efforts to eliminate child labor; the NCECL's mandate expired at the end of 2014 and is pending renewal. In December, the Government announced plans to disband the Anti-Trafficking Working Group and create a new interagency coordinating mechanism to oversee anti-trafficking efforts; the Anti-Trafficking Working Group's current operational status is unclear.(19)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Suriname has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Children's Action Plan (2011–2014)	Establishes intergovernmental strategies to address children's rights and child labor. Implemented by the Ministry of Social Affairs.(19)
Roadmap to Combat Human Trafficking in Suriname (2014–2018)†	Outlines policy to combat trafficking in persons through 2018. Approved by the Council of Ministries in April 2014 and is still in the initial stages.(19)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)†	Aims to increase regional cooperation to eradicate child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Suriname at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(22, 23)

† Policy was approved during the reporting period.

In 2013, the NCECL began drafting a National Action Plan on Combatting Child Labor, but the draft has not yet been completed. (6)

In September 2014, Suriname participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(24, 25)

The Government of Suriname also participates in several regional initiatives to address child labor in the tourism industry. Suriname's Ministry of Transport, Communication, and Tourism participates in the Joint Group for the Elimination of Commercial Sexual Exploitation of Children in Tourism, which comprises members from the Ministries of Tourism of 10 Latin American countries and implements awareness-raising campaigns throughout the region.(3, 5, 6) Suriname is also a member of the Joint Regional Group for the Americas, which conducts child labor prevention and awareness-raising campaigns in tourism; the Group's members include Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Uruguay, and Venezuela.(26)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Suriname funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Country-Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project (2013–2017)	USDOL-funded capacity-building project implemented by the ILO in at least 10 countries to build the local and national capacity of the Government to address child labor. Aims to improve monitoring and enforcement of laws and policies related to child labor in Suriname; will implement a National Action Plan on the elimination of child labor and support a national child labor survey.(27)
Child and Youth Hotline‡	Government-run hotline that provides confidential advice to children in need, including victims of the worst forms of child labor. Receives approximately 80 calls per day.(19)
Anti-Trafficking Hotline‡	Government-sponsored hotline through which citizens can provide information to the police about trafficking cases; received no calls in 2014.(8, 19)
Human Trafficking Awareness Programs‡	Government-funded anti-trafficking activities.(6, 13, 21)

# Suriname

## MINIMAL ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Basic Education Program (2004–2014)*	IDB, \$14 million project to improve basic education. Implemented through the Ministry of Education. Aims to enhance education quality and reduce student dropout rates.(3, 5) Five major project components are enacting institutional reform, updating school curricula, improving educational materials, enhancing teacher capacity, and providing technical assistance.(3, 6)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Suriname.

In 2013, the Ministry of Social Affairs began the process of establishing a shelter for child trafficking victims. However, the shelter was not yet open at the end of the reporting period.(6)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Suriname (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase the compulsory education age to at least 14, the minimum age for work.	2009 – 2014
Enforcement	Make publicly available information on the number of annual labor inspections and violations related to the worst forms of child labor.	2012 – 2014
	Allocate sufficient funding to ensure that all criminal enforcement officers receive adequate training in human trafficking and have the resources necessary to conduct investigations, particularly in the interior of the country.	2014
	Create a mechanism to refer children discovered working on the streets to the appropriate services, thus helping to prevent their return to work.	2010 – 2014
Social Programs	Ensure that child trafficking victims receive appropriate social services and shelter.	2014
	Assess the impact that existing educational programs may have on child labor.	2009 – 2014

## REFERENCES

- U.S. Embassy- Paramaribo. *reporting, March 17, 2011.*
- U.S. Department of State. "Suriname," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Paramaribo. *reporting, February 1, 2013.*
- Marieke Heemsker, Celine Duijves. *Child Labor in Small-Scale Gold Mining in Suriname*. Calverton, MD, ICF Macro; January 2012.
- U.S. Embassy- Paramaribo. *reporting, January 26, 2012.*
- U.S. Embassy- Paramaribo. *reporting, January 21, 2014.*
- Cairo, I. "Suriname Police Rescue Teenage Guyanese Trafficking Victims." *kaiteurnewsonline.com* [online] November 10, 2013 [cited November 19, 2013]; <http://www.kaiteurnewsonline.com/2013/11/10/suriname-police-rescue-teenage-guyanese-trafficking-victims/>.
- U.S. Department of State. "Suriname," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Labor Union Federation official. Interview with USDOL official. May 23, 2013.
- Pegus, C. *A Review of Child Labour Laws of Suriname- A Guide to Legislative Reform*. Geneva, International Labor Organization.; June 2005.
- U.S. Embassy- Paramaribo official. E-mail communication to USDOL official. February 3, 2014.
- Government of Suriname. *Decree on Hazardous Labor for Youth*, enacted 2010. [source on file].
- Government of Suriname. *1987 Constitution with Reforms of 1992*, enacted 1992. [source on file].
- U.S. Embassy- Paramaribo. *reporting, March 8, 2011.*
- Child Soldiers International. *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012. [http://www.child-soldiers.org/global-report\\_reader.php?id=562](http://www.child-soldiers.org/global-report_reader.php?id=562).
- U.S. Embassy- Paramaribo official. E-mail communication to USDOL official. April 28, 2015.
- U.S. Embassy- Paramaribo. *reporting, January 20, 2015.*
- U.S. Embassy- Paramaribo. *reporting, February 20, 2015.*
- U.S. Embassy- Paramaribo. *reporting, December 5, 2013.*
- ILO. *18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour*, ILO, [online] [cited December 1, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm) [source on file].
- United Nations News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." *un.org* [online] October 15, 2014 [cited 2014]; <http://www.un.org/apps/news/story.asp?NewsID=49082#.VHyeYdLF98E>.

24. Organization of American States. *Agenda, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
25. Organization of American States. *List of Participants, First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor (IACML)*, Organization of American States, [online] [cited December 1, 2014]; [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp) [source on file].
26. Grupo de Acción Regional de las Américas. *Quienes Somos*, GAFISUD, [online] 2011 [cited January 30, 2013]; <http://www.gafisud.info/quienes.php>.
27. ILO-IPEC. *Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor* Technical Progress Report. Geneva; April 2014.

# Swaziland

## MINIMAL ADVANCEMENT

In 2014, Swaziland made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government paid some school fees for orphans and vulnerable children and also announced plans to cover the fees for the final year of primary school in 2014. However, children in Swaziland are engaged in the worst forms of child labor in commercial sexual exploitation and livestock herding as a result of human trafficking. The Government was delinquent in paying school fees in half of the country's schools and significant gaps in laws remain, including the lack of a compulsory education age. Additionally, Government officials cited a lack of clarity on the definition of child labor, which hinders their ability to effectively combat the worst forms of child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Swaziland are engaged in the worst forms of child labor, including in commercial sexual exploitation and livestock herding. (1, 2) Table 1 provides key indicators on children's work and education in Swaziland.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	11.7 (35,368)
Attending School (%)	5-14 yrs.	92.5
Combining Work and School (%)	7-14 yrs.	13.0
Primary Completion Rate (%)		76.8

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS 4 Survey, 2010.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Growing maize,* picking cotton,* and harvesting sugarcane* (1, 5)
	Herding cattle* and other livestock* (1, 5)
Services	Domestic work* (1, 5)
	Serving alcohol in alcohol selling establishments*† (5)
Categorical Worst Forms of Child Labor‡	Street work, including as vendors,* bus attendants,* taxi conductors,* and haggling* (5, 6)
	Herding livestock,* domestic work,* farming,* and market vending,* as a result of human trafficking (2, 6, 7)
	Commercial sexual exploitation* (1, 2, 7)
	Used in illicit activities, including growing, manufacturing, and selling drugs* (5)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Swaziland is a destination and transit country for trafficking of children, specifically for commercial sexual exploitation, forced domestic work, and forced labor in agriculture. Some Mozambican boys migrate to Swaziland to conduct street work or to work in herding livestock and subsequently become victims of trafficking.(7) Swaziland has one of the world's highest HIV/AIDS prevalence rates, affecting more than a quarter of the population. According to UNICEF's 2010 Multiple Indicator Cluster Survey, 23.6 percent of children under age 18 have lost at least one parent, mostly as a result of HIV/AIDS.(8-10) Furthermore, a source indicates that orphans face unfair and unequal treatment in schools.(1) These factors may increase the risk of children being






involved in the worst forms of child labor. Although the Government has conducted surveys on the general labor force, the surveys did not cover child labor; the Government also has not made it a policy to collect data on the worst forms of child labor.(11-13) Children's vulnerability to exploitative labor is further increased by illegal and substantial school fees required by school officials, which create a barrier to education.(1) However, the Government paid some school fees for orphans and vulnerable children. Although the Government had announced plans to cover the fees for the final year of primary school during the year, it was delinquent in paying school fees in half of the country's schools.(14)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Swaziland has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 234 of the Children Protection and Welfare Act (15)
Minimum Age for Hazardous Work	Yes	18	Article 236 of the Children Protection and Welfare Act (15)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 233, 236 and 237 of the Children Protection and Welfare Act (15)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution (16)
Prohibition of Child Trafficking	Yes		Article 75 of the Children Protection and Welfare Act; Article 13 of the People Trafficking and People Smuggling (Prohibition) Act (15, 17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Crimes Act; Obscene Publications Act (6)
Prohibition of Using Children in Illicit Activities	Yes		Articles 16 and 49 of Children's Protection and Welfare Act (15)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 17(3) of the Umutfo Swaziland Defense Force Order (1977) (18)
Compulsory Education Age	No		
Free Public Education	Yes		Article 29 (6) of the Constitution; section 3 of the Free Primary Education Act (2010) (16, 19)

\*No conscription (18)

Swaziland has no law that mandates compulsory education for children. This may increase the risk of children's involvement in the worst forms of child labor, as they are not required to be in school.(6, 19) Section 97 of the Employment Act prohibits the employment of children in industrial undertakings but does not prohibit the employment of children in domestic and agricultural work.(20) Likewise, Articles 233, 236, and 237 of the Children Protection and Welfare Act prohibit hazardous work for children in industrial undertakings including mining, manufacturing, and electrical work but these prohibitions do not extend to children working in the agricultural sector.(15) In previous years, the Government indicated its intention to adopt more comprehensive

# Swaziland

## MINIMAL ADVANCEMENT

hazardous work prohibitions for children through a regulation issued by the Ministry of Labor and Social Security (MLSS). (19) Article 16 of the Children Protection and Welfare Act prohibits using children in illicit activities, such as producing and distributing drugs, alcohol, and tobacco but it does not prohibit other illicit activities, including the use of children in gang-related activities. (15) The Government drafted a Sexual Offenses and Domestic Violence Bill, but it has yet to enact the Bill. (1) Act No. 6 of the 1998 Administrative Order grants local chiefs the power to require any resident, including children, to perform agricultural and other work, or to face penalties. There are reports that local chiefs continue to implement this Order, despite the High Court's declaration that it is null and void. (2, 5, 21, 22)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations related to child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforce child labor laws and promote relations between labor, government, and business through tripartite dialogue. (1, 23)
Department of Social Welfare	Enforce child labor laws by looking out for the interests of vulnerable populations, including orphans, children, and elderly people. (1, 23)
Royal Swaziland Police	Enforce child labor laws, including those related to children's rights. (1, 23)

Labor law enforcement agencies in Swaziland took actions to combat child labor, including its worst forms. However, research found no evidence that criminal law enforcement agencies took such actions. (24, 25)

#### *Labor Law Enforcement*

In 2014, the MLSS employed 30 labor inspectors during the reporting period. (24) Three of the labor inspectors were designated to address the worst forms of child labor. (25) During the year, the MLSS was allocated \$3 million for its budget. (24) Two alleged violations of child labor laws occurred during the reporting period and were reported to the police and the MLSS; these cases remain under investigation. (25) Research did not find information on the total number of inspections carried out during the year, the number of unannounced inspections, and whether the labor inspectorate has authority to issue penalties. (24, 25) The Ministry of Labor and Social Security (MLSS) has indicated that it does not have sufficient resources, including transportation, to conduct inspections. (1) There also does not appear to be a system to record child labor complaints.

#### *Criminal Law Enforcement*

Research was unable to find information on the number of criminal law enforcement officials and the overall number of investigations performed. During the year, the Trafficking in Persons (TIP) Secretariat conducted a series of trainings for police and the Ministry of Labor and Social Security's (MLSS) labor inspectors on coordination mechanisms, victim identification, and processing to enable them to better address trafficking cases. (7) During the reporting period two alleged violations of child labor laws were reported to the police and the Ministry of Labor and Social Security (MLSS); these cases remain under investigation. (25) In 2014, a child was trafficked domestically and sexually exploited; the case is pending. The second case involved a child who was trafficked to Mozambique, which resulted in the child's repatriation to Swaziland. (7) There were no convictions for trafficking of children during the year. (7)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Trafficking in Persons Secretariat	Coordinate, monitor, and implement programs to combat trafficking of persons, with the assistance of the Anti-Human Trafficking Task Force. (26)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Anti-Human Trafficking Task Force	Exchange information on cases of trafficking between relevant stakeholders, including the police, social services, and prosecutors. Comprises a conglomerate of NGOs and government entities, including The Royal Swaziland Police; Director of Public Prosecutions; Attorney General's office; Department of Social Welfare; Department of Health; Ministry of Foreign Affairs; and Ministry of Labor and Social Security.(1, 25)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Swaziland has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan (NAP) for Children	Government plan that implements the Children's Protection and Welfare Act and covers children engaged in harmful, hazardous, and exploitative work.(19)
National Plan of Action for Orphans and Vulnerable Children (2011–2015)*	Includes nine strategic objectives, including providing education, psychosocial support, child protection, research and monitoring, and support to help orphans and vulnerable children (OVCs) enroll in school. Does not explicitly address child labor, but includes child laborers among the most vulnerable children.(27)
UN Development Assistance Framework (2011–2015)*	Seeks to improve access to quality basic social services, especially for women, children, and disadvantaged groups.(28)
National Children's Policy*	Represents the policy framework of the Children's Protection and Welfare Act.(19)
National Social Development Policy*	Provides protections for children including OVCs, street children, children with disabilities, and others.(19)
Education Sector Policy*	Seeks to provide equitable access to education.(19)
National Strategic Framework and Action Plan to Combat People Trafficking	Assigns responsibilities to relevant Government agencies on trafficking in persons.(26)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The Government has not progressed to implement the Action Program on the Elimination of Child Labor (APEC).(25) The National Task Team drafted an Action Program on the Elimination of Child Labor (APEC), in 2008, which includes legal protections outlined in the Children's Protection and Welfare Act. However, the APEC was not adopted during the reporting period.(1, 6, 19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Swaziland participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Decent Work Country Program (2010–2014)*	ILO program seeking to raise awareness of and provide training programs on international labor standards, with the aim of domesticating the ratified ILO conventions. ILO has been assisting the Government with the adoption of the APEC.(29)
Free Primary Education Program (FPE) (2009–2015)*‡	Government program to provide free primary education to children through grade six; was extended from grade five to grade six in 2014.(1)
Global Action Program on Child Labor Issues (2011–2015)	USDOL-funded project, implemented by the ILO in approximately 40 countries, to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor through data collection and research in Swaziland.(30)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Swaziland.

# Swaziland

## MINIMAL ADVANCEMENT

Government resources allocated to education, the fight against HIV/AIDS, and other social protection programs that may impact the worst forms of child labor are still limited, and existing social programs lack components on child labor.(1, 31) Although the Government expanded the Free Primary Education Program to extend coverage to children up to grade six, it was delinquent in paying school fees throughout the year, resulting in the children being susceptible to child labor for not attending school.(14) The Government, in collaboration with NGOs, provided trafficking victims with basic necessities, such as food, clothing, shelter, toiletries, counseling, and medical care.(7) Research found no evidence of social protection programs for the withdrawal from or prevention of children working in agriculture and livestock herding.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Swaziland (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a compulsory education age that is consistent with the minimum age for employment.	2009 – 2014
	Ensure laws or regulations comprehensively address and identify hazardous occupations that are prohibited for children in all relevant sectors, including prohibitions on the use of children in all illicit activities.	2012 – 2014
	Ensure that the law’s minimum age provisions apply to children working in all industries, including in agriculture and domestic work.	2013 – 2014
	Enact the Sexual Offenses and Domestic Violence Bill to further protect children from commercial sexual exploitation and prostitution.	2009 – 2014
Enforcement	Provide adequate resources, including transportation, to conduct labor inspections.	2013 – 2014
	Develop and implement a labor inspection strategy that targets locations where children are found working and conducts inspections with sufficient frequency.	2011 – 2014
	Develop a system to record child labor complaints.	2009 – 2014
	Make information publicly available on the number of investigations, prosecutions, convictions, and penalties issued.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into relevant development and education policies.	2010 – 2014
	Adopt a policy that addresses all relevant worst forms of child labor, such as the Action Program on the Elimination of Child Labor. (APEC)	2012-2014
Social Programs	Assess the impact that the Free Primary Education Program may have on child labor.	2014
	Collect data on the worst forms of child labor.	2009 – 2014
	Ensure that children are guaranteed access and have a right to a free education.	2013 – 2014
	Develop programs to ensure that local chiefs are not illegally imposing the repealed Act No. 6 of the 1998 Administrative Order on children.	2010 – 2014
	Develop programs to mitigate the impact that HIV/AIDS may have on access to education and a child’s vulnerability to the worst forms of child labor.	2010 – 2014
	Develop social protection programs for the withdrawal from or prevention of children working in agriculture and livestock herding.	2014

### REFERENCES

1. U.S. Embassy- Mbabane. *reporting, January 17, 2014.*
2. U.S. Department of State. “Swaziland,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226848.pdf>.
3. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
4. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from MICS 4, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
5. U.S. Department of State. “Swaziland,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/jl/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220167>

6. U.S. Embassy- Mbabane. *reporting, January 29, 2013.*
7. U.S. Embassy- Mbabane. *reporting, February 17, 2015.*
8. UNICEF. *Swaziland Multiple Indicator Cluster Survey 2010 Final Report*; December 2011. [source on file].
9. Nordtveit, B. "Schools as Agencies of Protection in Namibia and Swaziland: Can They Prevent Dropout and Child Labor in the Context of HIV/AIDS and Poverty?" *Comparative Education Review*, 54(no. 2):223-242 (2010); [source on file].
10. Ulandssekretariatet, LO/FTF Council. *Swaziland - Labour Market Profile 2013*; 2013. [http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/Afrika/Landeanalyser/labour\\_market\\_profile\\_2012\\_-\\_swaziland\\_web.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/Afrika/Landeanalyser/labour_market_profile_2012_-_swaziland_web.pdf).
11. U.S. Embassy- Mbabane. *reporting, January 19, 2012.*
12. ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Swaziland (ratification: 2002) Submitted: 2013*; accessed May 6, 2015; <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0>
13. U.S. Embassy- Mbabane. *reporting, February 17, 2011.*
14. U.S. Embassy- Mbabane. *reporting, October 15, 2014.*
15. Government of Swaziland. *Children's Protection and Welfare Act*, enacted 2012. [source on file].
16. Government of Swaziland. *An Act to provide for the Constitution of the Kingdom of Swaziland*, enacted 2005. [www.ide.uniswa.sz/documents/resources/constitution2004.pdf](http://www.ide.uniswa.sz/documents/resources/constitution2004.pdf).
17. Government of Swaziland. *The People Trafficking and People Smuggling (Prohibition) Act*, Act No. 7 enacted November 10, 2009. [source on file].
18. Government of Zimbabwe. *The Umbutfo Swaziland Defence Force Order*, enacted 1977.
19. Government of Swaziland. *Progress Report on the Elimination of Child Labour in Swaziland*; January 16, 2013. [source on file].
20. ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Swaziland (ratification: 2002) Submitted: 2013*; accessed May 6, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>
21. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Swaziland (ratification: 2002) Submitted: 2010*; accessed May 6, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
22. AllAfrica. "Swaziland: King Exploits Forced Child Labour." *allafrica.com* [online] November 15, 2013 [cited May 27, 2014]; <http://allafrica.com/stories/201311151200.html>.
23. U.S. Embassy- Mbabane official. E-mail communication to USDOL official. March 24, 2014.
24. U.S. Embassy- Mbabane official. E-mail communication to USDOL official. March 27, 2015.
25. U.S. Embassy- Mbabane. *reporting, January 15, 2015.*
26. U.S. Embassy- Mbabane. *reporting, February 13, 2014.*
27. U.S. Embassy- Mbabane official. E-mail communication to USDOL official. June 18, 2012.
28. United Nations Country Team. *The United Nations Development Assistance Framework for The Kingdom of Swaziland 2011-2015*. New York, United Nations Development Group; April 8, 2010. [http://www.sz.undp.org/content/dam/swaziland/docs/documents/UNDP\\_SZ\\_UNDAF2011to2015.pdf](http://www.sz.undp.org/content/dam/swaziland/docs/documents/UNDP_SZ_UNDAF2011to2015.pdf).
29. ILO. *Decent Work Country Programme for Swaziland 2010 to 2014*. Geneva; October 27, 2010. <http://www.ilo.org/public/english/bureau/program/dwcp/download/swaziland.pdf>.
30. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2014.
31. Basdevant, O. "Customs revenue, Fiscal Steps can power Swaziland Recovery." *imf.org* [online] February 10, 2012 [cited April 14, 2014]; <http://www.imf.org/external/pubs/ft/survey/so/2012/CAR021012B.htm>.



# Tanzania

## MODERATE ADVANCEMENT

In 2014, the United Republic of Tanzania made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government, in coordination with the ILO, conducted a National Child Labor Survey and continued to support programs on the elimination of child labor. However, children in Tanzania are engaged in child labor, including in agriculture and in the worst forms of child labor, including in mining. In addition, gaps remain in the laws regulating children's engagement in illicit activities.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tanzania are engaged in child labor, including in agriculture. Children also are engaged in the worst forms of child labor, including in mining. (1-7) Table 1 provides key indicators on children's work and education in Tanzania.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	25.1 (3,157,442)
Attending School (%)	5-14 yrs.	74.1
Combining Work and School (%)	7-14 yrs.	21.6
Primary Completion Rate (%)		80.8

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Panel Survey, 2010-2011.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Cultivation of coffee, sisal, tea, tobacco, and cloves (5, 10-12)
	Ploughing, weeding, harvesting, and processing crops (6)
	Seaweed farming* (1, 13, 14)
	Production of sugarcane* (7)
	Livestock herding,* including tending cattle* (6, 15, 16)
Industry	Fishing,* including for Nile perch (3-5, 14, 17, 18)
	Quarrying† stone,* and breaking rocks to produce gravel* (1, 5, 7, 13, 17, 19)
	Mining,† including gold and tanzanite (6, 7, 14, 20-26)
Services	Manufacturing, activities unknown* (7, 14)
	Construction,*† including carrying bricks,† bricklaying, and assisting masons (6, 7, 14, 27)
	Domestic work, including child care, cooking, and washing (5, 6, 11, 28-30)
	Street work, including vending, shoe shining, petty business, and scavenging (6, 28, 31-34)
Categorical Worst Forms of Child Labor‡	Work in the tourism industry*† (1)
	Work as barmaids* (10, 31)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 6, 14)
	Forced begging* (33)
	Forced labor in domestic work, agriculture, mining, fishing, commercial trading, quarrying, shoe shining, pushing carts, and working in factories, each sometimes as a result of human trafficking (3, 35-38)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

Tanzania is a source, transit, and destination country for child trafficking.(39, 40) Trafficking of children for forced labor and




commercial sexual exploitation is a problem in Tanzania, which particularly affects children trafficked internally.(37, 39, 40) Trafficking often involves family members, friends, or brokers, who promise rural families jobs or assistance with the education of their children in the urban areas of Arusha, Dar es Salaam, and Mwanza.(39) Children are trafficked for domestic work; girls are trafficked for commercial sexual exploitation, including along the Kenya-Tanzania border and in touristic areas in the country. (5, 35, 37, 38, 40) Children from Burundi and Kenya are trafficked to Tanzania for mining, domestic work, and agricultural labor.(40)

While the Primary Education Development Plan makes primary school education free, students or their parents are required to contribute money to pay for books, school feeding programs, the construction of classrooms, and the provision of teachers' houses. (5, 41) In addition, corporal punishment in schools is lawful in Tanzania and, while information is limited, data have shown that the use of corporal punishment by teachers might increase dropout rates.(17, 42-45) Furthermore, some children may lack birth registration, which makes it difficult for them to access education, health care, and other social services.(23, 29, 46) As a result of HIV/AIDS, some children must work for survival; thus, they become heads of household and are unable to attend school. (29, 47)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tanzania has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 5 of the Employment and Labor Relations Act, 2004; Article 77 of the Law of the Child Act, 2009 (48, 49)
	Yes	17	Article 6 of the Zanzibar Employment Act, 2005; Articles 2 and 98 of the Zanzibar Children's Act, 2011 (50-52)
Minimum Age for Hazardous Work	Yes	18	Article 5 of the Employment and Labor Relations Act, 2004; Article 82 of the Law of the Child Act, 2009; Articles 8 and 9 of the Zanzibar Employment Act No. 11 of 2005; Article 100 of the Zanzibar Children's Act, 2011 (48, 49, 51, 52)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 5 of the Employment and Labor Relations Act, 2004; Article 82 of the Law of the Child Act, 2009; Articles 8 and 9 of the Zanzibar Employment Act No. 11 of 2005; Article 100 of the Zanzibar Children's Act, 2011; List of Hazardous Child Labor (7, 48, 49, 51, 52)
Prohibition of Forced Labor	Yes		Article 25 of the Constitution; Article 80 of the Law of the Child Act, 2009; Article 6 of the Employment and Labor Relations Act, 2004; Article 102 of the Zanzibar Children's Act, 2011; Article 5 of the Zanzibar Employment Act No. 11 of 2005 (48, 49, 51-53)
Prohibition of Child Trafficking	Yes		Article 4 of the Anti-Trafficking in Persons Act, 2008 (54)

# Tanzania

## MINIMAL ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 138.2.b of the Sexual Offences Special Provisions Act, 1998; Article 155 of the Penal Code of Zanzibar; Article 110 of the Zanzibar Children's Act, 2011; Article 83 of the Law of the Child Act, 2009 (49, 52, 55)
Prohibition of Using Children in Illicit Activities	Yes		Article 53 of the Zanzibar Children's Act, 2011 (52)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 29 of the National Defense Act, 1966 (56)
Compulsory Education Age	Yes	14	Article 35 of the National Education Act, 1978 (57)
Free Public Education	No		

\* No conscription (56)

Tanzania's Constitution stipulates which laws apply across the entire United Republic, but labor laws are not included.(53, 58) Therefore, mainland Tanzania and Zanzibar have separate legislation governing child labor.(1) In addition to the legal frameworks of mainland Tanzania and Zanzibar on child labor, some districts have incorporated restrictions against child labor into their local bylaws.(11)

Because mainland Tanzania and Zanzibar have different labor laws, each has different laws for the minimum age for work and governing hazardous labor.(48, 49, 51-53, 56) Zanzibar has two different laws that provide a minimum age for work. Article 98 of the Zanzibar Children's Act prohibits children under age 15 from working, while Zanzibar Employment Act No. 11 of 2005 stipulates 17 as the minimum age for work.(50-52) As a result, the minimum age for work in Zanzibar is unclear. In contrast, the minimum age for work on mainland Tanzania is 14.(48, 49)

While the Constitution and mainland Tanzania's Employment and Labor Relations Act, the Law of the Child Act, Zanzibar Children's Act, and Zanzibar Employment Act No. 11 of 2005 prohibit forced labor, the National Defense Act and the Constitution include exceptions for forced labor through compulsory national service.(48, 50-53, 56) The Zanzibar Employment Act permits children in Zanzibar under the minimum working age to engage in domestic work, while the Children's Act does not specify whether its protections cover children engaged in domestic work. Mainland Tanzania's law does not explicitly prohibit child domestic work.(48, 51)

While Zanzibar clearly prohibits the use of children for illicit activities, mainland Tanzania does not clearly provide penalties for using children for illicit activities, including in the production and trafficking of drugs.(52)

Although Tanzania's age for voluntary military recruitment is 18, children younger than age 18 may volunteer with the consent of parents, guardians, or (if orphaned) that of the local district commission.(56, 59)

Tanzania has an education policy that provides for free education, but it is not required by law.(60) The National Education Act of 1978 requires that children enroll in primary education at age 7, with primary education lasting for 7 years; thus, the compulsory education age is 14.(57)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Employment (MOLE) (mainland)—Child Labor Unit	Enforce child labor laws at the national level.(1, 5)
MOLE (mainland)—Labor Administration and Inspection Section	Coordinate labor inspections carried out by the area offices and prepare, review, and recommend guidelines on labor inspection services and compliance with labor legislation. Provide legal guidance upon request, disseminate information to employers and employees on their rights and obligations, and assist area offices in conducting labor inspections.(61)
MOLE (mainland)—Labor Officers	Inspect locales for suspected violations of child labor laws.(1) Assigned to each region of Tanzania. Respond to reports of child labor violations, issue noncompliance orders, and report incidents to local police authorities and other responsible ministries.(1) Accept complaints about violations of child labor law.(1)
Ministry of Community Development, Gender, and Children	Enforce child protection laws and regulations, employ community development officers to monitor child labor at the district and village levels, and report findings to the Regional Administration and Local Government (PMORALG).(2, 16) Coordinate all children's issues as a result of the Child Development Policy of 2008. Key advocate for the primary education agenda at the community level.(60)
Ministry of Health and Social Welfare	Implement, monitor, and evaluate health and social welfare policies, including those pertaining to children.(62) Support vulnerable groups of children through the National Costed Plan of Action for Most Vulnerable Children.(60, 62) Employ Social Welfare Officers at the district level to monitor child labor at the district and village levels, and report findings to the PMORALG.(63)
Ministry of Labor, Economic Empowerment and Cooperatives—Labor Commission (Zanzibar)	Enforce Zanzibar's child labor laws and administer the provisions of the Zanzibar Labor Act, including inspections.(1, 11, 27) Investigate reports of child labor reported by the police and refer cases to social welfare officers for support.(1, 11, 50, 61)
Ministry of Social Welfare and Youth Development (Zanzibar)—Child Protection Unit	Ensure compliance with child protection laws, including those pertaining to child labor.(62)
Tanzania Police Force(mainland)	Investigate cases of child labor reported to police stations, and in some cases, refer them to labor officers or solicit the assistance of social welfare officers; includes a Trafficking desk and Gender and Children's desks to handle cases pertaining to children.(11, 37, 64)
Zanzibar Police Force (Zanzibar)	Investigate and compile reports of incidents of child abuse, child labor, human trafficking, rape, and other forms of child endangerment.(11, 37)
INTERPOL Criminal Investigation Department—INTERPOL National Central Bureau for Tanzania	Investigate various priority crimes, including trafficking in persons and illegal immigration. Headed by a Commissioner of Police, is staffed by 23 police officers, and includes focal points responsible for trafficking.(11, 65)
Ministry of Home Affairs (mainland)	Enforce anti-trafficking laws, including those pertaining to child trafficking, laws prohibiting commercial sexual exploitation of children and the use of children in illicit activities.(11)
Ministry of Health and Social Welfare (Zanzibar)	Enforce anti-trafficking laws, including those pertaining to child trafficking.(11)

Law enforcement agencies in Tanzania took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

Ministry of Labor and Employment (MOLE) regulations dictate that one or more labor officers be assigned to each region; however, research was unable to determine whether each region had a dedicated labor officer during the reporting period.(1) In 2014, the mainland MOLE released a report stating that it had employed 77 labor inspectors the previous year; however, this number is inadequate based on the size of the workforce. The number of labor inspectors for Zanzibar was unavailable.(14) No training sessions on child labor were conducted for labor inspectors, either on the mainland or in Zanzibar, in 2014.(14) The mainland MOLE did not report its level of funding for inspections, but it did report that the level of funding was inadequate. (66) Zanzibar had \$8,500 for activities, including child labor inspections; the Ministry of Labor, Economic Empowerment, and Cooperatives reported that this amount of funding was inadequate.(14) On the mainland, 1,843 labor inspections were conducted during the reporting year. Zanzibar conducted 111 inspections between June and December 2014.(14) Inspections on the mainland have previously been carried out in establishments covering the agriculture, mining, domestic work, hotels, trade, industry and commerce, construction, and fishing sectors.(6) While inspectors on the mainland are able to conduct unannounced and proactive inspections, they rarely do so; inspections often are the result of specific requests. Reporting and referral mechanisms are also

# Tanzania

## MINIMAL ADVANCEMENT

reported to be lacking.(14) Comprehensive information was not found on the number of violations found or penalties issued. The MOLE did not submit any cases related to child labor to the courts in 2014.(66)

### *Criminal Law Enforcement*

In 2014, comprehensive information was not available on the number of criminal law enforcement investigators; the number, type, and quality of investigations; and the number of prosecutions, convictions, and penalties. During the reporting period, new police officers received training on human trafficking.(39)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Inter-Sectoral Coordination Committee (NISCC)	Oversee interagency child labor policy coordination, provide guidance on the overall implementation of child labor activities, and strengthen local structural capacity to address child labor.(6, 67) Chaired by the Prime Minister's Office—PMORALG; members include the Ministries of Labor, Community Development, Gender and Children, and Health and Social Welfare, as well as NGOs.(1, 6, 28)
Anti-Trafficking Secretariat and Anti-Trafficking Committee	Promote, define, and coordinate policy to prevent trafficking.(3, 37, 54)
Regional Task Force on Human Trafficking and Illegal Immigration	Maintain a list of service providers to which trafficking victims can be referred.(36, 68)
District Child Labor Committees	Coordinate and oversee the implementation of efforts to eliminate child labor at the district level. Members include the District Executive Director, Commanding District Officer, District Community Development Officer, District Education Officer, District Medical Officer, Social Welfare Officer, District Trade Officer, Legal Officer, Cooperative Officer, Planning Officer, representatives from regional affiliations, and representatives from NGOs and community-based organizations that deal with child labor.(2, 6) There are 14 District Child Labor Committees.(7)
Village Child Labor Committees	Coordinate and oversee efforts related to child labor at the village level.(6)
Zanzibar Child Labor Steering Committee	Coordinate various implementing agencies responsible for child labor. Provide policy guidance on the Zanzibar National Action Plan to Combat Child Labor. Exchange information with the mainland Tanzania NISCC.(11)
Most Vulnerable Children Committees	Identify children involved in or at risk of becoming involved in child labor at the ward and village levels, and refer children to social services.(2, 62)
Multi-Sector Task Force on Violence Against Children	Implement the 3-year National Plan to Prevent and Respond to Violence Against Children and enforce the Law of the Child Act.(44, 69)

The National Inter-Sectoral Committee on Child Labor did not meet during the reporting period. This is insufficient to deal with the scope of the child labor problem in Tanzania.(14)

In 2014, the Anti-Trafficking Secretariat (ATS) and Anti-Trafficking Committee met six times to draft and approve the regulations and standard operating procedures required to implement the 2008 Anti-Trafficking in Persons Act and to draft a new Anti-Trafficking in Persons National Action Plan. The ATS received a budget allocation of approximately \$45,000.(39)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Tanzania has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan for the Elimination of Child Labor for Mainland Tanzania (2009)	Names key stakeholders and ministries responsible for child labor; proposes strategies for poverty alleviation, child labor monitoring, and child protection; and calls for capacity building for child labor law enforcement and evaluation efforts to combat the worst forms of child labor.(67, 70)



**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Zanzibar National Action Plan for the Elimination of Child Labor (2009–2015)	Authorizes the Zanzibar Child Labor Steering Committee to provide policy guidance on child labor.(71)
National Strategy for Growth and Reduction of Poverty II (NSGRP II/ MKUKUTA II) (2011–2015)*	Includes provisions for improving literacy rates, promoting schooling for out-of-school children as well as children's rights, and providing social protection interventions to assist vulnerable populations, which may include the families of working children. Eliminates primary school fees in Tanzania.(29, 72) Contributes to Tanzania's National Development Vision of 2025, which includes addressing child labor.(73)
Zanzibar Strategy for Growth and Reduction of Poverty II (ZSGRP II/ MKUZA II) (2010–2015)	Includes a number of specific activities to reduce child labor. Provides support for the rehabilitation and reintegration of children withdrawn from labor into the education system. Encourages district officials to incorporate simple versions of child labor prevention information into educational materials, establishes district-level child labor regulations, and strengthens the system for inspection and enforcement of child labor laws.(74) Contributes to Tanzania's National Development Vision of 2025, which includes addressing child labor.(73)
National Costed Plan of Action for Most Vulnerable Children II (2013–2017)	Includes child laborers among the most vulnerable children and aims to provide children with access to adequate care, support, protection, and basic social services.(47, 62, 70)
Child Development Policy (2008)	Includes strategies for eliminating the worst forms of child labor.(70, 75)
Zanzibar Child Survival and Development Policy (2001)*	Supports the Government's commitment to the UN CRC.(76)
National Social Protection Framework (2008)	Identifies child labor as a coping mechanism for families with economic risks and proposes strategies to improve sustainable livelihoods.(77)
National Plan of Action to Respond to Violence Against Children*	Assigns responsibilities to various government agencies to address violence against children and gives Most Vulnerable Children Committees, Council Multi-Sectoral AIDS Committees, and District Child Protection Teams the responsibility of implementing the plan at the local level.(44, 78)
National Employment Policy (2007)	Promotes youth employment.(79)
Primary Education Development Plan III (2012–2016)*	Includes the right to primary education for all children and states that primary education is free and compulsory. Increases equitable access to pre-primary and primary education; raises the quality of education to ensure better learning outcomes for children; and addresses the root causes of school dropouts, such as poor school infrastructure and violence in schools.(70, 80, 81)
Zanzibar Education Development Plan (2008–2015)*	Provides education and vocational education strategy to prepare children for the future workforce.(82)
Zanzibar Vocational Education and Training Policy (2005)*	Promotes government and private job training and preparation for youth.(83)
Tanzania Complementary Basic Education and Training Program	Targets child laborers and provides child labor components in its curricula.(2, 70)
Vocational Education and Training Authority Program	Offers skills and entrepreneurship training to rural populations and incorporates child labor targets.(2)
Secondary Education Development Program II (2010–2014)*	Contributes to increased enrollment, reduced dropouts, and improved learning in secondary schools.(84, 85)
UNDAF (2011–2015)	Provides a secure and sustainable social protection system for children that are at risk of entering into child labor.(86)
Common Country Program (2011–2015)	Recognizes child labor as a barrier to education and targets efforts toward achieving universal primary education in Tanzania.(87)
District Framework for Interventions on Child Labor in Tanzania	Guides district governments in strategic approaches for district-based action against child labor.(88) Districts integrate child labor into individual district development plans and budgets, many by promoting the enrollment and retention of children in basic education and targeting vulnerable households in poverty reduction initiatives.(88)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Information was not available on the amount of funding budgeted toward the implementation of the National Action Plans for the Elimination of Child Labor in mainland Tanzania and Zanzibar.

# Tanzania

## MINIMAL ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Tanzania funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
WEKEZA Project (2012–2016)	USDOL-funded, 4-year project implemented by the International Rescue Committee that supports children and youth at risk of engaging or engaged in child labor in the Tanga and Kigoma regions, including those in domestic work and commercial agriculture in the sisal and tobacco sectors. Targets 8,000 children and 3,360 households with education and livelihood services. The Government sits on the WEKEZA National Project Advisory Council.(2)
Global Research on Child Labor Measurement and Policy Development (2013–2017)	USDOL-funded, 4-year research project implemented by the ILO and active in 10 countries, including Tanzania. Aims to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in child labor. (89)
Expanding the Evidence Base and Reinforcing Policy Research for Scaling Up and Accelerating Action Against Child Labor (2010–2014)	\$3.5 million, USDOL-funded, 4-year global project implemented by the ILO that includes Tanzania and supports the implementation of a National Child Labor Survey.(90) The National Bureau of Statistics, in collaboration with the ILO, conducted the survey during the reporting period.(14)
2025 Timebound Program on the Elimination of Child Labor	Provides a plan to eliminate the worst forms of child labor in Tanzania by 2025 and facilitates the formation of child labor committees at the district and regional levels.(91)
Food for Education Program*	WFP-funded program that improves school attendance through support of community-led school meal initiatives and provision of daily school lunch to 700,000 primary school children at 1,167 schools in 16 drought-prone and food-insecure districts.(92) Constructs rainwater harvesting tanks to help schools access water for cooking and hygiene, and supports establishing school gardens.(92, 93)
Supporting the Establishment of Assistance and Referral Mechanisms for Child Victims of Trafficking in Tanzania (2013–2015)	\$1.4 million, EU/UNDAF-funded, 3-year project that promotes structured measures at the local and national levels to eradicate child trafficking in Tanzania, including by developing standardized medical and psychological tools; setting up two shelters for child victims of trafficking in Arusha and Mwanza; and providing vocational skills training, medical care, and psychosocial care for child victims of trafficking.(94)
Supporting the Implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labor in Tanzania (NAP) (2013–2014)	\$280,800, Government of Brazil-funded, 2-year project that supports the implementation of the NAP.(95)
Promoting Sustainable Practices to Eradicate Child Labor in Tobacco (PROSPER Program) (2011–2015)	\$4.75 million, Eliminating Child Labor in Tobacco Growing (ECLT) Foundation-funded, 4-year project implemented by Winrock International that targets 7,800 children and aims to reduce child labor in Tanzania's tobacco industry through targeted interventions to address social and economic factors that fuel child labor in the target districts of Sikonge and Urambo. Strengthens local and national structures to achieve child-free tobacco production in target districts.(96, 97)
Towards a Decent Life for Children, Youth, and Their Families in the Mining Sector II (2013–2014)	Danish International Development Agency-funded project that targeted 243 boys and girls in Mimerani for withdrawal from child labor in mining by enrolling these children in primary or secondary school and by providing women with income-generating opportunities.(98)
Fighting Child Labor in Zanzibar Project (2011–2014)	\$1.4 million, EU-funded, 3-year project that targets 5,000 children for withdrawal from child labor in nine districts in Pemba and Unguja. Pilots a multisectoral strategy to protect children from engaging in the worst forms of child labor by strengthening national and local policies, frameworks, strategies, and institutions.(99)
Child Labor Projects (2009–2014)	Terre des Hommes-funded projects that support the elimination of child labor, including the \$148,000, Support for Vulnerable Children and Child Laborers project; the \$128,000, 2-year Center for Widows and Children Assistance Fight Against Child Abuse and Exploitation project; the \$646,000, 2-year Community Empowerment for Elimination of Child Sexual Exploitation project; the \$362,000, 2-year St. Anthony Vocational Training for Child Laborers and Orphans project; and the \$274,000, 2-year Child Labor Project/Tuwawezeshe Watoto. Provides legal-aid clinics and community awareness activities for the prevention of child abuse, child labor, and child rights; also provides child rights training sessions in which the police, judiciary, and social welfare and paralegal officers participate. Withdraws victims from commercial sexual exploitation, stone quarries, fishing, child domestic work, and mining through the provision of child-friendly services, including shelter, counseling, education, entrepreneurship skills, and vocational training alternatives.(100-102)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Support Program for Child Domestic Workers/Wote Sawa (2011–2015)	\$975,000 Terre des Hommes/Anti-Slavery International/Mama Cash-funded program that withdraws and trains child domestic workers, and establishes child domestic worker committees in Mwanza. Empowers child domestic workers to advocate collectively for their rights, including through reporting cases of mistreatment to the local authorities. Advocates for the passage of ILO C. 189.(101, 103, 104)
Eradicating the Worst Forms of Labor in the Eight Mining Wards of the Geita District (2012–2014)	\$1.1 million, EU-funded, 3-year project that enhances social protection mechanisms for communities in order to prevent child labor and improves awareness of child labor among children, parents, and mining employers.(20, 105)
Tanzania Social Action Fund Conditional Cash Transfer Program (TASAF CCT)‡	Government program that provides grants and a conditional cash transfer program to vulnerable populations, including children.(106, 107) A USDOL-funded study implemented by the WEKEZA project that reported an increase in school enrollment and a reduction in forced child migration and child labor as a result of the TASAF CCT.(2)
Decent Work Country Program (2013–2016)	ILO-supported program that identifies four objectives of decent work: (1) creating jobs, (2) guaranteeing rights at work, (3) extending social protection, and (4) promoting social dialogue. Includes, as an outcome, improving the operational environment for the elimination of child labor and its worst forms.(108, 109)
Education Fund*‡	Government program that supports the improvement of quality and equity, and increased access to education at all levels in mainland Tanzania and higher education in Tanzania and Zanzibar.(110)
Big Results Now Initiative*‡	Government program to improve the quality and availability of education. Supports teacher training, provision of learning materials, and school incentive grants to high-performing schools; includes efforts to construct schools, particularly at the secondary school level. However, due to constraints on resources for school construction, the Government has also encouraged communities to build and run their own schools while it provides teachers and capitalization grants once schools are established.(111)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Tanzania.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tanzania (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify the minimum age for work in Zanzibar.	2014
	Ensure that the laws protect children in domestic work.	2013 – 2014
	Adopt legislation that prohibits the use of children for illicit activities on mainland Tanzania and establish penalties for using children for illicit activities, including the production and trafficking of drugs.	2012 – 2014
Enforcement	Ensure a dedicated labor officer is appointed to each region and make this information publicly available.	2013 – 2014
	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce and make publicly available the number of labor inspectors for Zanzibar.	2014
	Make publicly available budgetary figures for child labor elimination activities within the Ministry of Labor on mainland Tanzania.	2011 – 2014
	Provide adequate resources to conduct child labor inspections.	2013 – 2014
	Ensure that reporting and referral mechanisms are effective.	2014
	Make publicly available the number of violations found and civil enforcement penalties assessed related to child labor on mainland Tanzania and Zanzibar.	2012 – 2014
	Make publicly available comprehensive information on the number of criminal law investigators; the number, type, and quality of criminal investigations; and the number of prosecutions, convictions, and penalties.	2013 – 2014
Coordination	Conduct regular meetings of the National Inter-Sectoral Child Labor Committee and develop concrete goals for the Committee.	2011 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into existing government policies.	2011 – 2014
	Provide funding for government policies, including the National Action Plan for the Elimination of Child Labor and make this information available.	2010 – 2014
Social Programs	Assess the impact that existing social programs may have on addressing child labor, including its worst forms.	2012 – 2014
	Address barriers to education, such as corporal punishment, lack of birth registration, and lack of resources to pay school costs, including school meals.	2010 – 2014

## REFERENCES

- U.S. Embassy- Dar es Salaam. *reporting, January 17, 2014.*
- International Rescue Committee. *WEKEZA Project. Technical Progress Report;* October 2013.
- U.S. Department of State. “Tanzania,” in *Trafficking in Persons Report-2013.* Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210742.pdf>.
- Basic Education Coalition. “Too Much Work, Too Little School.” *International Basic Education Update- Tanzania,* (2010); [http://www.basiced.org/wp-content/uploads/Newsletter/2010/April\\_16\\_2010\\_update.pdf](http://www.basiced.org/wp-content/uploads/Newsletter/2010/April_16_2010_update.pdf).
- U.S. Department of State. “Tanzania,” in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220169>.
- Government of Tanzania. *The Brief on Update Information on Child Labour in Tanzania.* Dar es Salaam; March 4, 2014.
- Government of Tanzania. *List of Hazards.* Dar es Salaam; 2013.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from National Panel Survey, 2010-2011. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Dassu, S. “Tanzania: Child Labour Declining on Slow Pace- ILO.” allAfrica.com [previously online] June 1, 2010 [cited January 22, 2013]; <http://allafrica.com/stories/printable/201006011164.html> [source on file].
- U.S. Embassy- Dar es Salaam. *reporting, January 28, 2011.*
- Tanzania Daily News. “Tanzania: Tobacco Sub-Sector Advocates Cooperation and Correct Information.” allAfrica.com [online] June 10, 2010 [cited March 21, 2011]; <http://allafrica.com/stories/201006101117.html>.
- Yusuf, I. “Tanzania: Child Labour May Need Another Definition in Zanzibar.” allAfrica.com [online] April 25, 2012 [cited February 4, 2013]; <http://allafrica.com/stories/201204250239.html>.
- U.S. Embassy- Dar es Salaam. *reporting, January 20, 2015.*
- U.S. Embassy- Dar es Salaam. *reporting, January 24, 2012.*
- Gender, Equity, and Rural Employment Division. *Children’s work in the livestock sector: Herding and beyond.* Rome, Food and Agriculture Organization of the United Nations; 2013. <http://www.fao.org/documents/en/detail/307941>.
- UNICEF. *Cities and Children: The Challenge of Urbanisation in Tanzania.* Dar es Salaam; 2012. [http://www.unicef.org/infobycountry/files/Cities\\_and\\_Children\\_-\\_FINAL.pdf](http://www.unicef.org/infobycountry/files/Cities_and_Children_-_FINAL.pdf).
- ILO-IPEC. *Support for the Time-Bound Programme on the Worst Forms of Child Labour- Phase II.* Project Document. Geneva; September 2005.
- Yusuf, I. “Tanzania: Pemba Needs New Ways to Fight Child Labour.” allAfrica.com [online] October 17, 2012 [cited February 4, 2013]; <http://allafrica.com/stories/201210170233.html?viewall=1>.
- Janine Morna, and Juliane Kippenberg. *Toxic Toil: Child Labor and Mercury Exposure in Tanzania’s Small-Scale Gold Mines.* New York, Human Rights Watch; January 22, 2013. [http://www.hrw.org/sites/default/files/reports/tanzania0813\\_ForUpload\\_0.pdf](http://www.hrw.org/sites/default/files/reports/tanzania0813_ForUpload_0.pdf).
- “Activists Free Mererani Kids From Dreadful Labour.” Arusha Times, Arusha, May 29, 2010. <http://allafrica.com/stories/201005310967.html>.
- Kim, MJ. *Allegations of Illicit Child Labor Draws Scrutiny in Tanzania’s Mining Sectors,* Human Rights Brief, [online] October 27, 2013 [cited November 26, 2013]; <http://hrbrief.org/2013/10/allegations-of-illicit-child-labor-draws-scrutiny-in-tanzania%E2%80%99s-mining-sectors/>.
- Geita Programme Unit,* Plan International, [online] [cited January 28 2014]; <http://plan-international.org/where-we-work/africa/tanzania/where-we-work/geita>.
- Makene, P. “Efforts to curb child labour in gold mines proves fruitful, says RC.” ippmedia.com [online] March 18, 2014 [cited March 27, 2014]; [http://www.ippmedia.com/frontend/functions/print\\_article.php?l=65912|3/18/2014](http://www.ippmedia.com/frontend/functions/print_article.php?l=65912|3/18/2014).
- allAfrica. “Tanzania: Govt Fails to Enforce Child Labour Laws, Says HRW.” allAfrica.com [online] August 28, 2013 [cited November 26, 2013]; <http://allafrica.com/stories/201308280123.html?viewall=1>.
- Human Rights Watch. *Toxic Toil: Child Labor and Mercury Exposure in Tanzania’s Small-Scale Gold Mines;* 2013. <http://www.hrw.org/reports/2013/08/28/toxic-toil>.
- U.S. Embassy- Dar es Salaam. *reporting, January 29, 2013.*
- U.S. Embassy- Dar es Salaam. *reporting, February 9, 2010.*
- UNICEF. *Children and Women in Tanzania 2010.* New York; 2010. [http://www.unicef.org/tanzania/SITAN\\_Mainland\\_report.pdf](http://www.unicef.org/tanzania/SITAN_Mainland_report.pdf).
- ILO-IPEC. *Ending child labour in domestic work and protecting young workers from abusive working conditions.* Geneva; June 12, 2013. <http://www.ilo.org/ipecinfol/product/download.do?type=document&cid=21515>.
- Mugarula, F. “Joint Action Needed on Plight of Street Children.” The Citizen, Dar Es Salaam, July 17, 2011. <http://allafrica.com/stories/201107181737.html>.
- From Street Child to Star Pupil,* UNESCO, [online] [cited May 4, 2013]; <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/GMR/pdf/gmr2010/gmr2010-stories-from-the-classroom.pdf>.
- Smeaton, E. *Struggling to Survive: Children Living Alone on the Streets in Tanzania and Kenya;* 2012.
- Mwita, SP. “Tanzania: War on Child Labour Remains Sticky.” allAfrica.com [online] October 15, 2011 [cited January 22, 2013]; <http://allafrica.com/stories/201110170410.html>.
- Afrol News. “Nairobi, Dar es Salaam attracting trafficked children.” afrol.com [online] October 12, 2010 [cited January 22, 2013]; <http://afrol.com/articles/36758>.
- Balile, D. “Human trafficking elevated to serious crime in Tanzania.” sabahionline.com [online] September 20, 2012 [cited November 26, 2013]; [http://sabahionline.com/en\\_GB/articles/hoa/articles/features/2012/09/20/feature-02](http://sabahionline.com/en_GB/articles/hoa/articles/features/2012/09/20/feature-02).
- U.S. Embassy- Dar es Salaam. *reporting, February 14, 2014.*
- Mwita, S. “Tanzania: Human Trafficking Getting Worrisome.” allAfrica.com [online] June 12, 2013 [cited November 26, 2013]; <http://allafrica.com/stories/201306121100.html?viewall=1>.
- U.S. Embassy- Dar es Salaam. *reporting, February 18, 2015.*



40. U.S. Department of State. "Tanzania," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
41. Winrock International. *Child Labor Prevention through Education: Forging the Path to Sustainability: National Conference Resolutions*. Dar es Salaam; February 18-19, 2010.
42. Government of Tanzania. *Response to questionnaire received from the Government of the United Republic of Tanzania*. Dar es Salaam. <http://ohchr.org/Documents/HRBodies/CRC/StudyViolenceChildren/Responses/United%20Republic%20of%20Tanzania.pdf>.
43. Save the Children. *Bringing an end to corporal punishment: Alternative forms of discipline for children in Tanzania*. New York; 2011.
44. Georgina Mtenga, and Kathryn Leslie. *Tanzanian Government launches a Three Year Multi Sector National Plan to Prevent and Respond to Violence Against Children*, UNICEF, [online] April 19, 2013 [cited January 28, 2014]; [http://www.unicef.org/esaro/5440\\_12486.html](http://www.unicef.org/esaro/5440_12486.html).
45. Global Initiative to End Corporal Punishment. *United Republic of Tanzania-Country Report*; September 2012. <http://www.endcorporalpunishment.org/pages/progress/reports/un-rep-tanzania.html>.
46. UNICEF. *Every Child's Birth Right: Inequities and trends in birth registration*. New York; 2013. [http://www.unicef.org/media/files/Embargoed\\_11\\_Dec\\_Birth\\_Registration\\_report\\_low\\_res.pdf](http://www.unicef.org/media/files/Embargoed_11_Dec_Birth_Registration_report_low_res.pdf).
47. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Tanzania, United Republic of (ratification: 2001) Published: 2014*; accessed April 18, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
48. Government of Tanzania. *Employment and Labour Relations Act, 2004*, enacted December 2006. <http://www.parliament.go.tz/Polis/PAMS/Docs/6-2004.pdf>.
49. Government of Tanzania. *The Law of the Child Act*, enacted November 4, 2009. <http://www.parliament.go.tz/Polis/PAMS/Docs/21-2009.pdf>.
50. Government of the United Republic of Tanzania. *Zanzibar Labour Act*, enacted 1997. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/49108/65102/E98TZA01.htm#p2>.
51. Revolutionary Government of Zanzibar. *Employment Act*, No.11, enacted September 27, 2005. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/49108/65102/E98TZA01.htm#p2>.
52. Revolutionary Government of Zanzibar. *Children's Act*, enacted March 2, 2011.
53. Government of Tanzania. *The Constitution of the United Republic of Tanzania*, enacted 1977.
54. Government of Tanzania. *The Anti-Trafficking in Persons Act*, enacted June 6, 2008. [http://www.protectionproject.org/wp-content/uploads/2010/09/Tanzania\\_The-Anti-Trafficking\\_2008.pdf](http://www.protectionproject.org/wp-content/uploads/2010/09/Tanzania_The-Anti-Trafficking_2008.pdf).
55. Government of Tanzania. *Sexual Offences Special Provisions Act*, enacted July 1998. <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country.&docid=3ae6b5098&skip=0&coi=TZA&querysi=special&mp;searchin=title&display=10&sort=date>.
56. Government of Tanzania. *National Defence Act*, enacted 1966. <http://www.issafrika.org/cdct/mainpages/pdf/Terrorism/Legislation/Tanzania/Tanzania%20National%20Defence%20Act.pdf>.
57. Government of Tanzania. *National Education Act*, enacted December 4, 1978. <http://polis.parliament.go.tz/PAMS/docs/25-1978.pdf>.
58. U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. November 9, 2010.
59. Child Soldiers International. "Tanzania," in *Louder than words: An agenda for action to end state use of child soldiers*. London; 2012; [http://child-soldiers.org/global-report\\_reader.php?id=562](http://child-soldiers.org/global-report_reader.php?id=562).
60. Government of Tanzania. *Primary Education Development Plan III (2012-2016)*. Dar es Salaam; 2012. [www.tenmet.org/Droop/.../PEDPIII/PEDP%20III%202012-2016.pdf](http://www.tenmet.org/Droop/.../PEDPIII/PEDP%20III%202012-2016.pdf).
61. *Labor Inspection Structure and Organization*, ILO, [online] February 18, 2010 [cited March 20, 2014]; [http://www.ilo.org/labadmin/info/WCMS\\_122481/lang-en/index.htm](http://www.ilo.org/labadmin/info/WCMS_122481/lang-en/index.htm).
62. Government of Tanzania- Department of Social Welfare. *The National Costed Plan of Action for Most Vulnerable Children II 2013-2017*. Dar es Salaam; 2013.
63. *Ministry of Health and Social Welfare*, Government of Tanzania, [online] [cited March 24, 2014]; <http://www.moh.go.tz/>.
64. ECPAT International. *Global Monitoring status of action against commercial sexual exploitation of children: Tanzania*; 2013. [www.ecpat.net/sites/default/files/a4a\\_v2\\_af\\_tanzania\\_4.pdf](http://www.ecpat.net/sites/default/files/a4a_v2_af_tanzania_4.pdf).
65. *Tanzania*, Interpol, [online] [cited March 28, 2014]; <http://www.interpol.int/Member-countries/Africa/Tanzania>.
66. U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. April 15, 2015.
67. Government of Tanzania- Ministry of Labour, Employment, and Youth Development. *National Action Plan for the Elimination of Child Labor*. Dar es Salaam; June 2009. <http://www.ilo.org/ipeinfo/product/download.do;jsessionid=ca32387b5fc554b347d56b131bfe623fb4aaa7f4d01e0256c7b5b49303a9c6e3aTbhUlBnmSe3mOai0?type=document&cid=16335>.
68. *New Directory of Carers of Victims of Trafficking*, IOM, [online] July 30, 2013 [cited April 18, 2014] <http://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2013/pbn-listing/new-directory-of-carers-of-victi.html>.
69. Government of Tanzania. *The Tanzania Violence Against Children Study and the National Response*. Dar es Salaam; 2011. <http://resourcecentre.savethechildren.se/sites/default/files/documents/5127.pdf>.
70. Winrock International. *Teaching Education Alternatives for Children (TEACH): Final Technical Progress Report Request for Additional Information*, Little Rock, AR, March 2011.
71. Revolutionary Government of Zanzibar- Ministry of Labour, Youth, Women, and Children Development. *National Action Plan for the Elimination of Child Labour 2009-2015*. Zanzibar; 2009. [http://www.ilo.org/ipeinfo/product/download.do;jsessionid=0a038009ceb6d5d60a988e241869e77f78b866b5624.hkzFngTDp6WImQuUaNaKbND3IN4K-xalah8S-syIn3uKmAiN-AnwbQbxaNvzaAmI-huKa30xgx95fjWta3elpkzFngTDp6WImQuax4KaNiRbxuTc2b48OX3b4Drgj15eMbynkvrkLOIQzNp65In0\\_?type=document&cid=16321](http://www.ilo.org/ipeinfo/product/download.do;jsessionid=0a038009ceb6d5d60a988e241869e77f78b866b5624.hkzFngTDp6WImQuUaNaKbND3IN4K-xalah8S-syIn3uKmAiN-AnwbQbxaNvzaAmI-huKa30xgx95fjWta3elpkzFngTDp6WImQuax4KaNiRbxuTc2b48OX3b4Drgj15eMbynkvrkLOIQzNp65In0_?type=document&cid=16321).
72. Government of Tanzania- Ministry of Finance and Economic Affairs. *National Strategy for Growth and Reduction of Poverty II (NSGRP II)*. Dar es Salaam; January 2011. <http://www.imf.org/external/pubs/ft/sr/2011/cr1117.pdf>.
73. Government of Tanzania. *The Tanzania Development Vision 2025*. Dar es Salaam. <http://www.tanzania.go.tz/vision.htm>.
74. Revolutionary Government of Zanzibar. *Zanzibar Strategy for Growth and Reduction of Poverty (ZSGRP II) 2010-2015 MKUZA II*. Zanzibar; October 10, 2007. <http://planipolis.iiehttp://zanzibar.go.tz/admin/uploads/MKUZA%20II%20Final.pdf>.
75. Government of Tanzania- Ministry of Labour, Employment, and Youth Development. *Child Development Policy*. Dar es Salaam; 2007.
76. African Committee of Experts on the Rights and Welfare of the Child. *Harmonisation of Laws on Children in Tanzania - Country Brief*; 2012. <http://www.acerwc.org/wp-content/uploads/2012/05/English-ACERWC-Tanzania-Harmonisation-of-Laws-on-Children.pdf>.
77. Government of Tanzania- Ministry of Finance and Economic Affairs. *National Social Protection Framework*. Dar es Salaam; October 28, 2008. [http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=4&cad=rja&uact=8&ved=0CDsQFjAD&url=http%3A%2F%2Fwww.tzdp.gov.tz%2Findex.php%3FfeID%3Dtx\\_nawsecuredl%26u%3D0%26file%3Duploads%2Fmedia%2FSOCIAL\\_PROTECTION.6r%3D1455918820%26hash%3D88e4f722e38f2fd22a57141\\_926c6a3d2b201d67d&ei=7ddZU6qhG4iTyQGk1oGQAQ&usg=AFQjCNEfbf2PQ3InAtun5qQ11onmKbH7kw](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=4&cad=rja&uact=8&ved=0CDsQFjAD&url=http%3A%2F%2Fwww.tzdp.gov.tz%2Findex.php%3FfeID%3Dtx_nawsecuredl%26u%3D0%26file%3Duploads%2Fmedia%2FSOCIAL_PROTECTION.6r%3D1455918820%26hash%3D88e4f722e38f2fd22a57141_926c6a3d2b201d67d&ei=7ddZU6qhG4iTyQGk1oGQAQ&usg=AFQjCNEfbf2PQ3InAtun5qQ11onmKbH7kw).
78. Joanna Martin, and Jacqueline Namfua. *Strengthening Child Protection Systems to Reduce Violence Against Children in Tanzania*, UNICEF, [online] June 14, 2011 [cited February 6 2013]; [http://www.unicef.org/infoycountry/tanzania\\_58923.html](http://www.unicef.org/infoycountry/tanzania_58923.html)
79. Government of Tanzania- Ministry of Labour, Employment, and Youth Development. *National Employment Policy*. Dar es Salaam; 2008. <http://www.kazi.go.tz/documents/laws%20and%20acts/National%20Employment%20Policy%202008.pdf>.
80. Government of Tanzania. *Education Sector Development Programme: Primary Education Development Plan, Phase III (2012-2016)*. Dar es Salaam; November 2012. [http://www.ed-dpg.or.tz/pdf/PE/Primary%20Education%20Development%20Programme-PEDP%20III\\_Final\\_Nov%202012.pdf](http://www.ed-dpg.or.tz/pdf/PE/Primary%20Education%20Development%20Programme-PEDP%20III_Final_Nov%202012.pdf).



# Tanzania

## MINIMAL ADVANCEMENT

81. *PEDP: An Overview*, Government of Tanzania, [online] [cited March 27, 2014]; <http://www.pmoralg.go.tz/menu-data/programmes/PEDP/>.
82. Revolutionary Government of Zanzibar- Ministry of Education and Vocational Training. *Proposed Programs and Activities for the Zanzibar Education Development Plan (ZEDP) 2008-2015*. Zanzibar; October 10, 2007. <http://planipolis.iiep.unesco.org/upload/Tanzania%20UR/Zanzibar/Zanzibar-Planning-for-ZEDP.pdf>.
83. Revolutionary Government of Zanzibar- Ministry of Youth, Employment, Women, and Children Development. *Proposed Zanzibar Vocational Education and Training Policy*. Zanzibar; 2005.
84. Ministry of Education and Vocational Training. *Proposed Secondary Education Development Program (SEDP II) 2010-2014*. Dar es Salaam; November 2012. [http://planipolis.iiep.unesco.org/upload/Tanzania%20UR/Tanzania\\_SEDP\\_II\\_Environmental\\_Social\\_Managt\\_Framework.pdf](http://planipolis.iiep.unesco.org/upload/Tanzania%20UR/Tanzania_SEDP_II_Environmental_Social_Managt_Framework.pdf).
85. Ministry of Education and Vocational Training. *Secondary Education Development Program (SEDP II) 2010-2014*. Dar es Salaam; June 2010. [http://planipolis.iiep.unesco.org/upload/Tanzania%20UR/Tanzania\\_SEDP\\_2010\\_2015.pdf](http://planipolis.iiep.unesco.org/upload/Tanzania%20UR/Tanzania_SEDP_2010_2015.pdf).
86. United Nations Tanzania. *United Nations Development Assistance Plan July 2011-June 2015*. Dar es Salaam; 2011. [http://tz.one.un.org/phocadownload/united\\_nations\\_development\\_assistance\\_plan\\_july\\_2011-june\\_2015.pdf](http://tz.one.un.org/phocadownload/united_nations_development_assistance_plan_july_2011-june_2015.pdf).
87. UNICEF. *Common country programme document for the United Republic of Tanzania (July 2011-June 2015)*. Dar es Salaam; 2011. [http://www.unicef.org/about/execboard/files/TANZANIA\\_CCPD\\_2011-2015\\_final.pdf](http://www.unicef.org/about/execboard/files/TANZANIA_CCPD_2011-2015_final.pdf).
88. ILO-IPEC. *Support for the Time-Bound Programme on the Worst Forms of Child Labour- Phase II*. Technical Progress Report. Geneva; March 2010.
89. ILO-IPEC. *Global Research on Child Labor Measurement and Policy Development (MAP)*. Technical Progress Report. Geneva; 2014.
90. USDOL. *Expanding the Evidence Base and Reinforcing Policy Research for Scaling Up and Accelerating Action Against Child Labor*. Project Summary. Washington, DC; 2013. [http://www.dol.gov/ilab/projects/global/ExpandingEvidenceBase\\_FY10.pdf](http://www.dol.gov/ilab/projects/global/ExpandingEvidenceBase_FY10.pdf).
91. OHCHR. *Information on Children's Right to Health- based on a Human Rights Council Resolution 19/37*. Dar es Salaam; 2013. <http://www.ohchr.org/Documents/Issues/Children/Study/RightHealth/Tanzania.doc>.
92. *WFP Activities*, WFP, [online] [cited March 28, 2014]; <http://www.wfp.org/countries/tanzania-united-republic-of/operations>.
93. *School Vegetable Gardens for Healthier Children in Tanzania*, WFP, [online] March 18, 2014 [cited March 28, 2014]; <http://www.wfp.org/node/3614/4089/640648>.
94. IOM. *Supporting the Establishment, Assistance and Referral Mechanisms for Child Victims of Trafficking in Tanzania*. Paris; 2014.
95. ILO-IPEC Geneva official. E-mail communication to USDOL official. April 4, 2014.
96. ECLT Foundation. *Response to Request for Information and Invitation to Comment by the Bureau of International Labor Affairs, United States Department of Labour of November 26, 2012*. Geneva; January 15, 2013.
97. Winrock International. *PROSPER: Eliminate Child Labor in Tobacco Farming in Tanzania*. Little Rock, AR; January 22, 2012. <http://www.winrock.org/fact/facts.asp?CC=6366&cbu=>.
98. TAMICO. *Towards a Decent Life for Children, Youth and their Families in the mining Sector (CHIYOFA Project)*; March 2011.
99. Save the Children. *Fighting Child Labour in Zanzibar, Description of the Action- Part A, Concept Note*. Technical Progress Report. Zanzibar; September 2008.
100. *Support for Vulnerable Children and Child Labourers*, Terre des Hommes, [online] [cited March 20, 2014]; <http://terredeshommesnl.org/en/east-africa/projects/project/support-for-vulnerable-children-and-chil>.
101. Terre des Hommes official. E-mail communication to USDOL official. February 13, 2014.
102. *Support for Vulnerable Children and Child Labourers*, Terre des Hommes, [online] [cited March 20, 2014]; <http://www.terredeshommesnl.org/en/east-africa/projects/project/support-for-vulnerable-children-and-chil>.
103. Anti-Slavery International. *Small grants, big change: influencing policy and practice for child domestic workers*; May 2013. [www.antislavery.org/.../cm.../small\\_grants\\_big\\_changes\\_report.pdf](http://www.antislavery.org/.../cm.../small_grants_big_changes_report.pdf).
104. *Who We Support: Wote Sawa*, MamaCash, [online] [cited March 27, 2014]; <http://www.mamacash.org/supportgroup/wotesawa/>.
105. European Union official. E-mail communication to USDOL official. July 3, 2012.
106. Kamagenge, A. *Overview of Community-Based Conditional Cash Transfer (CB-CCT) Pilot*. Dar Es Salaam; May 2012.
107. Daily News. "More Districts to Benefit from TASAF Cash Transfer Programme." [dailynews.co.tz \[previously online\] April 6, 2012 \[cited February 6, 2013\]; http://www.dailynews.co.tz/index.php/local-news/3752-more-districts-to-benefit-from-tasf-cash-transfer-programme?tmpl=component&print=1&layout=default&page=\[source on file\]](http://www.dailynews.co.tz/index.php/local-news/3752-more-districts-to-benefit-from-tasf-cash-transfer-programme?tmpl=component&print=1&layout=default&page=[source on file]).
108. International Labour Office. *Decent Work Country Profile Tanzania (mainland)*. Geneva; 2010. [http://www.ilo.org/public/english/region/afpro/daressalaam/download/decent\\_work\\_tz.pdf](http://www.ilo.org/public/english/region/afpro/daressalaam/download/decent_work_tz.pdf).
109. ILO. *Tanzania Decent Work Country Programme (2013-2016)*. Geneva; 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/countries/>.
110. Tanzania Education Authority. *Annual Report 2009/10*. Dar es Salaam; 2010. [http://www.tanzania.go.tz/egov\\_uploads/documents/annual\\_report\\_en.pdf](http://www.tanzania.go.tz/egov_uploads/documents/annual_report_en.pdf).
111. U.S. Embassy- Dar es Salaam official. E-mail communication to USDOL official. May 29, 2014.

*In 2014, Thailand made a significant advancement in efforts to eliminate the worst forms of child labor. Despite political unrest during the year and a military coup in May 2014, the Government took actions to address child labor. Thailand made changes to its legal framework to raise the minimum age for agricultural work from 13 to 15 years, and for work on sea fishing vessels from 16 to 18 years. It also created a national policy committee, including several subcommittees and task forces, to improve policy formulation, interagency coordination, and implementation regarding migrant workers and human trafficking problems. In addition, the Government funded and participated in multiple programs that include the goal of eliminating or preventing child labor, including its worst forms. However, children in Thailand continue to engage in child labor in agriculture, including in the shrimp and seafood processing sector, and in the worst forms of child labor, including in commercial sexual exploitation. Thailand remains weak in its enforcement efforts, particularly in the fishing, agriculture, manufacturing, and home-based business sectors, as well as in the informal sector. The Government also lacks nationwide data on child labor, which impedes the effectiveness of policies and programs.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Thailand are engaged in child labor in agriculture, including in the shrimp and seafood processing sector.(1) Children are also engaged in the worst forms of child labor in commercial sexual exploitation.(2) Table 1 provides key indicators on children’s work and education in Thailand. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	13.0 (1,302,267)
Attending School (%)	5-14 yrs.	96.3
Combining Work and School (%)	7-14 yrs.	14.4
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(3)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 3, 2005-06.(4)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Processing shrimp and seafood (1, 5-7)
	Fishing,* including work performed on sea vessels† (8)
	Planting and harvesting sugarcane (9)
	Production of rubber,* roses,* oranges,* and pineapples* (10, 11)
Industry	Manufacturing, including garment production (12, 13)
	Domestic service (14, 15)
	Work on construction sites (1, 16)

# Thailand

## SIGNIFICANT ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Services	Muay Thai paid fighters (17-20)
	Work in karaoke bars,† restaurants, motorcycle repair shops, and gas stations (2, 13, 21)
	Street work, including begging and vending (2, 22, 23)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (2, 13, 23, 24)
	Vending, begging, and domestic service each as a result of human trafficking (2, 22)
	Forced labor in the production of garments, in shrimp and seafood processing, in domestic service, and in begging (7, 15, 22, 25, 26)
	Use of children in armed violence, such as serving as scouts, informants, and committing acts of arson (13, 27)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Shrimp and seafood processing occurs in the central, eastern, and southern coastal regions of Thailand.(1) Children perform activities such as preparing shrimp or fish ponds, feeding and maintaining the stock, sorting fish, removing the heads of shrimp and fish, peeling shrimp in factory lines where blood vessels and bones are removed from fish, and freezing and weighing processed fish or shrimp.(1, 5, 6, 28) The majority of child laborers in this sector are between the ages of 15 and 17, and both boys and girls are equally engaged in labor, with slightly more girls working than boys.(1) Child labor in the shrimp and seafood processing sector is predominant among migrant children, but it is also found among Thai children in the southern provinces.(1)

Children as young as age 7 are paid to fight in a form of boxing called *Muay Thai*, in which they use knees, elbows, hands, and feet to fight with no protective equipment.(17-20) Work in a gambling place is deemed hazardous by Thai law; however, gamblers place bets on the children who are fighting.(19, 20)

Children are also trafficked to and within Thailand for commercial sexual exploitation and labor exploitation. They are trafficked to Thailand primarily from Burma, Cambodia, and Laos, and from within Thailand, for commercial sexual exploitation.(2) Some children who are trafficked are forced to sell flowers and candy and beg on the streets.(22) Children are also trafficked to and within Thailand into Bangkok and other urban areas to work as domestic servants.(2, 15) Migrant children may be subjected to forced labor in the production of garments, in shrimp and seafood processing, in domestic service, and in begging. (7, 15, 22, 25, 26)

Access to education, particularly for migrant and ethnic minority children, is limited by a variety of factors. These factors include a lack of awareness among local government officials and migrant families of migrant children’s right to an education; language barriers, including class instruction and school applications only available in the Thai language; the long distances children must travel to attend school; and family pressure to work rather than attend school.(29)







Thailand continues to experience ethno-nationalist separatist insurgency activity in its four southernmost provinces. Children, teachers, and other education personnel have been killed or wounded in the conflict, which has forced the intermittent closure of schools in the region.(27, 30) There is some evidence that separatist groups recruited children to commit acts of arson, serve as scouts or informants, and sometimes as combatants.(13, 27, 31) There are also reports of children’s involvement as village defense volunteers.(13, 27)

The Government lacks current nationwide data on the worst forms of child labor.(29) In addition, current reporting and statistics on child labor often omit street children and migrant children.(13)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Thailand has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Chapter 4, section 44 of The Labor Protection Act (32)
Minimum Age for Hazardous Work	Yes	18	Chapter 4, sections 49 and 50 of The Labor Protection Act (32)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Chapter 4, sections 49 and 50 of The Labor Protection Act (32)
Prohibition of Forced Labor	Yes		Section 312 and 312 bis of the Penal Code; section 4 and 6 of The Anti-Trafficking in Persons Act (33, 34)
Prohibition of Child Trafficking	Yes		Sections 282 and 283 of the Penal Code; section 6 of The Anti-Trafficking in Persons Act (33, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8 of The Prevention and Suppression of Prostitution Act; section 6 of The Anti-Trafficking in Persons Act; sections 282 and 285-287 of the Penal Code; Article 26 of The Child Protection Act (33-36)
Prohibition of Using Children in Illicit Activities	Yes		Article 26 of The Child Protection Act (36)
Minimum Age for Compulsory Military Recruitment	Yes	21	Section 25 of the Military Service Act (37)
Minimum Age for Voluntary Military Service	Yes	18	Military Service Act (37)
Compulsory Education Age	Yes	15	Section 17 of the National Education Act (38)
Free Public Education	Yes		Section 10 of the National Education Act (38)

In 2014, the Government made several changes to strengthen the legal framework to combat child labor. The Labor Protection Act's (LPA) Ministerial Regulation on Agricultural Work, signed by the Minister of Labor on December 12, 2014, increases the minimum age for agricultural work from age 13 to 15 in order to comply with ILO C. 138.(21) The LPA Ministerial Regulation on Sea Fishing Vessels, signed by the Minister of Labor on December 22, 2014, includes an increase in the minimum age of workers from age 16 to 18. The regulation applies protections for fishers on all fishing boats regardless of the number of workers, and mandates employment contracts and payroll records.(21) On December 16, 2014, the Government announced the Marine Department Regulation on Boat Registration, which took effect on January 15, 2015. The new regulation requires all fishing boats 30 tons or larger to be registered with the Marine Department, and for employers to present documents for each worker to the Marine Department for verification.(21)

Neither the new Ministerial Regulation on Agricultural Work nor the Ministerial Regulation on Labor and Welfare Protection for Domestic Workers specifies the maximum number of hours children ages 15 to 17 may work.(21) Additionally, Thailand does not have legislation specifically to protect children and punish offenders in all aspects of child pornography, although draft legislation is pending.(39) These gaps hinder the prosecution of child pornography offenders and protection for child pornography victims. (29, 40)

# Thailand

## SIGNIFICANT ADVANCEMENT

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor, Protection, and Welfare (DLPW) of the Ministry of Labor (MOL)	Enforce labor laws, including the Labor Protection Act and Occupational Safety, Health, and Environment Act, through workplace inspections.(21) Operate a DLPW telephone hotline, Hotline 1546, to answer questions involving working conditions and receive complaints from the public about child labor.(41, 42)
Fishing Coordination Centers (operated jointly by the Department of Employment, DLPW, and the Marine Police)	Monitor and inspect working conditions of fishing vessels. Aim to increase protection for workers, and allow migrants to become legalized through a registration process.(29, 40)
Anti-Human Trafficking Division (AHTD) of the Royal Thai Police (RTP)	Enforce laws specifically related to forced labor, human trafficking, and commercial sexual exploitation of women and children.(29) Operate AHTD Hotline 1191 to receive complaints regarding human trafficking and violence against children and women.(21)
Department of Special Investigations (DSI) in the Ministry of Justice	Investigate complicated human trafficking crimes, including those related to government officials' complicity and transnational or organized crime. MOU between the RTP and DSI states that a NGO or social worker can choose which entity will investigate and that such entity must work on the case from start to finish.(29, 40, 43)
RTP and Attorney General	Enforce the Transnational Organized Crime Act.(40)

Law enforcement agencies in Thailand took actions to combat child labor, including its worst forms.

#### ***Labor Law Enforcement***

In 2014, the Department of Labor, Protection, and Welfare (DLPW) employed 594 inspectors, which the DLPW recognized as insufficient to adequately monitor all workplaces covered by Thai labor laws.(21) The DLPW reported that 221 labor inspectors were trained on child labor, hazardous child labor, and the worst forms of child labor.(21) During the reporting period, the Ministry of Labor (MOL) hired interpreters in eight provinces with large populations of migrant workers. In other provinces, labor inspectors must rely on interpreters provided by the employer or on the assistance of other migrant workers inside the factory. (21) The DLPW has authorized the Marine Police, Thai Navy, and Department of Fisheries to conduct labor inspections on sea-fishing vessels; approximately 160 officers from the Marine Police and Navy are trained and registered as labor inspectors.(21) The DLPW received a budget of \$798,093 for fiscal year 2014 labor inspections, a small decrease from the previous year's budget of \$812,496. (21)

During the reporting period, labor inspectors conducted 39,185 workplace inspections. Inspectors conduct both unannounced inspections in targeted industries that they believe are more at risk for violations or when complaints are received, and pre-announced inspections to advise employers and employees of their rights, duties, and appropriate labor practices.(21) In 2014, Thailand created multidisciplinary inspection teams consisting of labor inspectors, police, and NGO representatives to conduct inspections in targeted geographic areas and sectors such as shrimp and seafood processing and fishing. These inspections have been reported as more cost-effective, reducing opportunities for bribery, increasing the ability to enforce the laws under the authority of different agencies, and beneficial, particularly in hard-to-reach workplaces such as on fishing boats.(21) Observers commented that inspections were focused on medium-size workplaces and export-oriented industries, and neglected other sectors and workplaces where child labor may also exist. The lack of nationwide data on child labor hampers the ability to conduct targeted inspections. (21)

Labor inspectors found violations in eight workplaces, involving 20 children. Violations included under-age child labor, working without payment, working during the night, and failure to notify the DLPW of having employed children ages 15 to 18.(21) The DLPW confirmed that in cases where fines were applied, they were collected; however, penalties are infrequently applied in accordance with the parameters prescribed by law.(21, 29, 44)



Enforcement of the list of hazardous work prohibited for children is concentrated in the formal sector, such as the industrial and service sectors.(29) Under the Home Workers Protection Act, the DLPW now includes home-based workplaces under its purview.(29) However, labor inspectors have limited access to the entities covered by the Act, including home-based businesses and employment sites, which require a warrant to access an individual's property. This makes it very challenging to inspect private homes in order to monitor the welfare of child domestic workers or children working in home-based employment.(13, 29) Additionally, at times, labor inspectors are afraid of being sued by employers, as neither the law nor the institutional policies provide adequate protection or financial assistance to labor inspectors who are sued.(21)

The complaint mechanisms remain weak for migrant workers who cannot speak and read Thai, and for those in the informal sector and in remote areas, including on fishing vessels.(21, 29)

### *Criminal Law Enforcement*

In 2014, the Anti-Human Trafficking Division (AHTD) of the Royal Thai Police (RTP) and the Department of Special Investigations in the Ministry of Justice comprised approximately 300 and 25 officials, respectively, who were responsible for enforcing laws specifically related to forced child labor, trafficking, and commercial sexual exploitation of children.(21) During the reporting period, approximately 10,271 government officials, including police and labor inspectors, received training on combating human trafficking.(26)

From October 2013 to September 2014, the RTP conducted criminal investigations of 27 child forced labor cases involving 46 children, and of 139 child commercial sexual exploitation and pornography cases involving 186 children.(21) In 2014, the RTP initiated investigations into 280 trafficking cases involving 595 victims, including 380 victims under 18 years old. These cases included 222 sex-trafficking cases, 11 forced begging cases, and 47 forced labor cases.(26) Also in 2014, the RTP conducted criminal investigations of 2,217 illicit activities cases, primarily drug-related, involving 2,191 children.(21)

Criminal law enforcement is hampered by systematic bribery and corruption, with law enforcement officials involved in brothels or karaoke bars, including those purchasing sex with underage girls; these officials are also believed to be involved with human smuggling networks.(21)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The National Committee to Eliminate the Worst Forms of Child Labor	Coordinate the implementation of child labor policies and plans, facilitate cooperation among various coordinating ministries, and report annually to the Thai Cabinet on child labor issues.(45) Chaired by the MOL, with representation from other government agencies, employer and worker associations, and civil society groups.(46) Oversee three subcommittees that monitor the National Policy and Plan to Eliminate the Worst Forms of Child Labor (2009-2014); update the list of hazardous activities prohibited for children under age 18; and work on key performance indicators to measure and eliminate the worst forms of child labor in Thailand.(45, 47)
National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing*	Coordinate anti-trafficking in persons policies and activities and is chaired by the Prime Minister. Includes five subcommittees to drive policy, including the Subcommittee on Child Labor, Forced Labor, and Migrants Workers chaired by the Minister of Labor.(39) Also includes the Anti-Trafficking in Persons Committee and the Policy Committee on the Resolution of Migrant Labor and Human Trafficking Problems.(39)
National Operation Center for the Prevention and Suppression of Human Trafficking	Coordinate anti-human trafficking activities, including those involving child forced labor, trafficking, and commercial sexual exploitation and is located under the Ministry of Social Development and Human Security (MSDHS). Monitor the work of 76 Provincial Operation Centers for the Prevention and Suppression of Human Trafficking, which serve as the frontline implementers of anti-human trafficking activities.(29)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In December 2014, the Government created a National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing. In addition to five new subcommittees, this committee now oversees the National Anti-Trafficking in

# Thailand

## SIGNIFICANT ADVANCEMENT

Persons Committee created in 2008, the new Policy Committee on the Resolution of Migrant Labor and Human Trafficking Problems—which replaced the former National Committee on the Management of Illegal Migrant Workers set up in 2001, and the new Subcommittee on the Coordination of the Action to Resolve Migrant Labor and Human Trafficking Problems.(39)

Thailand has MOUs on operational procedures for concerned agencies in combating human trafficking with Burma, Cambodia, Japan, Laos, and Vietnam. During the reporting period, the MOU between Thailand and Cambodia was updated in order to comply with 2008 Thai Anti-Trafficking in Persons laws.(21)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Thailand has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
The National Plan of Action (NPA) to Eliminate the Worst Forms of Child Labor (2009–2014)	Aims to prevent, protect, and withdraw children from the worst forms of child labor, improve legislation and law enforcement related to the worst forms of child labor, and build the capacity of officials who administer policies and programs on the worst forms of child labor.(45, 48, 49) Key performance indicators include reduced number of children engaging in the worst forms of child labor; increased efforts to remove children from the worst forms of child labor; increased criminal prosecutions against employers who exploit children; increased capacity and knowledge of practitioners working in this field; and increased national- and provincial-level administrative and management efforts to eliminate the worst forms of child labor.(50) In October 2014, an evaluation of the 5-year plan was started, which will provide input for the second phase of the NPA (2015 – 2020).(21)
The National Policy, Strategy, and Measures for the Prevention and Suppression of Trafficking in Persons (2011–2016)	Contains five strategies that are operationalized in annual action plans.(51) Strategies include prevention, prosecution, protection and assistance, development of policy and promotion mechanisms, and development and management of information.(52)
National Child and Youth Development Plan (2012–2016)*	Seeks to advance principles that include (1) the enforcement and implementation of the National Child and Youth Development Promotion Act of 2007 and relevant laws; (2) the idea that every child and young person has the right to basic education of the highest quality; (3) the notion that children and youth have the right to basic health care services of the highest standard; and (4) the idea that children and youth have the right to play, rest, and participate in recreational activities. (53, 54)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Thailand funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
National and Provincial Operation Centers for Providing Assistance to Women and Child Laborers‡	DLPW program that provides assistance to women and child laborers, collects and disseminates information on the worst forms of child labor; reports their activities to the National Committee to Eliminate the Worst Forms of Child Labor.(50)
Government Shelters for Trafficking Victims‡	MSDHS' Bureau of Anti-Trafficking in Women and Children operates 76 Provincial Operation Centers to provide emergency assistance and protection to human trafficking victims. Nine long-term shelters offer medical care, psychosocial services, education, and life skills education for human trafficking victims. (10, 55, 56) In 2014, government shelters provided services to 303 trafficked victims, including 138 children under the age of 18.(26)
Migrant Learning Centers‡*	Government and nonprofit organizations program to provide basic education to children in migrant communities. Government District Education Offices provide guidance and technical support to ensure that children receive a learning assessment and meet the qualifications to earn a certificate of completion issued by the Ministry of Education.(10)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Asia-Australia Program to Combat Trafficking in Person (AAPTIP) (2013 – 2018)	\$45 million Australian-Aid-funded, 5-year ASEAN regional project to build capacity and strengthen access to criminal justice for trafficking victims.(21) In 2014, the Government of Thailand agreed to participate in projects that will focus on creating specialized investigative units; increasing interagency cooperation among public prosecutors, police, and DSI on joint investigations; creating a specialized unit on TIP in the Attorney General's office; and developing training curriculum for law enforcement, prosecutors, and judges.(21)
Combating the Worst Forms of Child Labor in Shrimp and Seafood Processing Areas in Thailand (2010 – 2015)	\$9 million USDOL-funded, 4.5-year project implemented by ILO-IPEC to eliminate child labor in the shrimp and seafood processing industry. Aims to strengthen policy frameworks to protect the rights of Thai and migrant children; assist the shrimp and seafood processing industry to comply with labor laws; and provide education and other services to at-risk children and families in the targeted areas.(49) Targets 7,500 children for the prevention and withdrawal from the worst forms of child labor, and 3,000 households for livelihood services.(49)
Project Childhood (2010 – 2014)	\$3.67 million UNODC-operated, 4-year project to build the capacity of law enforcement officials in Thailand, Cambodia, Laos, and Vietnam to identify and prosecute child sex offenders.(57, 58)
GMS TRIANGLE Project (2010 – 2015)	Government of Australia-funded, 5-year project implemented by the ILO to reduce the exploitation of labor migrants through increased legal and safe migration and improved labor protection. Includes six participating countries in the Greater Mekong Subregion.(59)
One-Stop Service Centers‡	Government-run centers to register undocumented migrant workers from Burma, Laos, and Cambodia and their dependents through a streamlined process. Granted temporary stays and temporary work permits to registered migrants, gave them health checks, helped them purchase health insurance for themselves and their children, and recorded them in the MOI's nationwide online citizen database system, along with Thai nationals.(21)
One-Stop Crisis Centers (OSCC) 1300 Hotline‡	MSDHS program that focuses on teenage pregnancy, human trafficking, child labor, and violence against children, women, the elderly, and persons with disabilities. Interpreters available for callers speaking English, Burmese, Khmer, Vietnamese, Chinese, and Thai Yai (Shan).(21) In 2014, the hotline received 3,485 calls regarding incidents of violence against children, women, the elderly, and disabled (2,404); teenage pregnancy (948); human trafficking (123); and child labor(10).(26)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Thailand.

The One-Stop Service Centers do not have a registration process for migrant children ages 16 to 18. Only children younger than 16 years old can be registered as dependents; and children ages 15 to 18 may claim to be over 18 through falsified documents from their country of origin in order to work in Thailand legally.(21)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Thailand (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify the maximum number of hours that children age 15 to 17 may work in the agricultural sector.	2011 – 2014
	Ensure that the law protects child domestic workers from working an excessive number of hours.	2012 – 2014
	Enact legislation that includes specific provisions, protection, and penalties on all aspects of child pornography.	2013 – 2014
Enforcement	Provide labor inspectors with the capacity to communicate in the languages of migrants or ethnic minorities during labor inspections.	2009 – 2014
	Apply penalties to violators of child labor laws that adhere to the parameters prescribed by law.	2013 – 2014
	Remove administrative barriers that impede inspections of home-based businesses.	2013 – 2014
	Improve mechanisms for labor complaints that workers can easily access to report labor law violations, particularly among migrant workers, as well as in remote areas and the informal sector.	2012 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into the National Child and Youth Development Plan .	2013 – 2014
Social Programs	Take steps to eliminate barriers and make education accessible for all children, including ethnic minorities and migrants.	2012 – 2014
	Raise awareness of migrant children’s right to education among migrant families and local government officials.	2012 – 2014
	Carry out a national survey on child labor, including the worst forms of child labor.	2009 – 2014
	Ensure that national reporting and statistics on child labor include children working on the streets and migrant children.	2012 – 2014
	Assess the impact that existing programs may have on addressing child labor.	2013 – 2014
	Clarify registration process for One-Stop Service Centers for migrant children ages 16 to 18.	2014

### REFERENCES

- ILO-IPEC. *Baseline Surveys on Child Labour in Selected Areas in Thailand*. Bangkok; September 2013. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms\\_222568.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_222568.pdf).
- U.S. Department of State. “Thailand,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 3, 2005-06. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Mahidol University. *Revised Research Report on Rapid Situation Assessment on Child Labor in Shrimp, Seafood, and Fisheries Sectors in Selected Areas of Surat Thani Province*. Bangkok; May 2011.
- Sonja Vartiainen, Henri Purje, Andy Hall, Katarliina Vihersalo, Anu Aukeala. *Cheap Has a High Price*. Helsinki, Finnwatch; January 21, 2013. [http://www.finnwatch.org/images/cheap%20has%20a%20high%20price\\_exec%20summary\\_final.pdf](http://www.finnwatch.org/images/cheap%20has%20a%20high%20price_exec%20summary_final.pdf).
- EJF. *The Hidden Cost: Human Rights Abuses in Thailand’s Shrimp Industry*. London; 2013. [http://ejfoundation.org/sites/default/files/public/shrimp\\_report\\_v44\\_lower\\_resolution.pdf](http://ejfoundation.org/sites/default/files/public/shrimp_report_v44_lower_resolution.pdf).
- ILO. *Employment practices and working conditions in Thailand’s fishing sector*. Bangkok; 2013. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms\\_220596.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_220596.pdf).
- Jaranya Wongprom, Thanjak Yenbamrung, Niramorn Srithongchai, Nisit Sakayapan, and Moontri Sawai. *Assessing the Situation of Selected Worst Forms of Child Labour in Udon Thani Province*. Bangkok, Research and Development Institute, Khon Kaen University, supported by IPEC; June 2006.
- U.S. Embassy- Bangkok. *reporting, February 6, 2013*.
- Integrated Regional Information Networks. “Forced Labour in Thai Factory.” IRINnews.org [online] January 22, 2013 [cited November 2, 2014]; <http://www.irinnews.org/report/97302/in-brief-forced-labour-in-thai-factory>.
- ILO. *The Mekong Challenge: Working Day and Night*. Bangkok, ILO Asia and the Pacific; 2006. <http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/workingdayandnight-english.pdf>.
- U.S. Department of State. “Thailand,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- ILO. *Domestic Workers in Thailand: Their Situation, Challenges and the Way Forward*. Bangkok, ILO Subregional Office for East Asia; January 2010.
- Thin Lei Win. “Burmese Child Slave Puts Spotlight on Abuse of Foreign Maids in Thailand.” The Irrawaddy, August 9, 2014. <http://www.irrawaddy.org/burma/burmese-child-slave-puts-spotlight-abuse-foreign-maids-thailand.html>.
- Destination Unknown. “Thailand: Burmese Youth working on construction sites,” Thailand: Terre des Hommes; February 2, 2015; 7 min., 41 sec., film; [cited February 6, 2015]; <http://destination-unknown.org/thailand-burmese-youth-working-on-construction-sites/>.
- Catsoulis, J. “Portrait of the Sad Life of Child Boxers in Thailand.” New York Times, New York, November 13, 2012; Movie Reviews. [http://movies.nytimes.com/2012/11/14/movies/buffalo-girls-on-thailands-child-boxing-circuit.html?\\_r=0](http://movies.nytimes.com/2012/11/14/movies/buffalo-girls-on-thailands-child-boxing-circuit.html?_r=0).
- Malm, S. “Blood, sweat and tears: Muay Thai child fighters battle against each other to become the next generation of champions.” *dailymail.co.uk* [online] July 8, 2012 [cited May 20, 2013]; <http://www.dailymail.co.uk/news/article-2170513/Blood-sweat-tears-Muay-Thai-child-fighters-battle-generation-champions.html>.
- Walker, C. “As Gamblers Gather, Thailand’s child Boxers Slug It Out.” NPR.org [online] May 14, 2013 [cited May 17, 2013]; <http://www.npr.org/blogs/parallels/2013/05/06/181647462/As-Gamblers-Gather-Thailands-Child-Boxers-Slug-It-Out>.
- Karlinsky, N. “Thailand’s Child Boxers Compete in Brutal Fights for Money, Better Future.” *abcnews.go.com* [online] January 21, 2014 [cited April 15, 2014]; <http://abcnews.go.com/International/thailands-child-boxers-compete-brutal-fights-money-future/story?id=21613303&singlePage=true>.
- U.S. Embassy- Bangkok. *reporting, January 26, 2015*.
- Integrated Regional Information Networks. “Thailand: Children Trafficked to Sell Flowers and Beg.” IRINnews.org [online] June 4, 2012 [cited October 24, 2012]; <http://www.irinnews.org/Report/95566/THAILAND-Children-trafficked-to-sell-flowers-and-beg>
- Keenapan, N. *Helping Children Living and Working on the Streets in Thailand*, UNICEF, [online] March 7, 2012 [cited November 3, 2014]; [http://www.unicef.org/infobycountry/Thailand\\_61806.html](http://www.unicef.org/infobycountry/Thailand_61806.html).
- ILO Committee of Experts. *General Report of the Committee of Experts on the Application of Conventions and Recommendations*. Geneva; 2013.
- Mekong Sub-regional Project to Combat Trafficking in Children and Women. *The Mekong Challenge - Underpaid, Overworked and Overlooked: The realities of young migrant workers in Thailand*. Bangkok, ILO; 2006. [http://natlex.ilo.ch/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms\\_bk\\_pb\\_67\\_en.pdf](http://natlex.ilo.ch/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_bk_pb_67_en.pdf).
- U.S. Embassy- Bangkok. *reporting, February 15, 2015*.
- UN Secretary-General. *Children and armed conflict: Report of the Secretary-General*, May 15, 2014. [http://www.un.org/ga/search/view\\_doc.asp?symbol=a/68/878](http://www.un.org/ga/search/view_doc.asp?symbol=a/68/878).

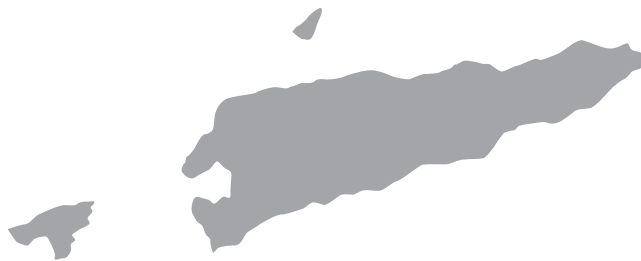
28. ILO. *ILO-IPEC Thailand Works Together with DOF and DLPW to Train Fisheries Officials on Child Labour and Forced Labour and Organizes Series of Consultations*, ILO, [online] August 27, 2013 [cited November 2, 2014]; [http://www.ilo.org/asia/info/public/newsitems/WCMS\\_220273/lang-en/index.htm](http://www.ilo.org/asia/info/public/newsitems/WCMS_220273/lang-en/index.htm).
29. U.S. Embassy- Bangkok. *reporting, February 3, 2014*.
30. Campbell, C. "Savage Escalation Threatened in Thailand's Southern Insurgency." *Time*, (May 22, 2013); <http://world.time.com/2013/05/22/savage-escalation-threatened-in-thailands-southern-insurgency/>.
31. Child Soldiers International. *Southern Thailand: Ongoing recruitment and use of children by armed groups*. London; September 2014. [http://www.child-soldiers.org/research\\_report\\_reader.php?id=807](http://www.child-soldiers.org/research_report_reader.php?id=807).
32. Government of Thailand. *Labour Protection Act*, enacted 1998.
33. Government of Thailand. *Penal Code*, enacted 1997.
34. Government of Thailand. *Anti-Trafficking in Persons Act*, enacted January 30, 2008.
35. Government of Thailand. *Prevention and Suppression of Prostitution Act*, enacted October 14, 1996.
36. Government of Thailand. *Child Protection Act*, enacted 2003.
37. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
38. Government of Thailand. *National Education Act*, enacted 1999. [http://www.onesqa.or.th/en/publication/nation\\_edbook.pdf](http://www.onesqa.or.th/en/publication/nation_edbook.pdf).
39. Government of Thailand. *Thailand's Progress Report on Anti-Human Trafficking Efforts*. Bangkok; March 31, 2015.
40. U.S. Embassy- Bangkok official. E-mail communication to USDOL official. June 6, 2014.
41. U.S. Embassy- Bangkok. *reporting, March 4, 2010*.
42. Ministry of Labour. *Ministry of Labour Holds Seminar on 1506 Hotline Service*, Ministry of Labour, [online] February 27, 2014 [cited April 16, 2014]; <http://www.mol.go.th/en/anonymouse/news/35741>.
43. Government of Thailand. *The Special Case Investigation Act*, enacted 2004. [https://www.unodc.org/tldb/pdf/Thailand\\_Special\\_Investigation\\_Act.pdf](https://www.unodc.org/tldb/pdf/Thailand_Special_Investigation_Act.pdf).
44. U.S. Embassy- Bangkok official. E-mail communication to USDOL official. July 16, 2015.
45. U.S. Embassy- Bangkok. *reporting, January 4, 2011*.
46. Government of Thailand. *National Policy and Plan to Eliminate the Worst Forms of Child Labour (2009-2014)*. Bangkok; 2009.
47. U.S. Embassy- Bangkok. *reporting, February 25, 2013*.
48. Government of Thailand. *Thailand's Efforts in the Prevention and the Elimination of Child Labor*. Bangkok; 2009.
49. ILO-IPEC. *Combating the Worst Forms of Child Labour in Shrimp and Seafood Processing Areas in Thailand*. Project Document. Bangkok; December 17, 2010.
50. U.S. Embassy- Bangkok. *reporting, January 31, 2012*.
51. Government of Thailand. *Thailand's Efforts in the Prevention and Suppression of Human Trafficking*. Bangkok; 2010.
52. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 8 of the Convention: List of Issues: Thailand*. Geneva; January 20, 2012. Report No. CRC/C/OPAC/THA/Q/1. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/403/09/PDF/G1240309.pdf?OpenElement>.
53. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Thailand*. Geneva; February 17, 2012. Report No. CRC/C/THA/CO/3-4. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/407/70/PDF/G1240770.pdf?OpenElement>.
54. U.S. Embassy- Bangkok official. E-mail communication to USDOL official. March 27, 2013.
55. Government of Thailand. *Thailand's Efforts in the Prevention and Suppression of Human Trafficking*. Bangkok; 2009.
56. U.S. Embassy- Bangkok. *reporting, February 27, 2012*.
57. UNODC. *Project Childhood: Protection Pillar 'Enhancing law enforcement capacity for national and transnational action to identify and effectively act upon travelling child-sex offenders in the Mekong'*, UNODC, [online] November 22, 2011 [cited March 22, 2013]; [http://www.unodc.org/eastasiaandpacific/en/Projects/2010\\_08/project\\_childhood.html](http://www.unodc.org/eastasiaandpacific/en/Projects/2010_08/project_childhood.html).
58. Government of Thailand. *Thailand's Annual Report of Efforts and Progress on the Implementation of Anti-Human Trafficking Action Plan in 2012 for the U.S. Department of State's preparation of Trafficking in Persons Report of 2013- Draft*. Bangkok; 2013.
59. ILO. *Tripartite Action to Protect and Promote the Rights of Migrant Workers within and from the Greater Mekong Subregion (the GMS TRIANGLE project)*. Press Release. Bangkok; 2010. [http://www.ilo.org/asia/whatwedo/projects/WCMS\\_145664/lang-en/index.htm](http://www.ilo.org/asia/whatwedo/projects/WCMS_145664/lang-en/index.htm).



# Timor-Leste

## MODERATE ADVANCEMENT

In 2014, Timor-Leste made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed a resolution to formally establish the National Commission against Child Labor (NCCL/CNTI) that will coordinate the Government's efforts to combat child labor, including its worst forms. In addition, the General Labor Inspectorate Directorate created a new department to deal specifically with child labor issues and hired two additional inspectors. Government officials responsible for the enforcement of child labor laws, including labor inspectors and police officers, participated in numerous trainings on child labor investigation and victim identification procedures. However, children in Timor-Leste are engaged in child labor, including in agriculture. Although the NCCL/CNTI approved a list of hazardous occupations and activities prohibited for children, the list has not yet been legally adopted, leaving children vulnerable to engagement in hazardous work.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste are engaged in child labor, including in agriculture. (1-3) Table 1 provides key indicators on children's work and education in Timor-Leste.

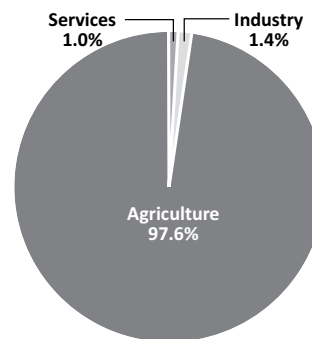
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	19.9 (26,268)
Attending School (%)	5-14 yrs.	69.7
Combining Work and School (%)	10-14 yrs.	12.6
Primary Completion Rate (%)		71.0

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Timor-Leste Survey of Living Standards, 2007.(5)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Cultivating and processing coffee* (1-3)
	Fishing,* including work on boats* and repairing nets* (1-3)
Industry	Construction,* including brickmaking* (1, 2)
	Domestic work* (1, 2)
Services	Street work, including vending,* begging,* and scavenging* (1-3, 6)
	Commercial sexual exploitation and forced domestic and agricultural work each sometimes as a result of human trafficking* (1, 3, 7, 8)
Categorical Worst Forms of Child Labor‡	

\* Evidence of this activity is limited and/or the extent of the problem is unknown.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

In a few cases, Timorese families place their children in bonded domestic and agricultural labor in order to settle outstanding debts. (8, 9) There is limited evidence that girls are trafficked transnationally to Indonesia for labor exploitation. (9, 10) According to data collected by the Secretary of State for Professional Training and Employment Policy (SEPFOPE) and released in 2014, during the previous reporting period there were 233 cases of child labor recorded in the capital city of Dili. Of these children, 179 were male and 54 were female. (11) More comprehensive national data on child and forced labor from the Integrated Labor Force Survey is expected to be released in 2015. (11)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Timor-Leste has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 68 of the Labor Code (12)
Minimum Age for Hazardous Work	Yes	17	Article 67 of the Labor Code (12)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 67-69 of the Labor Code (12)
Prohibition of Forced Labor	Yes		Articles 8 and 67 of the Labor Code (12)
Prohibition of Child Trafficking	Yes		Article 81 of the Immigration and Asylum Act; Articles 162-166 of the Penal Code of Timor-Leste; Article 67 of the Labor Code (12-14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 174- 176 of the Penal Code of Timor-Leste; Article 67 of the Labor Code (12, 14)
Prohibition of Using Children in Illicit Activities	Yes		Article 67 of the Labor Code (12)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 14 of the Law on Military Service (15)
Minimum Age for Voluntary Military Service	Yes	18	Article 17 of the Law on Military Service (15, 16)
Compulsory Education Age	Yes	16/17	Article 11 of the Education System Framework Law (17)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (17, 18)

The legal framework in Timor-Leste is not completely consistent with international standards regarding hazardous child labor. While the Timorese Labor Code does contain provisions that prohibit children from involvement in work likely to jeopardize their health, safety, and morals, it is neither comprehensive nor specific enough to facilitate effective enforcement.<sup>(12)</sup> Additionally, a minor is defined as a person whose age is less than 17 years.<sup>(12, 14)</sup> This standard leaves 17-year-old children vulnerable to the worst forms of child labor.<sup>(19)</sup> In 2014, Timor-Leste's National Commission against Child Labor (NCCL/CNTI) unanimously approved a list of hazardous occupations and activities prohibited for children that had been under review since 2012.<sup>(11, 20, 21)</sup> To formalize the list, the Secretariat of State for Professional Training and Employment Policy (SEPFPOE) is now working with the ILO to draft a law, which must be approved by the Council of Ministers. At the conclusion of the reporting period, the Council had not yet given final approval of the list.<sup>(11)</sup>

Similarly, approval is still pending for draft legislation against human trafficking originally submitted in 2012. In 2014, the Ministry of Justice revised and resubmitted an improved version.<sup>(9, 22)</sup> The proposed law seeks to strengthen efforts to combat trafficking in persons by rationalizing the country's disparate legal provisions regarding the definition of human trafficking and

# Timor-Leste

## MODERATE ADVANCEMENT

the penalties prescribed for this crime. It would also clarify Government roles and responsibilities to ensure more effective anti-trafficking coordination among agencies.(9, 11)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The Secretariat of State for Professional Training and Employment Policy (SEPFOPE)	Enforce laws related to child labor. Administer the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor.(1)
National Police of Timor-Leste (PNTL)	Enforce criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit, the Immigration Police, and the Border Police.(1)
The Ministry of Social Solidarity (MSS)	Enforce laws related to child labor.(1) Receive referrals from agencies responsible for conducting child labor investigations and provide child victims with appropriate support services.(1) Maintain a directory of service providers for which trafficking victim referrals can be made.(7)

Law enforcement agencies in Timor-Leste took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Secretariat of State for Professional Training and Employment Policy (SEPFOPE) employed 22 labor inspectors. Within the General Labor Inspectorate Directorate, SEPFOPE created a specialized department to manage child labor issues and assigned 4 inspectors to focus on investigating child labor cases and enforcing relevant laws.(11) The ILO noted that the number of inspectors is insufficient, especially for conducting child labor inspections outside of the capital.(11) In April and May of 2014, 38 labor inspectors and law enforcement officials received technical training on how to effectively identify and investigate cases of child labor and forced labor.(11, 23)

During the reporting period, SEPFOPE carried out 10 random, unannounced site visits to inspect for child labor violations in street work, construction, transportation, commerce, industry, and on coffee plantations. This is a significant decrease from the 45 inspections conducted in 2013.(11) Although SEPFOPE established local offices in 5 of 13 districts during the reporting period, the majority of inspectors are still posted in the capital of Dili and encounter transportation challenges in accessing outlying areas. The lack of adequate transportation may limit the ability of the Labor Inspectorate Directorate to conduct inspections.(11) SEPFOPE confirmed that labor inspectors are legally authorized to conduct both routine and complaint-driven inspections in all workplaces, apart from private homes.(11) Police officers may be called upon to investigate suspected cases of child domestic labor in these instances.(11) The Labor Inspectorate Directorate found no violations of child labor laws in 2014, and therefore no penalties or citations for child labor law violations were issued, and no children were withdrawn from exploitative work.(11) If children are identified in child labor situations, inspectors may refer them to the Ministry of Social Solidarity (MSS) for support services.(1, 7, 11)

#### *Criminal Law Enforcement*

In 2014, the Criminal Investigation Unit of the National Police of Timor-Leste (PNTL) had a staff of 38 officers, two of whom were charged specifically with the enforcement of criminal laws related to the worst forms of child labor.(10) The PNTL had an operating budget of \$27.8 million, but continues to face significant human resource and budget execution challenges.(11, 24) The Vulnerable Persons Unit, which is directly responsible for assisting human trafficking victims, did not have a separate budget to support its activities.(11) Limited funding resulted in logistical and transportation obstacles in conducting investigations.(1, 9) Throughout the reporting period, law enforcement officials participated in extensive training on combatting human trafficking. In January 2014, the UNODC organized a U.S. Embassy-funded training course for 25 PNTL Border Patrol Unit officers.(9) Additionally, the PNTL collaborated with USAID to train 217 officers in general investigative skills that will support Government anti-trafficking efforts.(22) The local NGO, Psychosocial Recovery and Development in East Timor (PRADET), also provided

trainings for law enforcement officials and prosecutors on the worst forms of child labor and trained 170 individuals on how to identify and report suspected cases of child and forced labor.(11)

The Ministry of Social Solidarity (MSS) reported that the PNTL investigated one case of forced child labor involving a 7-year-old child. Police officers removed the child in question from the exploitative situation and provided accommodation in a Government-funded safe house.(11) In 2014, the MSS established at least one technical officer in each of the country's 13 districts to receive complaints and provide basic services to victims of human trafficking. In addition, there were two child protection officers stationed in each of the 65 sub-districts.(9) These officials are trained to follow the Government's standard operating procedures for referrals. (7, 9) At the close of the reporting period, the only reported investigation was ongoing, and there were no additional prosecutions, convictions, or penalties issued for crimes related to the worst forms of child labor.(11)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Commission against Child Labor (NCCL/CNTI)*	Facilitate information sharing on child labor issues among Government agencies and serve as the overall coordinating mechanism for filing and responding to child labor complaints.(11) Develop child labor policies, raise awareness, and contribute to efforts to ratify and implement international conventions related to child protection.(1) The Secretariat of State for Professional Training and Employment Policy (SEPFPOPE) will serve as the Technical Secretariat of NCCL/CNTI for a 3-year term. Composed of representatives from 23 additional members, including the Ministries of Education, Agriculture, Finance, Justice, Health, Social Solidarity, Public Works and Commerce, Industry, and the Environment; Trade Unions Confederation; the Chamber of Commerce and Industry; and Eyes on Human Rights Forum ( <i>Tau Matan</i> ). (11)
The Inter-Agency Trafficking Working Group	Coordinate the Government's efforts to combat human trafficking. Chaired by the Ministry of Foreign Affairs and Cooperation and includes the MSS, Ministry of Justice, the Ministry of Defense and Security, the Secretary of State for the Promotion of Equality, SEPFPOPE, and the PNTL.(7) In 2014, the working group convened three times.(10)

\*Mechanism to coordinate efforts to address child labor was created during the reporting period.

On January 15, 2014, Timor-Leste passed Government Resolution 1/2014, which formalized the preexisting Child Labor Commission (CLC) Working Group to establish the National Commission against Child Labor (NCCL/CNTI). The Government provided funding and office space to enable staff of SEPFPOPE to carry out the work of the NCCL/CNTI.(11)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Timor-Leste has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Timor-Leste Project for the Elimination of the Worst Forms of Child Labor	Aims to strengthen implementation of ILO C. 182. Specific activities include establishing the Child Labor Commission Working Group; developing a national list of work deemed hazardous and prohibited for children; and developing a national action plan against child labor.(11) Launched in 2009 in partnership with the ILO and the Government of Brazil.(11)
The Timor-Leste Strategic Development Plan (2011-2030)	Provides short-term and long-term plans for the nation's development, including the eradication of the worst forms of child labor, poverty alleviation, and implementation of social transfer programs. (1, 25) Specifies commitments to improve the educational system over the next 20 years, including addressing gender parity in primary schools and preventing school dropouts.(21, 25)
National Education Strategic Plan (2011-2030)*	Identifies three strategic priority areas for national education reform: access, including enrolment and retention; quality; and management. Includes specific strategies and activities to promote equal access to nine years of basic education for all children, including building and renovating schools and instituting social inclusion tools to promote girls' education.(26)
Child and Family Welfare System Policy*†	Develops a framework to strengthen the social protection system for children and their families in Timor-Leste. Focuses on providing support services to children in vulnerable situations, including those living in poverty and those at risk of abuse, violence, neglect, or exploitation.(10, 27)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

# Timor-Leste

## MODERATE ADVANCEMENT

The newly established National Commission against Child Labor (NCCL/CNTI) assumed responsibility for finalizing the draft National Action Plan Against Child Labor, a process which has been ongoing since 2011.(28, 29) At the close of the reporting period, the Action Plan was not yet complete. In addition, the Council of Ministers did not take action to approve the draft National Plan of Action on Trafficking in Persons submitted by the Inter-Agency Anti-Trafficking Working Group in 2012.(7, 29) The draft National Plan of Action could be superseded by passage of the draft anti-trafficking legislation, which creates an anti-trafficking commission and charges it with developing and implementing a national plan of action.(10)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Timor-Leste funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and forced labor in Timor-Leste.(30) In 2014, provided training for 38 law enforcement officials on child and forced labor investigation procedures and supported the formal establishment of the NCCL/CNTI.(11, 23, 30)
Child Labor Education and Outreach Program†	The Secretariat of State for Professional Training (SEPFOPE) and the National Commission against Child Labor (NCCL/CNTI) education and awareness-raising program targeted at children in five primary schools in Dili who have been identified as at risk for involvement in child labor. In 2014, the campaign reached an estimated 500 students.(11)
As-needed shelter for victims of human trafficking‡	Ministry of Social Solidarity (MSS)-funded shelter operated by the Psychosocial Recovery and Development in East Timor (PRADET). Offers services for victims of human trafficking.(7, 29, 31)
Anti-Trafficking Awareness Raising and Training†	MSS and Alola Foundation partnership program to raise awareness and conduct trainings to combat human trafficking in Timor-Leste.(11) In 2014, awareness raising and education campaigns reached more than 2,500 students in seven districts.(9)
The Mother's Purse ( <i>Bolsa da Mae</i> )*‡	MSS program that provides an annual cash subsidy of \$60 to \$180 maximum to poor families with a female head of household. Aims to improve the well-being of children by conditioning the subsidy on children's school attendance and their regular medical visits.(11, 20) The number of families served increased from 15,000 in 2013 to 55,000 in 2014. Technical assistance provided by the UNDP.(11)
School Feeding Program*‡	Government program to provide one hot meal per day to children in school, reaching about 325,000 students.(1)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Timor-Leste.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Timor-Leste (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that hazardous work is prohibited for all children under the age of 18.	2013 – 2014
	Ensure that laws prohibiting hazardous occupations and/or activities for children are specific enough to facilitate enforcement.	2012 – 2014
Enforcement	Allocate resources to adequately conduct labor inspections and investigations throughout the country, especially outside of Dili.	2012 – 2014
	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2014



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014
	Finalize the National Action Plan Against Child Labor.	2012 – 2014
	Finalize the National Plan of Action on Trafficking in Persons.	2012 – 2014
Social Programs	Assess the impact that existing social programs may have on child labor.	2009 – 2014

## REFERENCES

- U.S. Embassy- Dili. *reporting, January 17, 2014.*
- UNICEF. *Situation Analysis of Children in Timor-Leste.* Dili; 2014. [http://www.statistics.gov.tl/wp-content/uploads/2014/09/Situation\\_analysis\\_of\\_children\\_in\\_Timor-Leste.pdf](http://www.statistics.gov.tl/wp-content/uploads/2014/09/Situation_analysis_of_children_in_Timor-Leste.pdf).
- U.S. Department of State. "Timor-Leste," in *Country Reports on Human Rights Practices- 2013.* Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from Timor-Leste Survey of Living Standards, 2007. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- ILO. *ILO Timor-Leste Newsletter,* ILO, [online] April 1, 2014 [cited November 5, 2014]; [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms\\_241041.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_241041.pdf).
- U.S. Embassy- Dili. *reporting, February 14, 2014.*
- U. S. Department of State. "Timor-Leste," in *Trafficking in Persons Report- 2014.* Washington, DC; June 20, 2014; <http://www.state.gov/documents/organization/226849.pdf>.
- U.S. Embassy- Dili. *reporting, February 17, 2015.*
- U.S. Department of State official. E-mail communication to USDOL official. April 21, 2015.
- U.S. Embassy- Dili. *reporting, January 15, 2015.*
- Government of Timor-Leste. *Labour Code,* Law 4/2012, enacted 2012.
- Government of Timor-Leste. *Immigration and Asylum Act,* 9, enacted 2003.
- Government of Timor-Leste. *Penal Code of Timor Leste,* enacted June 7, 2009. <http://www.protectionproject.org/wp-content/uploads/2010/09/TIMOR-LESTE.pdf>.
- Government of Timor-Leste. *Regulation of the Military Service Law,* Decree-Law No 17/2009, enacted April 8, 2009.
- Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers.* London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- Education System Framework Law,* No. 14, enacted October 29, 2008. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_isn=89748](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=89748).
- Constitution of the Democratic Republic of Timor-Leste,* enacted November 28, 1975. [http://timor-leste.gov.tl/wp-content/uploads/2010/03/Constitution\\_RDTL\\_ENG.pdf](http://timor-leste.gov.tl/wp-content/uploads/2010/03/Constitution_RDTL_ENG.pdf).
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Timor-Leste (ratification: 2009) Published 2014;* accessed April 14, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:20010:0::NO::>.
- ILO-IPEC. *Estudo sobre a aplicação das Convenções n.º 138 e n.º 182 da OIT e suas recomendações na legislação nacional dos países da CPLP Programa Internacional para a Eliminação do Trabalho Infantil (IPEC).* Report Geneva; 2012. [source on file].
- U.S. Embassy- Dili. *reporting, January 23, 2013.*
- U.S. Embassy- Dili. *reporting, December 5, 2014.*
- ILO. *Identifying and Investigating Cases of Child Labour and Forced Labour: Training for Law Enforcement and Other Key Partners in Timor-Leste,* ILO, [online] [cited November 5, 2014]; [http://www.ilo.org/jakarta/whatwedo/eventsandmeetings/WCMS\\_244478/lang--en/index.htm](http://www.ilo.org/jakarta/whatwedo/eventsandmeetings/WCMS_244478/lang--en/index.htm).
- U.S. Department of State official. E-mail communication to USDOL official. May 21, 2014.
- Government of Timor-Leste. *Timor-Leste Strategic Development Plan 2011-2030.* Dili; 2011.
- Government of Timor-Leste. *National Education Strategic Plan 2011-2030.* Dili, Ministry of Education; 2011. [http://planipolis.iiep.unesco.org/upload/Timor-Leste/Timor-Leste\\_National\\_Education\\_Strategic\\_Plan\\_2011-2030.pdf](http://planipolis.iiep.unesco.org/upload/Timor-Leste/Timor-Leste_National_Education_Strategic_Plan_2011-2030.pdf).
- Government of Timor-Leste. *Child and Family Welfare System Policy Paper.* Dili; November 2012. [http://www.bafuturu.homestead.com/TL\\_CFW\\_System\\_Policy\\_Paper\\_English.docx](http://www.bafuturu.homestead.com/TL_CFW_System_Policy_Paper_English.docx).
- U.S. Embassy- Dili. *reporting, January 21, 2012.*
- U.S. Embassy official. E-mail communication to USDOL official. January 31, 2014.
- ILO-IPEC. *Global Action Program on Child Labor Issues.* Technical Progress Report. Geneva; April 2014.
- U.S. Department of State official. E-mail communication to USDOL official. July 8, 2013.

# Togo

## MODERATE ADVANCEMENT

In 2014, Togo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Togo launched a microfinance project that granted loans to 324,000 individuals and implemented a conditional cash transfer project benefitting 214 villages. In addition, 265 primary schools were constructed as part of a World Bank-funded project. However, children in Togo are engaged in child labor in agriculture and in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. The Government has not devoted sufficient resources to effectively enforce its child labor laws. Togo's social programs to combat the worst forms of child labor do not match the scope of the problem, and rely largely on NGOs and international organizations for implementation.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Togo are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. (1-13) More than 70 percent of all working children in Togo, who are ages 5 to 14, are engaged in agriculture. The majority of children employed as domestic workers are girls ages 5 to 14. (1, 4-6, 9) Table 1 provides key indicators on children's work and education in Togo.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	35.7 (616,132)
Attending School (%)	5-14 yrs.	85.3
Combining Work and School (%)	7-14 yrs.	35.5
Primary Completion Rate (%)		77.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015. (14)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010. (6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting cotton,* cocoa,* and coffee* (2, 4, 7, 11)
	Exposure to pesticides* while producing beans* and corn* (9, 11)
	Raising and herding cattle† (3, 4)
Industry	Excavating, crushing rocks, sifting gravel, and carrying heavy loads in quarries* and sand mining*† (1, 4, 10, 11, 15, 16)
	Work in carpentry* and tailoring* (4, 13, 17)
	Construction,* activities unknown (1, 7)
	Domestic work† (1, 5-13, 18)
Services	Carrying heavy loads and small-scale trading in markets (1-4, 7, 9-11, 13, 18)
	Begging*† (2-4)
	Operating motorcycle taxis,* auto and motorcycle repair* (1, 7, 17)
	Garbage scavenging* (1, 7)
Categorical Worst Forms of Child Labor‡	Forced begging* (2, 4, 11)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4, 11, 13, 15)
	Farming,* domestic work, livestock raising,* and work in quarries* and markets, including carrying heavy loads each, sometimes as a result of human trafficking (2-4, 11, 15, 19)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.







Some boys, known as *talibés*, are sent to Koranic schools for education and subsequently forced to beg in the streets by their teachers.(2, 4, 20) Children were also victims of human trafficking to neighboring countries, although the majority of child trafficking victims were exploited within the country.(2, 3, 13) The customary practice of *confiage*, which involves sending a child to a relative or friend to attend school in a larger town or city, may place children at risk of exploitation by internal human trafficking.(2, 4, 9, 13, 18, 19) Parents are often complicit in child trafficking as a result of *confiage*, and many traditional chiefs and leaders do not discourage the practice.(18)

Research found that many children lack access to education and birth registration. Many children in Togo are unable to access education due to a lack of schools and teachers, particularly in rural areas.(9, 12) Although education is free and compulsory by law, parents are responsible for paying associated fees and buying uniforms and school supplies, which makes education prohibitive to many families.(11, 21, 22) Approximately half of all children in Togo are not registered at birth due to the high cost, inaccessibility of registration centers, and the lack of awareness of its importance.(9, 11, 18) Unable to prove their citizenship, nonregistered children are vulnerable to human trafficking and may have difficulty obtaining education.(6, 9, 23) Research also found that children face widespread physical and sexual abuse in school.(9, 12) In addition, a source indicates that some boys perform farm work and some girls perform domestic duties, such as fetching water and laundry, for their schoolteachers.(12)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Togo has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 150 of the Labor Code (24)
Minimum Age for Hazardous Work	Yes	18	Article 151 the Labor Code; Articles 6-12 of Order N° 1464 MTEFP/DGTLs Determining the Work Prohibited to Children (24, 25)
Prohibition of Hazardous Occupations and/or Activities for Children	Yes		Articles 6-12 of Order N° 1464 MTEFP/DGTLs Determining the Work Prohibited to Children (25)
Prohibition of Forced Labor	Yes		Article 4 and 151 of the Labor Code; Article 264 of the Children's Code (24, 26)
Prohibition of Child Trafficking	Yes		Article 151 of the Labor Code; Articles 2-6 of Law N° 2005-009 Suppressing Child Trafficking in Togo; Articles 264 and 411-414 of the Children's Code (24, 26, 27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 151 of the Labor Code; Articles 264, and 387-390 of the Children's Code; Articles 91-94 of the Penal Code (24, 26, 28)
Prohibition of Using Children in Illicit Activities	Yes		Article 151 of the Labor Code; Articles 264 and 405 of the Children's Code (24, 26)
Minimum Age for Compulsory Military Recruitment	N/A*		Article 426 of the Children's Code; Article 42 of Law N° 2007-010 Regarding the General Statute of the Togolese Armed Forces (26, 29)
Minimum Age for Voluntary Military Service	Yes	18	Article 426 of the Children's Code; Article 42 of Law N° 2007-010 Regarding the General Statute of the Togolese Armed Forces (26, 29)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Compulsory Education Age	Yes	15	Article 35 of the Constitution; Decree 2008-129/PR (21, 30)
Free Public Education	Yes		Article 35 of the Constitution of 1992; Decree 2008-129/PR (21, 30)

\* No conscription (29)

Although Order N° 1464 MTEFP/DGTLS Determining the Work Prohibited to Children and the Labor Code prohibit hazardous child labor, these laws do not establish penalties for violations.(24, 25) Additionally, Order N° 1464 MTEFP/DGTLS Determining the Work Prohibited to Children sets the minimum age for employment in most hazardous activities at age 18, with two exceptions. Children ages 16 to 17 may operate pulleys and winches, and girls ages 16 to 17 may be employed in stores' external displays, both of which may make children vulnerable to exploitative child labor.(25)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment and Social Security (MOL)	Enforce all labor laws, including child labor laws.(13) The Unit to Combat Child Labor (CELTE) within the MOL is responsible for withdrawing children from child labor situations, raising awareness, and collecting data.(4)
Ministry of Justice and Government Relations	Enforce criminal laws related to the worst forms of child labor.(20)
Ministry of Social Action, Women's Empowerment and Literacy (MASPFA)	Raise awareness and enforce laws against the worst forms of child labor.(11, 15, 31) Provide technical assistance to regional and prefectural offices. The Directorate General for Child Protection within the MASPFA designs, coordinates, and evaluates the Government's child protection efforts.(13) Operates Allo 1011 hotline for reporting child abuse, including child trafficking.(2, 9, 13, 15, 32)
Child Protection Brigades	Investigate crimes with child victims, including child trafficking. Present in all five regions of Togo and operates as part of the National Police.(15, 33)

Law enforcement agencies in Togo took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor, Employment and Social Security (MOL) employed 86 labor inspectors, which was an increase from the 81 inspectors employed the previous year. However, this number is insufficient to adequately enforce child labor laws throughout the country given current resource constraints.(7, 15) The MOL acknowledges that its funding is insufficient, as there is no budget for travel, vehicles, fuel, or equipment.(11, 15, 21, 34) Moreover, inspectors primarily focus on the formal sector in urban areas, which excludes the majority of working children.(7, 11) Article 188 of the Labor Code permits inspectors to conduct unannounced visits, but research did not find information on whether unannounced visits were conducted during the reporting period. Additionally, labor inspectors do not have the authority to determine or assess penalties, and there is no referral mechanism between labor inspectors and social service providers.(7, 24)

Although inspections were carried out in 2014, information is not available on the number, type, or quality of inspections conducted, child labor violations found, or the number of citations and penalties issued. Additionally, it is not known how many child labor-related calls the Allo 1011 hotline received.(7)

#### *Criminal Law Enforcement*

In 2014, the French embassy sponsored two trainings to help national police, law enforcement officials, and prosecutors better identify victims of child labor and prosecute cases.(18) However, inspectors and law enforcement officials still lack the necessary resources and skills to effectively enforce the law; research also indicates that some law enforcement officials in regional offices do not have copies of existing child labor laws.(4, 11, 15, 17) The number of investigators, investigations, prosecutions, convictions, or penalties issued was not publicly available.

Research indicates it is rare for police to make arrests in cases involving child labor infractions, and perpetrators of child trafficking usually receive light sentences or are occasionally released.(7, 9, 18, 28) Additionally, Article 89 of the Penal Code proscribes imprisonment of 6 months to 2 years or a fine of \$40 to \$400 for the commercial sexual exploitation of children; however, those penalties might not be severe enough to deter offenders.(28) When victims of exploitative child labor are identified, the MOL's CELTE is responsible for transferring children to an appropriate shelter.(18)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT)	Serve as the primary focal coordinating agency for child trafficking issues, maintaining a presence in all regions, prefectures, and villages.(13, 15, 18, 21, 35) Compile information and statistics on trafficking, raise awareness of child trafficking issues, and coordinate actions against the worst forms of child labor.(18) Respond to tips from the Allo 1011 hotline in conjunction with law enforcement officials and refer victims to NGOs for social services.(4, 11, 18) CELTE within the MOL functions as the CNARSEVT's secretariat.(13)
National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor (CDN)	Led by the CELTE, the CDN includes 13 ministries, NGOs, and private-sector organizations combatting child labor. Coordinate and oversee all government efforts to combat child labor, including the approval of all action plans for the abolition of child labor.(13, 36) Raise awareness, promote child labor legislation, and collect data.(4) MOL's CELTE acts as its secretariat.(15, 36)
Local Committees	Child Protection Committees and Local Committees Against Child Trafficking located throughout Togo to raise awareness at the community level. Committees identify child victims or children at risk, and they share information on human trafficking trends and prevention efforts with the MASPFA, which enforces laws regarding child labor.(7, 13, 18, 35, 36)

In 2014, the National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT) continued to coordinate with other agencies and refer child victims to shelters for assistance, including victims who were returned from abroad. (2, 7, 15) However, an overall lack of funds hindered efforts to reduce the worst forms of child labor.(18) The National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor has limited its actions to evaluating and approving NGO action programs to eliminate child labor, which it attributes to a lack of financial resources.(36) Additionally, the CELTE has been unable to fulfill its coordination role or collect data on child labor due to a lack of resources.(17)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Togo has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan on Child Labor (2012-2015)	Serves as the primary government policy instrument to prevent and eliminate child labor in Togo. (15, 37)
National Strategy on Elimination of Child Labor through Education, Training, and Apprenticeship	Aims to reduce child labor through education, training, and apprenticeship.(38)
National Labor Policy	Aims to eliminate child labor, promote education, and provide vocational training beyond the compulsory education age.(39) Seeks to raise awareness among parents, employers, and community leaders on child labor and provides labor inspectors with training on child labor issues. (40)
National Plan of Action on Child Trafficking	Improves services for victims of child trafficking and conducts awareness-raising activities for local communities and border officials.(4) Promotes the education of children and improvement of livelihoods for families, and calls for the establishment of structures to monitor the trafficking of children.(41)
ECOWAS Regional Action Plan on Child Labor (2012-2015)	With 14 other ECOWAS countries, implements a regional action plan on child labor, especially its worst forms. Aims to eliminate worst forms of child labor in West Africa by 2015 and to continue progress toward the total elimination of child labor.(42, 43) In 2014, met to discuss actions taken since Ghana's 2013 Peer Review, progress of the Regional Action Plan's implementation, and the ILO's Study on Child Labor and Marginalization.(44)



**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Strategy to Increase Growth and Promote Employment (SCAPE) (2013-2017)	Serves as the primary national anti-poverty plan, which includes components on child labor and education.(13, 15, 45)
Bilateral and Multilateral Agreements to Combat Child Trafficking	Quadripartite Agreement between the Governments of Benin, Ghana, Niger, and Togo works to prevent child trafficking along the countries' shared borders and facilitate the repatriation of trafficked children and the extradition of traffickers.(13, 18, 35) Multilateral Accords for West and Central Africa promote cooperation among regional states to combat child trafficking.(13, 18)
Education Sector Plan (2010-2020)*	Aims to achieve universal quality primary education by 2020 through the elimination of school fees, improving educational quality, providing school meals, providing school kits to impoverished families, and offering alternative educational opportunities.(13)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Togo funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues (2011-2016)	\$15 million USDOL-funded 6-year project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to eliminate child labor, improve the evidence base on child labor through data collection and research, and strengthen legal protections and social service delivery for child domestic workers. (46) In 2014, held two workshops in Togo that resulted in an agreement to create a framework for a public-private partnership between the MOL and employment agencies, and the creation of a standard contract for domestic workers to contribute to the elimination of child labor in the domestic sector.(34, 47)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I & II	USDOL-funded regional projects that support ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa subregion by providing policy and capacity building support for all ECOWAS states. (48, 49)
Decent Work Program (2010-2015)	Promotes decent work conditions with a focus on creating job opportunities for youth and extending social protection for all.(50)
Shelters for Vulnerable Children‡	MASPFA-funded centers that provide shelter and services for victims referred by the Allo 1011 hotline.(2, 18, 31) Tokoin Community Center temporarily shelters children until they are transferred to NGO-managed centers, while the Oasis Center provides legal, medical, and social services for children up to age 14.(11, 18)
National Fund for Inclusive Finance†‡	Government program that provides loans of up to approximately \$60 to small groups of men and women for income-generating activities.(51) Loans target villages in rural Northern Togo, with a secondary effect of reducing child labor. In 2014, granted loans to 324,000 individuals.(7)
Cash Transfer Program for Vulnerable Children in Northern Togo (2013-2017)*‡	\$2.55 million World Bank-funded, 5-year program that aims to prevent child labor and child trafficking by providing conditional cash transfers to high-risk families with young children.(7, 52, 53) World Bank disbursed \$2 million in the first wave of transfers in 121 villages in 2014 and the Government funded transfers in another 93 villages. Families will receive monthly payments of approximately \$10 for the next 24 months.(7, 53)
Togo Community Development and Safety Nets Project (2012-2016)*	\$14 million World Bank-funded, 5-year program that aims to improve access to socioeconomic infrastructure and provide social safety nets for vulnerable populations.(54) In 2014, constructed 265 primary schools and completed 149 income-generating activities.(55)
Free School Lunch Program*‡	World Bank and government-funded program that provides free school lunches. Benefited 73,185 students in 2014.(55)
National Plan for Registering Births in Togo (2013-2017)*	Aims to increase documentation of births by simplifying the process, educating families on the importance of birth registration, and increasing accessibility to birth registration in rural areas.(35, 56)
Forum of Traditional and Religious Chiefs of Togo on the Harmful Social and Cultural Practices that Affect Children*‡	MASPFA-funded program that educates local leaders on child labor issues and the importance of education through training workshops at the community level.(7, 18)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Togo.

Although Togo has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.(9, 21) Many programs rely largely on NGOs and international organizations for implementation. As a result, many of these interventions may not be sustainable over the long term.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Togo (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish penalties for violations of the laws governing hazardous child labor, and ensure all children under age 18 are prohibited from engaging in hazardous occupations or activities.	2009 – 2014
Enforcement	Strengthen enforcement of child labor laws by: <ul style="list-style-type: none"> <li>■ Increasing the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce;</li> <li>■ Providing additional training on child labor issues;</li> <li>■ Ensuring that law enforcement officials throughout the country have copies of existing child labor laws;</li> <li>■ Providing adequate resources and transportation for inspectors to conduct investigations;</li> <li>■ Conducting inspections in both rural and urban areas, including unannounced visits;</li> <li>■ Ensuring all law enforcement personnel have access to child labor law reference materials;</li> <li>■ Authorizing inspectorates to determine and/or assess penalties; and</li> <li>■ Enforcing penalties for labor violations according to the law.</li> </ul>	2009 – 2014
	Make statistics regarding the enforcement of child labor laws publicly available, including the number of inspections, prosecutions, violations, and citations/penalties assessed; disaggregate the number of complaints related to child labor that are made to the Allo 1011 hotline.	2010 – 2014
	Establish a referral mechanism between labor enforcement and social welfare services.	2014
Coordination	Provide coordinating bodies with sufficient financial and human resources to implement their mandates to combat child labor, including its worst forms.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2013 – 2014
Social Programs	Conduct research to determine the activities carried out by children working in construction to inform policies and programs.	2013 – 2014
	Improve access to education by: <ul style="list-style-type: none"> <li>■ Increasing educational opportunities in rural areas by building additional schools and training additional teachers;</li> <li>■ Eliminating school expenses, including the costs of uniforms and books;</li> <li>■ Ensuring that schools are free from sexual or physical abuse; and</li> <li>■ Penalizing teachers who force students to engage in domestic or agricultural work.</li> </ul>	2010 – 2014
	Expand access to birth registration by eliminating the cost of birth registration, establishing additional registration centers in rural areas, and educating families on the importance of birth registration.	2011 – 2014
	Assess the impact that existing social programs may have on child labor.	2013 – 2014
	Ensure social protection programs to combat the worst forms of child labor are sufficient to address the scope of the problem and promote the long-term sustainability of project initiatives.	2009 – 2014

## REFERENCES

- Direction Generale de la Statistique et de la Comptabilite Nationale de la Republique Togolaise. *Enquete de Base sur le Travail des Enfants au Togo: Rapport Final*. Geneva, ILO-IPEC; 2010.
- U.S. Department of State. «Togo,» in *Trafficking in Persons Report- 2014*. Washington, DC; June 19, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226834.htm>.
- USDOL. *Trip Report to Togo*. Washington, DC; July 26-31, 2011.
- International Trade Union Confederation. *Report for the WTO General Council Review of the Trade Policies of Cote d'Ivoire, Guinea-Bissau and Togo*. Geneva; July 2012. [http://www.ituc-csi.org/report-for-the-wto-general-council\\_11652.html?lang=en](http://www.ituc-csi.org/report-for-the-wto-general-council_11652.html?lang=en).
- WAO-Afrique. «Le travail domestique des enfants ne devrait plus exister au Togo.» horizoninfo.wordpress.com [online] May 4, 2011 [cited January 27, 2014]; <http://horizoninfo.wordpress.com/2011/05/04/wao-afrique-le-travail-domestique-des-enfants-ne-devrait-plus-exister-au-togo/>.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4, 2010. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Lome. *reporting, January 15, 2015*.
- WAO-Afrique. *Analyse de l'estimation rapide du travail des enfants dans le travail domestique au Togo*. Brussels; July 2013.
- UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Togo*. Geneva; March 8, 2012. Report No. CRC/C/TGO/CO/3-4. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/413/00/PDF/G1241300.pdf?OpenElement>.
- Direction Generale de la Statistique et de la Comptabilite Nationale de la Republique Togolaise. *Enquete Nationale sur le Travail des Enfants au Togo: Rapport Final*. Geneva, ILO-IPEC; 2010.
- U.S. Department of State. «Togo,» in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/>.
- Antonowicz, L. *Too Often in Silence: A report on school-based violence in West and Central Africa*. Dakar, UNICEF WCARO, Plan West Africa, ActionAid, and Save the Children Sweden; March 2010. [http://www.unicef.org/wcaro/VAC\\_Report\\_english.pdf](http://www.unicef.org/wcaro/VAC_Report_english.pdf).
- UCW. *Togo: comprendre le travail des enfants et l'emploi des jeunes*. Rome; November 2013. [http://www.ucw-project.org/attachment/Togo\\_travail\\_enfants\\_emploi\\_jeunes20131118\\_130728.pdf](http://www.ucw-project.org/attachment/Togo_travail_enfants_emploi_jeunes20131118_130728.pdf).
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Lome. *reporting, January 23, 2014*.
- N'Diaye, FC. *Genre et travail des enfants dans les mines et carrières au Burkina Faso, au Mali et au Togo*. Dakar, ILO; 2013. [http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis\\_ababa/---sro-dakar/documents/publication/wcms\\_228135.pdf](http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/---sro-dakar/documents/publication/wcms_228135.pdf).
- U.S. Embassy- Lome official. E-mail communication to USDOL official. March 22, 2015.
- U.S. Embassy- Lome. *reporting, February 17, 2015*.
- Grumiau, S. «Spotlight on Claudine Akakpo (CSTT-Togo).» ituc-csi.org [online] January 4, 2010 [cited January 27, 2014]; <http://www.ituc-csi.org/spotlight-on-claudine-akakpo-cstt.html>.
- U.S. Embassy- Lome. *reporting, February 2, 2012*.
- UNHRC. *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1: Togo*. October 3-14, 2011 2011. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/149/27/PDF/G1114927.pdf?OpenElement>.
- Social Centre Promotion et Developpement Humain. «Business as usual.» *Togo Monde*, 72(2010); <http://www.futurewithoutpoverty.org/wp-content/uploads/2010/12/TOGO-MONDE-N%C2%B0-72-Septembre-2010.pdf>.
- U.S. Embassy- Lome. *reporting, February 17, 2012*.
- Government of Togo. *Code du travail*, enacted December 5, 2006. [www.droit-afrique.com/images/textes/Togo/Togo%20-%20Code%20du%20travail.pdf](http://www.droit-afrique.com/images/textes/Togo/Togo%20-%20Code%20du%20travail.pdf).
- Government of Togo. *Déterminant les travaux interdits aux enfants conformément au point 4 de l'article 151 de la loi No 2006-010 du 13 decembre 2006 portant code du travail*, Arrete No. 1464, enacted November 12, 2007. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/77627/82451/F-576214523/TGO-77627.pdf>.
- Government of Togo. *Code de l'enfant*, Public Law Number 2007-017, enacted July 6, 2007. <http://www.hsph.harvard.edu/population/fgm/togo.child.07.pdf>.
- Government of Togo. *Relative au trafic d'enfants au Togo*, Loi No. 2005-009, enacted August 3, 2005. <http://www.ilo.org/dyn/natlex/docs/SERIAL/72058/72983/F1981134441/trafic%20enfants.pdf>.
- Government of Togo. *Code pénal du Togo*, enacted August 13, 1980, revised April 2000. <http://www.wipo.int/edocs/lexdocs/laws/fr/tg/tg003fr.pdf>.
- Government of Togo. *Loi N°2007-010 Portant Statut General des Personnels Militaires des Forces Armees Togolaises*, Loi N°2007-010, enacted February 2007. [http://forcesarmees.tg/index.php?option=com\\_content&task=view&id=81&Itemid=82](http://forcesarmees.tg/index.php?option=com_content&task=view&id=81&Itemid=82).
- Government of Togo. *Constitution de la IVe République*, enacted October 14, 1992. <http://www.refworld.org/docid/48ef43c72.html>.
- U.S. Embassy- Lome. *reporting, February 12, 2013*.
- Bonnaud, H. «Youth media activists unite to broadcast the Convention on the Rights of the Child in Togo.» UNICEF, Lome, 2010. [http://www.unicef.org/infobycountry/togo\\_52416.html](http://www.unicef.org/infobycountry/togo_52416.html).
- UN Committee on the Rights of the Child. *Liste de points appelant des informations complémentaires et actualisées (CRC/C/TGO/Q/3-4) en vue de l'examen des troisième et quatrième rapports périodiques du Togo soumis en un seul document (CRC/C/TGO/3-4)* Geneva; November 2, 2011. Report No. CRC/C/TGO/Q/3-4/Add.1. [http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.TGO.Q.3-4.Add.1\\_fr.pdf](http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.TGO.Q.3-4.Add.1_fr.pdf).
- ILO-IPEC. *Global Action Program on Child Labor Issues: Atelier de formation des organisations syndicales de travailleurs pour le renforcement de leur rôles dans la lutte contre le travail des enfants et la promotion du travail décents pour les travailleurs domestiques, en particulier pour les jeunes de 15 à 17 ans*. Technical Progress Report. Geneva; June 23-24, 2014.
- U.S. Embassy- Lome. *reporting, February 12, 2014*.
- Jeannot, S. *USDOL-managed External Midterm Evaluation of the Combating Exploitive Child Labor in Togo through Education Project (CECLET)*. Washington, DC, Macro International; June 15, 2010.
- Government of Togo. *Plan d'action nationale contre les pires formes de travail des enfants au Togo 2012-2015*. Lome; June 2012.
- U.S. Embassy- Lome official. E-mail communication to USDOL official. May 16, 2014.
- ILO-IPEC. *Combating Exploitative Child Labour in Togo through Education*. Technical Progress Report. Geneva; July 25, 2012.
- Government of Togo. *Projet de politique nationale du travail au Togo*. Lome; November 2010.
- Government of Togo. *Plan National d'Action de Lutte Contre La Traite des Enfants a des Fins d'Exploitation de Leur Travail*. Lome; October 4, 2004.
- ILO-IPEC. *ECOWAS Regional Action Plan for the elimination of Child Labour - Especially the worst forms*. Geneva; June 2013. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=25558>.
- ILO. *ECOWAS Ministers of labour and social welfare adopt a regional action plan on child labour, specially its worst forms*. Press Release. Geneva; December 12, 2012. [http://www.ilo.org/ipecevents/WCMS\\_195519/lang-en/index.htm](http://www.ilo.org/ipecevents/WCMS_195519/lang-en/index.htm).

44. ECOWAS Commission. *Member States meeting on the Implementation of the Regional Action Plan on the Elimination of Child Labor*. Abuja, ECOWAS; December 16-18, 2014.
45. Government of Togo. *Strategy to Increase Growth and Promote Employment 2013-2017*. Lome; January 2013. [http://dsrptogo.tg/IMG/pdf/SCAPE\\_version\\_semi-definitive\\_janvier\\_2013.pdf](http://dsrptogo.tg/IMG/pdf/SCAPE_version_semi-definitive_janvier_2013.pdf).
46. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
47. ILO-IPEC. *Global Action Program on Child Labor Issues: Atelier d'élaboration d'un contrat-type de travail pour le secteur du travail domestique et d'un accord de partenariat entre les agences privées de placement, l'ANPE et les services d'inspection du travail au Togo*. Technical Progress Report. Geneva; September 1-5, 2014 and September 26, 2014.
48. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation Through ECOWAS*. Project Document. Geneva; September 3, 2010.
49. ILO-IPEC. *Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation Through ECOWAS-II*. Project Document. Geneva; December 20, 2010.
50. Government of Togo, and ILO. *Programme Pays de promotion du Travail Décent au TOGO 2010 - 2015* May 2010. <http://www.ilo.org/public/english/bureau/program/dwcp/download/togo.pdf>.
51. Agboh, AEK. «Fonds National de la Finance Inclusive : l'APSEF officiellement lancé samedi prochain.» Africa Time, Lome, April 24, 2014. <http://fr.africatime.com/togo/articles/fonds-national-de-la-finance-inclusive-lapsef-officiellement-lance-samedi-prochain>.
52. World Bank. *Cash Transfer Program for Vulnerable Children in Northern Togo 2013-2017*. Washington; January 25, 2014. <http://www.worldbank.org/projects/P144484/cash-transfer-program-vulnerable-children-northern-togo?lang=en>.
53. World Bank. *Cash Transfer Program for Vulnerable Children in Northern Togo 2013-2017 Implementation Status & Results Report*. . Washington, DC, ; December 30, 2014. [http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/AFR/2014/12/30/090224b0829695e4/1\\_0/Rendered/PDF/Togo000Cash0Tr0Report000Sequence002.pdf](http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/AFR/2014/12/30/090224b0829695e4/1_0/Rendered/PDF/Togo000Cash0Tr0Report000Sequence002.pdf).
54. World Bank. *Togo Community Development and Safety Nets Project 2013-2015*, World Bank, [online] [cited January 28, 2014]; <http://www.worldbank.org/projects/P127200/togo-community-development-safety-net-project-pdsplus?lang=en>.
55. World Bank. *Togo Community Development and Safety Nets Project 2012-2016 Status Report*. Washington, February 17, 2015. [http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/AFR/2015/02/17/090224b082ad46b0/1\\_0/Rendered/PDF/Togo000TOGO0Co0Report000Sequence006.pdf](http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/AFR/2015/02/17/090224b082ad46b0/1_0/Rendered/PDF/Togo000TOGO0Co0Report000Sequence006.pdf).
56. Government of Togo, and UNICEF. *Plan Stratégique de l'Enregistrement des Naissances au Togo 2013 - 2017*; November 2012. <http://www.hcdh-togo.org/documentation/hcdh-26122014152625-strategienationaledeleenregistrementntdesnaissancesautogo.pdf>.

# Tonga

## MINIMAL ADVANCEMENT

In 2014, Tonga made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government reported training prosecutors, police, and victim service providers on human trafficking issues. Although research is limited, there is evidence that children are engaged in child labor in domestic work. Gaps in the legal framework remain; the country has no laws specifying a minimum age for work or defining hazardous forms of work for children under age 18, leaving children unprotected from labor exploitation.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children are engaged in child labor in Tonga in domestic work.(1, 2) Table 1 provides key indicators on children’s work and education in Tonga. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		98.6

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(3)  
Data were unavailable from Understanding Children’s Work Project’s analysis, 2015.(4)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Services	Domestic service* (1, 5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking* (1, 2)







\* Evidence of this activity is limited and/or extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tonga has ratified a few key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	



The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Section 70 of the Counter Terrorism and Transnational Organized Crime Act (6)
Prohibition of Child Trafficking	Yes		Section 69 of the Counter Terrorism and Transnational Organized Crime Act (6)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 115A of the Criminal Offenses Act; Sections 125 and 126 of the Criminal Offenses Act (7, 8)
Prohibition of Using Children in Illicit Activities	Yes		Sections 16 and 23 of the Criminal Offenses Act (8)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	16	Section 25 of His Majesty's Armed Forces Act (8, 9)
Compulsory Education Age	Yes	14	Section 52a Education Act (Revised) (10)
Free Public Education	Yes	12	Section 33.3 Education Act (Revised) (10)

\* No conscription (9)

Tonga has not established a minimum age for work or for hazardous work, nor has it prohibited hazardous occupations and/or activities for children. While the legal framework prohibits transnational human trafficking of children, the law does not extend to children who are victims of domestic trafficking.(1) The laws prohibiting commercial sexual exploitation of children do not extend to boys ages 12 to 17.(8) While a child can be deemed an “involuntary agent” if used to conduct illegal activities, the law does not specifically prohibit the use of children in illicit activities.(11)

The Government has drafted an Employment Relations Bill that would establish a minimum age for non-hazardous work and hazardous work.(12, 13) The proposed bill would also prohibit slavery; trafficking of children; recruitment of children for use in armed conflict; and the use of children in prostitution, pornography, illicit activities, and trafficking of illegal drugs.(11, 12) The bill has yet to be passed.

There is no military conscription in Tonga. The minimum age for voluntary service is 18; however, with parental approval, children can enlist in the military at age 16.(9)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Commerce, Tourism, and Labor (MCTL)	Enforce labor laws relating to child labor. Business license inspectors look for children engaged in the worst forms of child labor in the course of their regular inspection duties.(11) Refers reports of child labor to the Chief Labor Inspector, who visits the site, conducts an investigation, and requests police involvement if necessary.(11)
Tongan Police, Transnational Crime Unit and Domestic Violence Unit	Enforce criminal laws relating to the worst forms of child labor.(11)
Ministry of Internal Affairs, Immigration Department	Collaborate with Tongan police and MCTL on enforcement of criminal laws in cases in which foreign nationals are involved in the worst forms of child labor.(11)

Law enforcement agencies in Tonga took actions to combat child labor, including its worst forms.

# Tonga

## MINIMAL ADVANCEMENT

### *Labor Law Enforcement*

In 2014, there were no reports of child labor complaints.(11) Information was not available on the number and training of labor inspectors, the number of labor inspections conducted, the number of child labor law violations, and the number of citations or penalties issued. A referral mechanism for filing and responding to complaints of child labor has not been established.(11)

### *Criminal Law Enforcement*

In 2014, prosecutors, police, and victim service providers received practice-based human trafficking training at a national workshop.(14) During the reporting period, no known cases of child labor were reported, investigated, or prosecuted.(11) The Tonga police refer children in need of safe housing and counseling to one of two NGOs, the Women and Children’s Crisis Center or the Tonga National Women’s Center.(14)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Research found no evidence of any policies to address child labor, including its worst forms (Table 6).

**Table 6. Policies Related to Child Labor**

Policy	Description
Tonga Strategic Development Framework (2011-2014)*	Establishes economic development objectives, including the expansion of vocational training institutions and the Government provision of universal primary education.(15)
Tonga Education Policy Framework*	Aims to build the capacity of the Ministry of Education, improve school quality, and achieve universal primary education.(5)
UNDAF for the Pacific Region (2013-2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, Niue, Palau, Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(16) Includes initiatives to prevent and respond to exploitation and abuse of children exploitation in Tonga.(17)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Although limited evidence suggests that there may be problems in some sectors, research found no evidence of programs that include the goal of eliminating or preventing child labor, including its worst forms. In 2012-2013, the Ministry of Internal Affairs conducted a “spot survey” of sectors that have limited evidence of child labor; however, these data have yet to be released.(11)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tonga (Table 7).

**Table 7. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO C. 182, the UN CRC Optional Protocol on Armed Conflict; the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Establish labor regulations that include a minimum age for employment of 14 years and a minimum age for hazardous work of 18 years in accordance with international standards.	2009 – 2014
	Ensure that hazardous occupations or activities are prohibited for children.	2009 – 2014
	Ensure that the law specifically prohibits domestic human trafficking of children.	2014
	Ensure that laws prohibiting commercial sexual exploitation extend to boys under the age of 18.	2009 – 2014

**Table 7. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits the use of children in illicit activities.	2014
Enforcement	Collect and publish information on the number of labor inspectors, labor inspections conducted, child labor law violations, and citations and penalties issued.	2014
	Ensure that labor inspectors have the training and resources necessary to respond to child labor complaints.	2013 – 2014
	Provide criminal investigators with the training and resources necessary to enforce laws prohibiting the worst forms of child labor.	2013 – 2014
	Establish referral mechanisms between the labor inspectorate, the police, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014
Coordination	Establish a coordinating mechanism to combat the worst forms of child labor.	2009 – 2014
Government Policies	Adopt policies that address child labor, including its worst forms.	2014
	Integrate child labor elimination and prevention strategies into existing policies.	2010 – 2014
Social Programs	Implement programs to address child labor in fishing and domestic work.	2010 – 2014
	Publish results of the spot survey and conduct further research to determine the activities carried out by children.	2013 – 2014

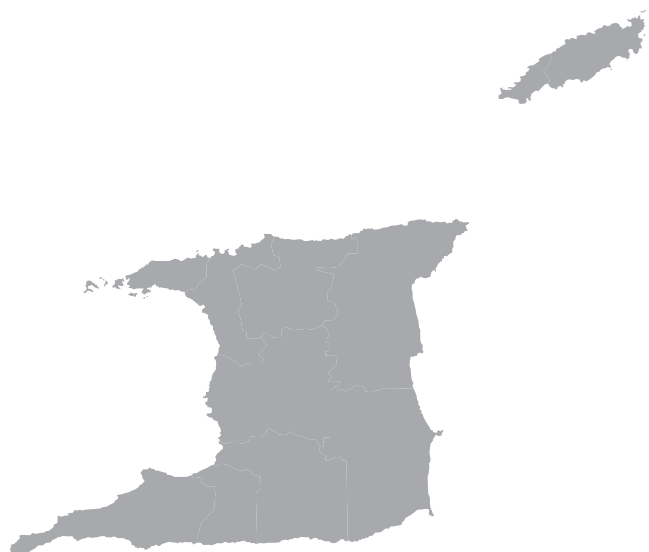
## REFERENCES

- U.S. Department of State. "Tonga," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/documents/organization/226849.pdf>.
- U.S. Department of State. "Tonga," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220238>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Suva. *reporting, January 31, 2013*.
- Tonga. *Counter Terrorism and Transnational Organized Crime Act*, enacted 2013. [http://www.crownlaw.gov.to/cms/images/LEGISLATION/PRINCIPAL/2013/2013-0017/CounterTerrorismandTransnationalOrganisedCrimeAct2013\\_1.pdf](http://www.crownlaw.gov.to/cms/images/LEGISLATION/PRINCIPAL/2013/2013-0017/CounterTerrorismandTransnationalOrganisedCrimeAct2013_1.pdf).
- Government of Tonga. *Criminal Offences (Amendment) Act 2003*, enacted 2003. [http://legislation.to/Tonga/DATA/AMD/1988-018/CriminalOffences\(Amendment\)Act2007.pdf](http://legislation.to/Tonga/DATA/AMD/1988-018/CriminalOffences(Amendment)Act2007.pdf).
- Government of Tonga. *Criminal Offences Act*, enacted 1988. [http://www.pacii.org/to/legis/consol\\_act/co136L](http://www.pacii.org/to/legis/consol_act/co136L).
- Government of Tonga. *Tonga Defence Services Act 1992*, No. 17, enacted 1992. <http://legislation.to/Tonga/DATA/PRIN/1992-017/TongaDefenceServicesAct1992.pdf>.
- Government of Tonga. *Education Act (Revised)*, enacted 1988.
- U.S. Embassy- Suva. *reporting, January 15, 2015*.
- Government of Tonga. *Employment Relations Bill S.51*, enacted [draft].
- Government of Tonga. *Submission Re: Child Labor in Tonga*. Nuku'alofa; 2014.
- U.S. Embassy- Suva. *reporting, February 12, 2015*.
- Ministry of Finance and National Planning. *Tonga Strategic Development Framework, 2011-2014*. Nuku'alofa; 2011. <http://aid.dfat.gov.au/countries/pacific/tonga/Documents/tonga-strat-dev-frame-2011-2014.pdf>.
- UNDP. *UNDAF for the Pacific Region 2013-2017*. [http://www.undp.org/content/dam/samoa/docs/UNDP\\_WS\\_UNDAF\\_Summary\\_Report\\_2013-17.pdf](http://www.undp.org/content/dam/samoa/docs/UNDP_WS_UNDAF_Summary_Report_2013-17.pdf).
- UNDAF. *Results Matrix 2013-2017, Tonga*. [http://www.pacific.one.un.org/images/stories/2013/tonga\\_ccrm.pdf](http://www.pacific.one.un.org/images/stories/2013/tonga_ccrm.pdf).

# Trinidad and Tobago

## MODERATE ADVANCEMENT

In 2014, Trinidad and Tobago made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government signed the Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor, which includes Trinidad and Tobago's participation in the regional coordination of child labor elimination strategies. The Government also participated in a regional dialogue on child labor in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor. Labor inspectors and rural labor advocates participated in specialized workshops on child trafficking and commercial sexual exploitation of children. Although the problem does not appear to be widespread, children are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Children's Authority of Trinidad and Tobago, which is mandated to protect children's rights by the Children's Authority Act of 2000 and the Children's Authority (Amendment) Act of 2008, is still not fully operational. The Government also has yet to ratify a list of hazardous occupations prohibited for children.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children are engaged in child labor, including in agriculture, in Trinidad and Tobago. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-3) Table 1 provides key indicators on children's work and education in Trinidad and Tobago.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.0 (5,975)
Attending School (%)	5-14 yrs.	97.8
Combining Work and School (%)	7-14 yrs.	3.3
Primary Completion Rate (%)		94.8

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Activities unknown* (1, 6, 7)
Services	Domestic work* (6)
	Garbage scavenging* (8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (1-3)
	Used in illicit activities, including in drug and arms trafficking* (2, 9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

A lack of data on the nature and prevalence of the worst forms of child labor precludes the development of policies and programs that address child labor issues, including in agriculture, garbage scavenging, and commercial sexual exploitation. While the




Government has previously expressed interest in conducting a National Youth Activity Survey that would inform such policies and programs, it has yet to produce do so.(10)

There is limited evidence that girls from the Dominican Republic, Guyana, Venezuela, and Colombia are subject to commercial sexual exploitation in brothels and clubs in Trinidad and Tobago as a result of human trafficking.(2)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Trinidad and Tobago has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

Trinidad and Tobago has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 2 of the Miscellaneous Provisions (Minimum Age for Admission to Employment) Act (11)
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Articles 16–19 of the Trafficking in Persons Act (12)
Prohibition of Child Trafficking	Yes		Articles 16–19 of the Trafficking in Persons Act (12)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 17 and 21 of the Sexual Offences Act; Part V, Articles 11–16 and 24 of the Children Act; Articles 16–19 of the Trafficking in Persons Act (12-14)
Prohibition of Using Children in Illicit Activities	Yes		Part VII, Article 37 of the Children Act (15)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Part IV, Article 19 of the Defence Act (16)
Compulsory Education Age	Yes	12	Chapter 39.1 of the Education Act (17)
Free Public Education	Yes		Chapter 39.1, Part I, 11.1 of the Education Act (17)

\* No conscription (16)

Trinidad and Tobago's Miscellaneous Provisions (Minimum Age for Admission to Employment) Act sets the minimum age for employment at 16.(11) However, current legislation does not establish a clear minimum age for hazardous work. The Government has not developed legislation on the prohibition of hazardous occupations and activities for children, even though it has reportedly been developing a hazardous occupations and activities list since 2004.(7, 18)



# Trinidad and Tobago

## MODERATE ADVANCEMENT

The Children Act, which was passed in 2012 to replace the Children Act of 1925 and to strengthen legislative frameworks that protect children's rights, still requires "proclamation" by the President to take effect.(1)

Trinidad and Tobago has no compulsory military service and the minimum age for recruitment into the armed forces is 18. However, those between the ages of 16 and 18 who are willing to join may do so with written approval from a parent or guardian.(19)

The Education Act provides for free and compulsory schooling for children ages 6 to 12.(17, 18, 20) Children in Trinidad and Tobago are required to attend school only up to age 12. This standard makes children ages 13 through 15 vulnerable to child labor, as they are not required to attend school but are not legally permitted to work.(7, 18) The Children Act seeks to amend the Education Act by raising the minimum age of compulsory education to 16, making it commensurate with the minimum age for work.(1, 18)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Small and Micro Enterprise Development (MOLSMED)	Monitor and enforce child labor laws, in part through the Labor Inspectorate Unit.(1) Enforce hazardous labor laws through the Occupational Safety and Health Authority; coordinate the enforcement of laws related to forced child labor in conjunction with the Ministry of the People and Social Development and the Ministry of National Security.(1)
Office of the Director of Public Prosecutions	Oversee the enforcement of criminal laws in Trinidad and Tobago and lead the Criminal Law Department, which falls under the Ministry of the Attorney General.(21)
Trinidad and Tobago Police Service	Enforce criminal laws, including those against the commercial sexual exploitation of children and the involvement of children in illicit activities, in conjunction with the Office of the Director of Public Prosecutions.(1)
Counter-Trafficking Unit	Investigate trafficking cases since its establishment in January 2013 as part of the Ministry of National Security.(1) Partner with the police and the Office of the Director of Public Prosecutions to prosecute traffickers, as well as coordinate with government agencies and NGOs to ensure victim protection.(22)

Law enforcement agencies in Trinidad and Tobago took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, MOLSMED employed 14 labor inspectors in its Labor Inspectorate Unit. The number of labor inspectors per worker is adequate as there is not a widespread child labor problem in the country. These inspectors carried out 704 inspections in 2014, and they found no cases of child labor.(1) Inspectors can carry out unannounced inspections in all sectors, including on private farms. Inspectors can also enter private homes in response to a complaint.(8) MOLSMED reports that inspectors received ongoing training on child labor issues in 2014; the ILO has reported that this training, as well as the number of inspections conducted, is adequate.(1) In 2014, labor inspectors also attended special workshops on forced labor and human trafficking, with a special focus on child trafficking and the commercial sexual exploitation of children. The Labor Inspectorate Unit also provided training with a special focus on child labor to 71 labor advocates from rural communities.(1) Ministerial funding and resources are also believed to be sufficient for the scope of the child labor problem.(1)

#### *Criminal Law Enforcement*

In 2014, the Counter-Trafficking Unit (CTU) employed seven police officers and three immigration officers. During October 2013 to September 2014, the Government allocated an annual budget of \$950,000 for the operation of the CTU; the IOM reported that this budget was sufficient. The IOM also reported that the number of investigators was adequate; however, there is a cited lack of sufficient training and resources for CTU staff.(1) In 2014, the National Library and Information System of Trinidad and Tobago conducted a 1-day training on sex-trafficking prevention for representatives from libraries in the country. There are reports that the CTU needs improved resources for child victims.(1, 9)

While the CTU did not report any criminal child labor violations during the reporting period, the number of investigations related to the worst forms of child labor is unknown. There was one suspected case of child trafficking during the reporting period; however, the investigation was terminated for lack of evidence.(1)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee for the Prevention and Elimination of Child Labor	Coordinate government efforts to combat child labor and oversee the development of national policies on child labor.(1, 18, 23)
National Task Force Against Trafficking in Persons	Coordinate government efforts to combat trafficking in persons and prosecute traffickers. Coordinate the provision of assistance to trafficked victims and develop national policies on trafficking.(1) Established by the Trafficking in Persons Act.(12)
Child Protection Task Force	Review policies and legislation on child protection issues and make recommendations on how public and private stakeholders can reduce risks to children's well-being. Tasked with making recommendations on how the Children's Authority of Trinidad and Tobago can be made fully functional.(20)

The Child Protection Task Force ended on July 31, 2014, in accordance with its amended Terms of Reference; it had met 16 times before ending. No information is available on whether this task force or a new task force will reconvene in the future.(8)

Reports indicate that coordination among the agencies that are responsible for combatting child labor is *ad hoc* and needs improvement. The National Task Force Against Trafficking in Persons met once in 2014.(1)

The Children's Authority (Amendment) Act of 2008 contains provisions to empower the Children's Authority of Trinidad and Tobago. This body was conceived through legislative efforts in 2000 and was designed to enforce the laws on children's welfare, promote the rights of children, and provide services for child protection.(24-26) However, the Children's Authority of Trinidad and Tobago has yet to become fully operational.(1)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Trinidad and Tobago has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategic Plan for Child Development (2012–2016)	Aims to develop comprehensive initiatives across governmental ministries to promote and protect children's rights, including the elimination of all forms of child labor. Participating ministries include the MOLSMED and the Ministry for Gender, Youth, and Child Development.(1)
National Strategy for Child Rights	Seeks to strengthen mechanisms and structures for protecting children's rights.(1)
National Youth Policy	Seeks to incorporate youth as partners in national development and prioritize youth issues in national policies.(1)
Trinidad and Tobago—UNICEF Strategic Plan (2014–2018)†	Aims to improve the lives of children through five focus areas, including evidence-based policy making, the promotion of children's rights, child protection programming, education, and early childhood development. Ministry of Planning and Sustainable Development will coordinate the planning and implementation of initiatives in concert with the UN's 2012–2016 efforts in the Eastern Caribbean.(27)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Trinidad and Tobago at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(28-30)

† Policy was approved during the reporting period.

The Ministry of Gender, Youth, and Child Development is currently drafting a National Child Protection Policy, which will include child labor and trafficking. This policy will address obtaining data and implementing policies related to child labor in Trinidad and

# Trinidad and Tobago

## MODERATE ADVANCEMENT

Tobago.(1) However, the Government has yet to produce an action plan to implement policies that call for the prevention and elimination of child labor.(18)

In September 2014, Trinidad and Tobago participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(31)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Trinidad and Tobago funded programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
MLSME Programming‡	Aims to raise awareness about child labor and disseminate information on its negative effects through MLSME outreach programs and participation in awareness-raising activities organized by other agencies, including government ministries and trade unions.(8)
Educational Programming*‡	Ministry of Education programs that encourage children to remain in school, including a school meal program that provides breakfast and lunch to children from low-income families; a book grant program; and a School Support Services program that helps high-risk students with homework, counseling, and other services. In 2014, provided more than 43,000 free breakfasts and 98,000 lunches to students based on the family's socioeconomic level.(1)
Empowerment Social Strategies (PRESS ON) Initiative*‡	Ministry of the People and Social Development poverty-reduction initiative that targets at-risk populations, including children, and that focuses on providing food security, youth training and skills development, and educational support.(1)
National Child Registry‡	Government program to help provide an effective method for monitoring child welfare and development.(1)
National Youth Services Directory†‡	Ministry for Gender, Youth, and Child Development and National Youth Policy directory. Serves as a hub for locating psychological, educational, and recreational activities; programs; and services for the public and especially for youth.(1, 32)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Trinidad and Tobago.

Research found no evidence of programs to specifically address child labor in agriculture or the worst forms of child labor in commercial sexual exploitation.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Trinidad and Tobago (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2014
	Ensure that hazardous work is prohibited for all children under the age of 18.	2009 – 2014
	Determine hazardous occupations or activities prohibited for children in consultation with employers' and workers' organizations.	2009 – 2014
	Enact the Children Act of 2012 to ensure that legislative frameworks protecting the rights of children are strengthened.	2012 – 2014
	Raise the age of compulsory education to 16, the established minimum age for work, either through the enactment of the Children Act or in separate legislation.	2009 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Make publicly available the number of criminal investigations conducted regarding the worst forms of child labor.	2013 – 2014
	Ensure that there are sufficient resources and training for trafficking prevention staff and resources for victims of child trafficking.	2014
Coordination	Operationalize the Child Protection Task Force, ensuring that it is able to provide protection and educational efforts against child labor.	2012 – 2014
	Ensure that the National Task Force Against Trafficking in Persons convenes to continue coordinating efforts to combat trafficking in persons.	2012 – 2014
	Ensure that the National Steering Committee for the Prevention and Elimination of Child Labor actively coordinates governmental efforts to combat child labor.	2013– 2014
	Operationalize the Children’s Authority, as mandated in the Children’s Authority Act of 2008, to ensure that it is able to implement its strategic objectives and enforce laws pertaining to children’s welfare.	2012 – 2014
Government Policies	Adopt and implement a National Plan of Action Against Child Labor.	2011 – 2014
Social Programs	Conduct the National Youth Activity Survey to assess how to best address child labor in agriculture and the worst forms of child labor in commercial sexual exploitation.	2011 – 2014
	Assess the impact that educational and poverty-reduction initiatives may have on reducing child labor.	2013 – 2014

## REFERENCES

- U.S. Embassy- Port of Spain. *reporting, January 22, 2015.*
- U. S. Department of State. “Trinidad and Tobago,” in *Trafficking in Persons Report-2014*. Washington, DC; June 19, 2014; <http://www.state.gov/documents/organization/226849.pdf>.
- International Organization for Migration and the Secretariat of the African Caribbean and Pacific Group of States. *Invisible immigrants: A profile of irregular migration, smuggling of migrants and trafficking in persons in Trinidad and Tobago*. Geneva; 2013. <http://www.acpmigration-obs.org/sites/default/files/TnT%20Irregular%20migration%20report.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Multiple Indicator Cluster Survey 3, 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- U.S. Department of State. “Trinidad and Tobago,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220685.pdf>.
- International Trade Union Confederation. *Report for the WTO General Council Review of the Trade Policies of Trinidad and Tobago* Geneva; March 7-9, 2012. [http://www.ituc-csi.org/IMG/pdf/final\\_cls\\_tpr\\_tt.pdf](http://www.ituc-csi.org/IMG/pdf/final_cls_tpr_tt.pdf).
- U.S. Embassy- Port of Spain. E-mail communication to USDOL official. February 18, 2015.
- U.S. Embassy- Port of Spain. *reporting, February 18, 2015.*
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Trinidad and Tobago (ratification: 2003) Submitted: 2011* accessed February 1, 2012; <http://www.ilo.org/ilolex/english/ilolex.htm>.
- Government of the Republic of Trinidad and Tobago. *Miscellaneous Provisions (Minimum Age for Admission to Employment)*, Act No. 3 of 2007, enacted February 26, 2007. <http://www.ttparliament.org/legislations/a2007-03.pdf>.
- Government of Trinidad and Tobago. *Trafficking in Persons Act*, Act No. 14 of 2011, First Session, Tenth Parliament, enacted June 9, 2011. [http://www.oas.org/dsp/documents/lawguide/traffic\\_in\\_persons\\_act\\_n\\_14\\_2011.pdf](http://www.oas.org/dsp/documents/lawguide/traffic_in_persons_act_n_14_2011.pdf).
- Government of the Republic of Trinidad and Tobago. *Sexual Offences Act*, Act 27 of 1986, enacted 1986. [http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical\\_List/lawspdfs/11.28.pdf](http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical_List/lawspdfs/11.28.pdf).
- Government of the Republic of Trinidad and Tobago. *Children Act*, Act 4 of 1925, enacted 1925. [http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical\\_List/lawspdfs/46.01.pdf](http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical_List/lawspdfs/46.01.pdf).
- Government of the Republic of Trinidad and Tobago. *Children Act*, Act 12 of 2012, enacted August 6, 2012 (assented). <http://www.ttparliament.org/legislations/a2012-12.pdf>.
- Government of the Republic of Trinidad and Tobago. *Defence Act*, Act 7 of 1962, enacted 1962. [http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical\\_List/lawspdfs/14.01.pdf](http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical_List/lawspdfs/14.01.pdf).
- Government of the Republic of Trinidad and Tobago. *Education Act*, enacted 1966. [http://www.vision2020.info.tt/pdf/Policies%20and%20Procedures/strategic\\_Corporate%20Plan/Education%20Act.pdf](http://www.vision2020.info.tt/pdf/Policies%20and%20Procedures/strategic_Corporate%20Plan/Education%20Act.pdf).
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Trinidad and Tobago (ratification: 2004) Published: 2013*; accessed December 9, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.
- Child Soldiers International. “Appendix II: Data Summary on Recruitment Ages of National Armies,” in *Louder Than Words*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- U.S. Embassy- Port of Spain. *reporting, January 28, 2014.*
- Ministry of the Attorney General of Trinidad and Tobago. *Director of Public Prosecutions*, Ministry of the Attorney General. [online] [cited March 17, 2014]; <http://www.ag.gov.tt/AboutUs/Departments/DirectorofPublicProsecutions.aspx>.
- ILO Committee of Experts. *Individual Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Trinidad and Tobago (ratification: 2003) Published: 2013*; accessed <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>.

# Trinidad and Tobago

## MODERATE ADVANCEMENT

23. UN Human Rights Council. *Compilation prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1: Trinidad and Tobago*. Geneva; October 14, 2011. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/152/74/PDF/G1115274.pdf?OpenElement>.
24. Government of the Republic of Trinidad and Tobago. *Act No. 14 of 2008: An Act to Amend the Children's Authority Act, 2000*, First Session, Ninth Parliament, enacted September 26, 2008. <http://www.ttparliament.org/legislations/a2008-14.pdf>.
25. Government of Trinidad and Tobago. *Children's Authority of Trinidad and Tobago: Information Brief*. Port of Spain; January 2012. <http://ttchildren.org/downloads/Children's%20Authority%20Information%20Brief%20Final.pdf>.
26. Government of the Republic of Trinidad and Tobago. *Children's Authority Act*, Act No. 64 of 2000, enacted November 2, 2000 (assented). <http://parentingt.files.wordpress.com/2011/05/childrens-authority-act.pdf>.
27. Government of Trinidad and Tobago. *Trinidad Government and UNICEF to Sign Joint Strategy for Children*, Government of the Republic of Trinidad and Tobago, [online] [cited February 11, 2014]; <http://www.news.gov.tt/content/trinidad-government-and-unicef-sign-joint-strategy-children#.UvqfzWjdx2c>.
28. UN News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." un.org [online] October 15, 2014 [cited November 10, 2014]; <http://www.un.org/apps/news/printnews.asp?nid=49082>.
29. "Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas, October 14, 2014." wordpress.com [online] October 14, 2014 2014 [cited November 17, 2014]; [https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracic3b3n-ir\\_espac3b1ol.pdf](https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracic3b3n-ir_espac3b1ol.pdf).
30. ILO. "18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour." ilo.org [online] October 17, 2014 [cited [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm)].
31. OAS. *Agenda, First Meeting of the Working Group of the XVIII IACML*; 2014. [https://www.oas.org/en/sedi/dhdee/labor\\_and\\_employment/pages/cpo\\_trab\\_WG1XVIII\\_IACML.asp](https://www.oas.org/en/sedi/dhdee/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp).
32. Government of Trinidad and Tobago. *National Youth Services Directory* [online] October 23, 2014 [cited February 2 2015]; <http://mgycd.gov.tt/Projects-Programmes/Post/576/National-Youth-Services-Directory>.



In 2014, Tunisia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government approved a new Constitution, which includes children's rights; began implementing the National Action Plan to Combat Human Trafficking; and launched a new program to improve access to education. However, children in Tunisia are engaged in child labor, including work on the street and in the worst forms of child labor, including in domestic work as a result of human trafficking. A lack of current national-level data on child labor makes it difficult to determine the prevalence and nature of child labor in Tunisia.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tunisia are engaged in child labor, including in street work.(1-4) Children are also engaged in the worst forms of child labor, including in domestic work as a result of human trafficking.(4, 5) Table 1 provides key indicators on children's work and education in Tunisia.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.0 (50,364)
Attending School (%)	5-14 yrs.	94.2
Combining Work and School (%)	7-14 yrs.	2.8
Primary Completion Rate (%)		101.7

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011 – 2012.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1-3, 8, 9)
	Herding livestock* (9)
Industry	Construction,* activities unknown (3)
	Domestic work (1-4)
Services	Work in markets* and cafes* (2, 3, 9, 10)
	Street work, including shining shoes,* begging,* vending,* and scavenging garbage*† (1-4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking* (4, 5)
	Used in illicit activities, including drug trafficking* (4, 5)
	Domestic work* and begging,* each as a result of human trafficking (4, 5)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

The Government lacks current nationwide data on child labor, including its worst forms. NGOs report that child labor has become more pervasive and visible in Tunisia since the January 2011 revolution.(2, 9)

Child migrants from sub-Saharan countries and those fleeing conflict in Libya and Syria, as well as young girls from Tunisia's northwest region, are particularly vulnerable to human trafficking.(4, 5)




# Tunisia

## MODERATE ADVANCEMENT

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tunisia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 53 of the Labor Code (13)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Labor Code (13)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 1 of Decree No. 2000-98 (14)
Prohibition of Forced Labor	Yes		Article 250 of the Penal Code (15, 16)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 226 bis and 232 of the Penal Code; Article 25 of the Child Protection Code (15, 17)
Prohibition of Using Children in Illicit Activities	Yes		Articles 171 and 224 of the Penal Code (15)
Minimum Age for Compulsory Military Recruitment	Yes	20	Article 2 of the National Service Law (18)
Minimum Age for Voluntary Military Service	Yes	18	Article 2 of the National Service Law (18)
Compulsory Education Age	Yes	16	Section 1 of the Law on Education (19)
Free Public Education	Yes		Article 38 of the Constitution (20)

In January 2014, the Government approved a new Constitution, which includes children's rights including the right to free public education.(20)

Tunisia lacks a law that prohibits human trafficking. In 2013, the Ministry of Justice drafted an anti-trafficking bill in collaboration with international organizations. In 2014, the technical committee modified the draft law based on comments received in September.(21) The Ministries of National Defense, Transportation, Economy and Finance, Social Affairs, and Education, among others, also provided comments.(22)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Social Affairs (MSA)	Monitor compliance with the minimum-age law by examining the records of employees and collaborate with the General Union of Tunisian Labor to ensure that the Labor Code is enforced.(16) Carry out labor inspections.(13)
Ministry of Education	Collaborate with MSA to identify children vulnerable to child labor.(16)
Ministry of Justice's Anti-Trafficking Office	Help enact law to prohibit trafficking in persons.(4)
National Police's Child Protection Service	Address the commercial sexual exploitation of children through prevention and investigation.(22)
Ministry of Interior's Crisis Unit	Aim to prevent terrorist groups from recruiting children.(5)

Law enforcement agencies in Tunisia took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the Government of Tunisia employed 364 inspectors to enforce labor laws, including those related to child labor. They did not receive sufficient training on child labor.(23) A source indicates that labor inspectors did not have sufficient funding, vehicles, and fuel to support their work. In 2014, 12,000 inspections were conducted across the formal sector covered in the Labor Code.(23) These inspections identified 1,941 children and youth engaged in child labor.(23) Under Article 174 of the Labor Code, inspectors have the right to make unannounced inspections in all regulated sectors.(13) Labor inspectors carry out worksite inspections based on a weekly schedule that includes routine inspections but gives precedence to complaints.(23) Inspectors are allowed to impose penalties for violations of the law. In 2014, 53 formal warnings were issued to employers regarding cases of child labor.(23) In all cases of these formal warning, the employer rectified the situation.(23)

Although social workers are allowed to access private homes and intervene in cases of child domestic workers, limited evidence suggests that, in practice, inspections are not conducted in private homes.(5, 22) There is currently no coordination mechanism to refer children to social services during labor inspections.(23)

### *Criminal Law Enforcement*

In 2014, the Ministry of Social Affairs (MSA) employed 2,117 social workers who worked in the field, which the MSA described as adequate for criminal enforcement of the formal economy but not the informal economy. Seventy social workers received child labor training.(23) Military judges and customs officials received training on how to identify and protect victims of human trafficking.(24) The Ministry of Justice organized and hosted a regional conference on human trafficking, in partnership with the Council of Europe and the IOM to exchange experience and best practices and become familiar with international norms.(21) However, adequate training was not available to all agents due to the lack of sufficient resources.(23)

In 2014, the MSA issued directives to its personnel in 24 social service centers on how to assist trafficking victims. The MSA also maintains a database of human trafficking victims and works with the Ministry of Justice to ensure that victims of human trafficking are not prosecuted for trafficking crimes.(24) Enforcement agencies do not effectively distinguish between human smuggling and human trafficking, which has hampered the Government's ability to investigate human trafficking offenses, convict offenders, and identify victims.(4) Research did not find information on the number of investigations and the implementation of penalties related to criminal worst forms of child labor.

While the adoption of the draft anti-human trafficking law was pending, courts used existing legal provisions of the Penal Code to prosecute 50 cases of commercial sexual exploitation in the first 7 months of 2014. The penalties in these cases ranged from 3 months to 6 years of imprisonment.(21) It is unknown how many of these cases involved children.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee for the Implementation of the National Action Plan to Combat Child Labor	Coordinate efforts to combat child labor. Members include the Ministries of Interior; Social Affairs; Justice; Women, Family, and Childhood; Education; and Vocational Training and Employment; as well as the General Union of Tunisian Labor, the Tunisian Employers Union of Industry Trade and Handicrafts, and the Tunisian Union of Farmers and Fishermen. Supported by the ILO.(23, 25, 26)
Interagency Anti-Trafficking in Persons Committee	Coordinate efforts to combat human trafficking and raise awareness and follow up on the enactment of the draft law to prohibit trafficking in persons. Led by the Ministry of Justice.(4, 9) In 2014, the Committee steered the draft bill between Ministries and to the Council of Ministers.(22)
Inter-Ministerial Working Group To Combat Human Trafficking*	Coordinate anti-trafficking policy and to share information and best practices. Chaired by the Ministry of Foreign Affairs, while members include representatives from the Ministries of Foreign Affairs, Interior, Justice, Social Affairs, Vocational Training and Employment, Defense, Health, and Religious Affairs.(27) The group meets monthly. In 2014, the participating ministries drafted anti-trafficking action plans that the working group utilized to develop a draft national plan.(27)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

There has been a strengthening of data exchange between the members of the National Steering Committee since its inception in September 2013.(23)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Tunisia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Plan of Action to Combat Child Labor (2013 – 2014)	Aims to combat child labor by raising awareness, building the capacity of stakeholders, and encouraging action from NGOs and the public. Supported by the ILO.(25, 26)
Action Plan of the Country Program (2015 – 2019)	Joins plan with support of UNICEF to decrease drop-out rates and improve education quality and access to early education, teach life skills to adolescents, and improve access to information in order to improve child protection against violence and economic exploitation.(28, 29)
National Action Plan to Combat Trafficking in Persons (2015 – 2017)	Mandates a variety of activities, including passing the draft anti-trafficking bill; building capacity of civil society to address human trafficking; boosting public awareness of human trafficking; and training police, customs, and penitentiary officials in identifying victims of human trafficking.(24, 30) The Government began implementing the Plan in 2014.(22)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Tunisia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Universal Primary Education*	UNICEF-funded program supported by the Government that promotes quality education with a goal of achieving universal primary enrollment.(31)
School Drop-Out Prevention Program*‡	Ministry of Education program that maintains over 2,300 social protection units in schools and mobile units in rural areas to monitor students and prevent school drop-out.(32)
Assistance to Needy Families*‡	MSA program that provides support to poor families and children through cash-transfer and access to healthcare to ensure school attendance.(31, 33)
National School Feeding Program*†	UN-funded program that provides technical support to the Ministry of Education to create and implement a national school feeding program. Provides improved access to education and aims to reduce drop-out rates in all public primary schools. The Memorandum of Understanding between the Ministry of Education and WFP was signed in January 2014.(34)
Trade Apprenticeships‡	Government program that provides wage earning and trade apprenticeships to youth ages 15 to 20, as an alternative to exploitative child labor.(35)
Shelters for Street Children‡	Government-operated shelters to serve children at risk of human trafficking.(4)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Child Protection and Youth Center Network‡	Government program that maintains 21 youth centers and 67 child protection institutions that are able to serve up to 6,000 children engaged in or at-risk of child labor.(22, 32)
Support Efforts to Combat Human Trafficking (2014 – 2017)†	USDOS-funded 3-year project implemented by IOM to carry out anti-human trafficking activities in collaboration with the Ministries of Justice, Interior, Social Affairs, and Women, Family, and Childhood. Includes the objectives: (1) build the capacity of relevant institutions and agencies to identify and assist victims of trafficking based on their individual needs; (2) strengthen cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism to identify and assist victims of human trafficking; and (3) conduct an awareness-raising campaign to keep youth in school and discourage illegal migration that could lead to human trafficking.(22)
Shelters for Victims of Human Trafficking†‡	MSA-operated shelters for victims of human trafficking.(24) Services include lodging, food, clothing, psychological services, and legal aid through a network of pro bono lawyers, as well as full and free medical care in collaboration with the Ministry of Health. Unaccompanied child victims are placed in dedicated centers for minors, where they receive schooling in addition to the same services offered to adults.(27)
Taking Action Against Child Domestic Labor in Africa and the Countries of the Union for the Mediterranean (2011 – 2015)	\$1.3 million Government of France-funded, 4-year project, implemented by ILO-IPEC to combat child domestic labor.(36)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Tunisia.

In 2014, the MSA began updating a database on needy families and establishing a new social identifier code to provide adequate assistance to these families and to children at risk of the worst forms of child labor.(23)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tunisia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws protect children from human trafficking.	2011 – 2014
Enforcement	Enforce legal provisions for the protection of children in domestic work in private homes.	2014
	Establish a referral mechanism between law enforcement and social services.	2014
	Provide sufficient training to agents in charge of criminal enforcement of child labor laws.	2014
	Collect and publish information on the number of criminal investigations and implementation of penalties related to the worst forms of child labor.	2013 – 2014
Social Programs	Conduct comprehensive research to determine the extent and nature of child labor in the country.	2013 – 2014
	Assess the impact that existing programs may have on addressing child labor.	2011 – 2014

## REFERENCES

- SOS Children's Villages. "Post-Revolution Tunisia Struggles with Child Labour." SOS Children's Villages, 2012. <http://www.soschildrensvillages.ca/news/news/child-protection-news/child-labournews/pages/post-revolution-tunisia-struggles-with-child-labour-157.aspx>.
- Fitouri, S. "Post-Revolution Child Labor in Tunisia: Enduring Issues Rise to the Surface." Tunisia Live, Tunis, January 30, 2012. <http://www.tunisia-live.net/2012/01/30/post-revolution-child-labor-in-tunisia-enduring-issues-rise-to-the-surface/>.
- Dabbar, S. "Tunisian children shoulder heavy burden." gulfnews.com [online] November 23, 2012 [cited 2013]; <http://gulfnews.com/news/region/tunisia/tunisian-children-shoulder-heavy-burden-1.1109067>.
- U.S. Department of State. "Tunisia," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226837.htm>.
- International Organization for Migration. *Baseline Study of TIP Tunisia, Assessing the Scope and Manifestations*. Geneva; 2013. <http://reliefweb.int/sites/reliefweb.int/files/resources/Baseline%20Study%20on%20Trafficking%20in%20Persons%20in%20Tunisia.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.



# Tunisia

## MODERATE ADVANCEMENT

7. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS 4, 2011-12. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
8. U.S. Embassy- Tunisia. *reporting, December 8, 2010*.
9. U.S. Embassy- Tunisia. *reporting, February 19, 2013*.
10. Mekki, N. *UNICEF aims to place further emphasis on children's issues in Tunisia*, UNICEF, [online] February 17, 2011 [cited November 07, 2014]; [http://www.unicef.org/infobycountry/Tunisia\\_57693.html](http://www.unicef.org/infobycountry/Tunisia_57693.html).
11. UNICEF. *Suivi de la situation des enfant et des femmes*. New York; 2013. <http://www.unicef.org/tn/Mics4/MICS4-Fr.pdf>, [http://www.unicef.org/tn/html/eye\\_mics4.htm](http://www.unicef.org/tn/html/eye_mics4.htm).
12. Zack Brisson and Kate Krontiris. *Tunisia: From Revolutions to Institutions*. Washington, DC, The World Bank; 2012. <http://www.infodiv.org/en/Publication.1141.html>.
13. Government of Tunisia. *Code du travail*, Loi no. 66-27, enacted April 30, 1966. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/44414/65029/F96TUN01.htm>.
14. Government of Tunisia, Ministry of Social Affairs. *Decree No. 2000-98*, enacted January 19, 2000.
15. Government of Tunisia. *Code penal*, enacted July 9, 1913. <http://www.juristatunisie.com/tunisie/codes/cp/menu.html>.
16. U.S. Department of State. "Tunisia," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; 2014; <http://www.state.gov/documents/organization/220590.pdf>.
17. Government of Tunisia. *Code de la protection de l'enfant*, Loi no. 95-92, enacted November 9, 1995. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42904/64989/F95TUN01.htm>.
18. Government of Tunisia. *Law No. 1 of 2004 on the National Service*, enacted January 14, 2004. <http://www.legislation-securite.tn/fr/node/27777>.
19. Government of Tunisia. *Law on Education and Schooling, No. 2002-80*, enacted July 23, 2002. <http://www.official.comune.edunet.tn/2009-08-19/orientationfr.pdf>.
20. Government of Tunisia. *Constitution*, enacted January 26, 2014. <http://www.tunisia-live.net/2014/01/21/tunisia-draft-constitution-an-english-translation/>.
21. Government of Tunisia - Ministry of Justice. *La cooperation Tuniso-Américaine en matière de lutte contre la traite des personnes*.
22. U.S. Embassy- Tunisia official. E-mail communication to USDOL official. May 1, 2015.
23. U.S. Embassy- Tunisia. *reporting, March 18, 2015*.
24. U.S. Embassy- Tunisia. *reporting, December 3, 2014*.
25. ILO-IPEC and Government of Tunisia. *National Plan of Action to Combat Child Labor*. Tunis; 2014.
26. U.S. Embassy- Tunisia official. E-mail communication to USDOL official. May-June 2014.
27. U.S. Embassy- Tunisia. *reporting, February 27, 2015*.
28. UNICEF. *Report on Regular Resources 2013; 2014*. [http://www.unicef.org/publicpartnerships/files/2013\\_Report\\_on\\_Regular\\_Resources\\_3\\_June\\_2014.pdf](http://www.unicef.org/publicpartnerships/files/2013_Report_on_Regular_Resources_3_June_2014.pdf).
29. UNICEF. *Action Plan of the Country Program (2015-2019)*; 2015.
30. Government of Tunisia - Ministry of Foreign Affairs. *The Framework of the National Action Plan for the Prevention and Punishment of Human Trafficking*. Tunis; 2015.
31. U.S. Embassy- Tunisia official. E-mail communication to USDOL official. March 4, 2013.
32. ILO-IPEC official. E-mail communication to ILO-IPEC Tunis official. February 2014.
33. ILO-IPEC. *Assistance to Needy Families Program* ILO, [online] [cited July 9, 2014]; [http://www.ilo.org/dyn/ilossi/ssimain.viewScheme?p\\_lang=fr&p\\_scheme\\_id=473&p\\_geoaid=788](http://www.ilo.org/dyn/ilossi/ssimain.viewScheme?p_lang=fr&p_scheme_id=473&p_geoaid=788).
34. World Food Program. *WFP Assists Tunisia's Government In School Feeding*; January 2014. <http://www.wfp.org/news/news-release/wfp-assists-tunisia%E2%80%99s-government-school-feeding>.
35. UNESCO. *Education for All Global Monitoring Report- Youth and skills: putting education to work*. online; October 16, 2012. <http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2012-skills>.
36. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.

In 2014, Turkey made a moderate advancement in efforts to eliminate the worst forms of child labor. The Directorate General for Migration Management, a new coordinating body for the implementation of migration law, including laws related to child trafficking and refugee children, began functioning during the reporting period. In addition, together with the EU, the Government funded a project that included the goal of combating child labor by helping parents of working children to find employment. The Government also trained labor inspectors and law enforcement personnel on issues related to child trafficking and hazardous child labor. However, children in Turkey are engaged in child labor in agriculture, including in mobile seasonal work, and in the worst forms of child labor, including in commercial sexual exploitation. The Government does not have laws that protect children working in agricultural enterprises employing fewer than 50 workers, in small shops employing up to three persons, or in domestic work. In addition, children in the growing Syrian refugee population in Turkey have low access to education and other social services, which leaves them at increased risk of exploitation in the worst forms of child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Turkey are engaged in child labor in agriculture, including in mobile seasonal work. (1-14) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation. (12, 15-17) Table 1 provides key indicators on children's work and education in Turkey.

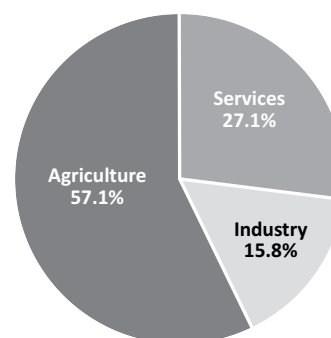
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	6-14 yrs.	2.6 (320,254)
Attending School (%)	6-14 yrs.	92.4
Combining Work and School (%)	6-14 yrs.	1.6
Primary Completion Rate (%)		101.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(18)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Labor Survey, 2006.(19)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cotton, hazelnuts, citrus fruits, sugar beets, cumin, peanuts, and pulses (1-12, 14)
Industry	Production of furniture, bricks,* shoes,* leather goods* (2, 12, 16) Auto repair*† (12, 16)
Services	Street work, including selling facial tissue packets or flowers, carrying bundles in market areas, cleaning car windshields, collecting recyclable materials, and begging (2, 12-14, 16, 20-22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (12, 15-17) Used in armed combat by Kurdish militant groups sometimes as a result of forced recruitment* (12, 23-27)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

# Turkey

## MODERATE ADVANCEMENT

Evidence suggests that the number of child laborers involved in the production of furniture has considerably declined in the past decade, although the significance of the decline is unknown.(13)

With the exception of the hazelnut harvest, which occurs during school vacation, children working in agriculture often migrate with their families for much of the year and may have limited access to health care and education.(1, 9, 10, 16)




There are reports that children are recruited by Kurdish militant groups that have been fighting in Turkey for nearly three decades.(12, 23-26) A ceasefire has been in effect since March 2013, but militant groups reportedly remain equipped to attack government forces if the ceasefire unravels.(28) Kurdish groups have committed to ensuring that children ages 16 to 18 are not used in combat zones and to releasing all children under age 16.(29, 30) However, media reports indicated that the recruitment of children under age 18 had continued.(23-27) The current number of child soldiers in Kurdish militant groups is unknown.(12)

Due to the Syrian Conflict, an estimated 1.7 million Syrian refugees have relocated to Turkey.(31, 32) Many refugee families lack adequate food, shelter, and employment.(20, 33, 34) At the beginning of the reporting period, only approximately half of the Syrian refugee population had registered with the Government and gained access to health care, education, and social services. However, due to an increased focus on registration efforts, the Government estimates that it has successfully registered more than 90 percent of the Syrian population, giving these refugees legal protections and greater access to health care and other services.(32-35) Approximately 840,000 Syrian refugees are school-aged children, less than 100,000 of whom are enrolled in school.(31, 32) This leaves the majority of child refugees out of school and at greater risk of exploitation in the worst forms of child labor. Reports indicate that a lack of schools for Syrian refugees especially in urban areas, a lack of teachers, and a lack of registration all contribute to the gap in education.(31, 36) In addition, poverty in the refugee community and a lack of meaningful employment opportunities cause parents to rely on children as contributors to the family income.(20, 32, 36) Due to their high level of vulnerability, some refugee children in urban areas may be subject to a range of abuses, including child labor, sexual exploitation, human trafficking, and begging.(13, 22, 32, 37)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Turkey has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 71 of the Labor Act (38)
Minimum Age for Hazardous Work	Yes	18	Articles 71-73 of the Labor Act; Annex 3 of the Regulation on Methods and Principles for Employment of Children and Young Workers (38, 39)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Annex 3 of the Regulation on the Principles and Procedures Governing the Employment of Children and Young Workers; Annex 1 of the Regulation on Heavy and Dangerous Work; Regulation amending the Regulation on the Principles and Procedures for the Employment of Children (39-42)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Forced Labor	Yes		Articles 80 and 117 of the Penal Code (43)
Prohibition of Child Trafficking	Yes		Article 80 of the Penal Code (43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 77, 103, 226, and 227 of the Penal Code (43)
Prohibition of Using Children in Illicit Activities	Yes		Articles 37–38 of the Penal Code (43)
Minimum Age for Compulsory Military Recruitment	Yes	21	Article 2 of the Law on Military Service (44, 45)
Minimum Age for Voluntary Military Service	NA*		
Compulsory Education Age	Yes	17	Article 3 of the Primary Education Law; Education Reform Law (14, 46-48)
Free Public Education	Yes		Article 2 of the Primary Education Law; Article 42 of the Constitution of the Republic of Turkey (13, 46, 49)

\* No voluntary military service (14)

Under the National Defense Service Law 3634, children ages 15 to 18 can be deployed in civil defense forces in the event of a national emergency.(44, 50)

As stated in Article 4 of the Labor Act, the provisions of the Labor Act do not apply to children working in agricultural enterprises employing 50 or fewer workers, in small shops employing up to three persons, or in domestic service.(38) These gaps in the law leave children vulnerable to exploitative conditions without legal protection.(16)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Labor Inspection Board Presidency within the Ministry of Labor and Social Security (MOLSS)	Implement laws on child labor and hazardous child labor, including regulating work environments and conditions for children. Monitor the implementation of the Labor Law provisions in workplaces under its jurisdiction.(14) Conduct joint inspections with the Mentoring and Inspection Presidency to find children under legal working age who have dropped out of school, and direct them back into education.(14)
Mentoring and Inspection Presidency within MOLSS	Monitor compliance with laws related to social security of all workers, including child workers. Conduct joint inspections with the Labor Inspection Board Presidency to find children under legal working age who have dropped out of school and refer them to education services.(14)
Turkish National Police (TNP)	Enforce laws defining criminal activity.(13)
Ministry of Justice	Prosecute legal cases regarding child labor or exploitation of children.(13)
Ministry of Family and Social Policy (MFSP)	Receive all referred child laborers in need of assistance. Coordinate services targeted to children living and/or working on the streets through the Directorate General of Child Services within MFSP.(13)

Law enforcement agencies in Turkey took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the number of labor inspectors authorized to conduct inspections decreased from 1,099 to 970. However, the Ministry of Labor and Social Security (MOLSS) plans to increase the number of labor inspectors, which currently remains inadequate to fully enforce Turkey's labor laws.(14) Labor inspectors spend the first 3 years of their careers as assistant inspectors. They receive on-the-job training that includes modules to raise their awareness of child labor and of the legal provisions and enforcement mechanisms to address it.(14)

In 2013, the most recent year for which data are available, 23,504 inspections were conducted involving 2,209,565 workers, including 397 children. Child labor penalties were levied on 56 violations in 49 workplaces, and approximately \$27,000 in fines were collected.(51) The fine for violating the ban on employing child labor is approximately \$665, which the MOLSS acknowledges

# Turkey

## MODERATE ADVANCEMENT

is insufficient to deter violations.(14) Inspectors both proactively plan inspections and conduct inspections in response to complaints. Inspections include unannounced inspections.(14) Complaints about child labor can be made to a phone hotline operated by the Directorate General of Child Services within the Ministry of Family and Social Policy (MFSP).(14) Complaints can also be submitted online through the Prime Minister’s Office Communications Center website.(52) Research did not find how many calls were made to the hotline or how many complaints were submitted via the website.

### *Criminal Law Enforcement*

The Turkish National Police (TNP) are responsible for the enforcement of criminal laws related to the worst forms of child labor.(14) During the reporting period, the Ministry of Interior and NGOs provided training to law enforcement, judicial, and Ministry of Interior officials on human trafficking and the law; the referral system for human trafficking victims; and identification of human trafficking victims.(37) Enforcement agencies refer child victims to MFSP services.(14) During 2014, the Government identified two victims of child trafficking.(22) Research did not find disaggregated data on the number of investigations, prosecutions, or convictions related to child trafficking.(53)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee (NSC) on child labor issues	Coordinate and monitor programs and projects to be implemented nationwide to prevent child labor, primarily its worst forms.(14) Chaired by the MOLSS Undersecretary and includes senior government officials, workers, employers, and NGOs. Coordinate the Time-bound National Policy and Program Framework for the Prevention of Child Labor.(13, 14)
Advisory Board on Child Labor Issues	Develop solutions for preventing child labor and ensure that institutions share information regarding their work on child labor. Chaired by MOLSS and composed of representatives from government ministries, workers’ unions, employers’ organizations, NGOs, and universities, as well as ILO and UNICEF representatives who participate as observers.(14, 54)
Child Labor Branch of the Employment Policies Directorate within MOLSS	Coordinate all child labor programs and efforts of the Ministry of Education, the Child Services Directorate General in MFSP, the Ministry of the Interior, the Ministry of Justice, and NGOs.(13, 51)
The Child Services Directorate General	Coordinate services for children living and working on the streets; located within the MFSP.(13)
Directorate General for Migration Management (DGMM)*	Coordinate the implementation of migration law, including laws related to irregular migration, refugees, and human trafficking.(34, 55)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

With the creation of the DGMM in 2014, responsibility for refugees and combating human trafficking shifted from the Ministry of Foreign Affairs and the TNP to the DGMM. The DGMM’s new infrastructure and lack of capacity has created challenges both in combating human trafficking and in registering and assisting refugees in 2014.(34)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Turkey has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Time-bound National Policy and Program Framework for the Prevention of Child Labor (2005–2015)	Aims to eliminate the worst forms of child labor by 2015. MOLSS, through the NSC, is the coordinating institution.(13) Prioritizes reducing poverty, improving the quality and accessibility of education, and increasing social awareness and sensitivity to child labor.(13) Priority target groups include children working on the streets, in heavy and dangerous work in small- and medium-sized enterprises, and in mobile and seasonal agricultural work, except in family businesses. Articulates objectives, indicators, outputs, target groups, activities, and responsibilities for the elimination of the worst forms of child labor.(13)



**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Second National Action Plan on Combating Human Trafficking	Outlines Turkey's strategy for the prevention of human trafficking. Identifies children as an exceptionally vulnerable group and calls for special security precautions for children at shelters for victims and increased international cooperation on preventing child trafficking.(37, 56)
Tenth Development Plan (2014–2018)†	Identifies Turkey's strategy and goals for economic development. Includes the priorities of alleviating child poverty and increasing equal opportunity in education.(57) Includes provisions for the prevention of the worst forms of child labor.(14)
Strategic Plan for the Ministry of National Education (2010–2014)*	Sets medium- and long-term objectives for education policy, including increasing participation rates from preschool to secondary education, promoting vocational education, and terminating gender and regional education disparities.(58)
National Child Rights Strategic Document and Action Plan (2013–2017)	Sets out the framework and actions for promoting services for children in fields such as health care and education.(59) Includes a section addressing child labor issues.(14, 60)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

The Government reports that it reviews the impact of policies on child labor when renewing or updating a policy. However, it did not make its assessments publicly available.(51)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Turkey funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Activation of Local Sources on Preventing Child Labor (2012–2014)‡	MOLSS-implemented, 3-year program to support the Time-bound Framework by enhancing local capacity and building an effective monitoring system.(61) Provides direct services such as child labor monitoring, vocational skills training, rehabilitation of children, and awareness-raising through the formation of Child Labor Monitoring Units in five pilot provinces. As of 2014, identified 2,204 at-risk children to receive services and conducted 795 direct interventions with parents of working children.(14)
Elimination of Worst Forms of Child Labor in Seasonal Commercial Agriculture in Hazelnuts	Project funded by the Association of Chocolate, Biscuit, and Confectionery Industries of Europe (CAOBISCO) and the Government of the Netherlands that focuses on child labor in hazelnut harvesting in the Black Sea province of Ordu. Aims to build the capacity of local institutions to coordinate and implement activities for the elimination of child labor in hazelnut production.(14) In 2014, 313 seasonal worker families were provided with individual or group counseling, and 408 children were provided with services, including 310 who were withdrawn or prevented from work.(14) In addition, CAOBISCO extended the project through June 1, 2015.(62)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor through data collection and research in Turkey.(63)
Conditional Education and Health Care Assistance Program‡	Government program that aims to reduce poverty through cash transfers.(64) Requires children between ages 6 and 15 of participating families to regularly attend primary school.(52) Provides milk to all primary school children and distributes books free of charge.(61)
Shelters for Victims of Trafficking‡	Government-funded, NGO-operated shelters for human trafficking victims in Ankara, Antalya, and Istanbul. Provides psychological, medical, and legal services to human trafficking victims.(14, 37)
'157' Hotline for Victims of Trafficking‡	Government and International Organization for Migration funded and operated 24-hour toll-free hotline in multiple languages for human trafficking victims. Advertised through government awareness-raising campaigns in airports and other points of entry into Turkey.(37)
Improving Social Integration and Employability of Disadvantaged Persons†‡	\$34 million project jointly funded by the EU and the Government of Turkey. Aims to address poverty, lack of education, unemployment, and housing problems for socially vulnerable and disadvantaged citizens through services and grants, including a specific allocation of grant funding for projects targeting the Roma population. (14, 51, 65) Includes the goal of combating child labor by supporting the entry of parents of working children into the labor market.(51, 65)
Teacher Training Program	Joint Ministry of National Education (MoNE) and UNICEF project to provide training on teaching methods to Syrian teachers living in refugee camps. Includes training sessions for both Syrian and MoNE trainers who then move on to hold broader training sessions in selected refugee camps.(66)

† Program was launched during the reporting period.

‡ Program is funded by the Government of Turkey.

# Turkey

## MODERATE ADVANCEMENT

The Government of Turkey reports that it reviews the impact of a program on child labor when renewing or updating that program. However, it does not make its assessments publicly available.(51)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Turkey (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law provides protections for children working in small agricultural enterprises, small businesses, and domestic work.	2009 – 2014
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2014
	Increase the penalties for violation of child labor laws to an amount sufficient to deter violations.	2014
	Make publicly available the number of calls related to child labor made via the MFSP hotline and complaints related to child labor made through the Prime Minister's Office Communications Center website.	2014
	Make disaggregated data on the number of investigations, prosecutions, and convictions related to child trafficking publicly available.	2014
Government Policies	Make assessments about the impact of policies on child labor publicly available.	2013 – 2014
Social Programs	Institute programs to increase access to education and health care for children working in mobile seasonal agriculture.	2014
	Ensure that all Syrian refugees are able to register and that refugees are aware of how to register and why registration is important.	2014
	Expand schools and increase the number of schools and teachers for Syrian refugee children both in refugee camps and in urban areas.	2014
	Make assessments about the impact of existing programs on child labor publicly available.	2010 – 2014

### REFERENCES

1. FNV Bondgenoten. *A Year of Action against Child Labor in the Turkish Hazelnut Sector: Activities and Results*. The Netherlands, Stop Kinderarbeid; December 2, 2011. [http://www.google.com/url?sa=t&trct=j&q=&esrc=s&frm=1&source=web&cd=10&ved=0CGgQFjAJ&url=http%3A%2F%2Fwww.hivos.nl%2Fcontent%2Fdownload%2F70753%2F607032%2Ffile%2FOne%2520Year%2520Action%2520Child%2520Labour%2520Free%2520Zones%2520Hazelnuts%2C%2520EN.pdf&ei=PSYfT9jfkIGy0AHMxqEG&usq=AFOjCNHhwiPuLaK0INz\\_mLycHFODPhN4kg&sig2=As2sa6JnylD0pu1j6XjZXQ](http://www.google.com/url?sa=t&trct=j&q=&esrc=s&frm=1&source=web&cd=10&ved=0CGgQFjAJ&url=http%3A%2F%2Fwww.hivos.nl%2Fcontent%2Fdownload%2F70753%2F607032%2Ffile%2FOne%2520Year%2520Action%2520Child%2520Labour%2520Free%2520Zones%2520Hazelnuts%2C%2520EN.pdf&ei=PSYfT9jfkIGy0AHMxqEG&usq=AFOjCNHhwiPuLaK0INz_mLycHFODPhN4kg&sig2=As2sa6JnylD0pu1j6XjZXQ).
2. International Trade Union Confederation. *Internationally Recognized Core Labour Standards in Turkey*. Trade Policy Review. Geneva; February 21 and 23, 2012. [http://www.ituc-csi.org/IMG/pdf/tpr\\_turkey-final\\_.pdf](http://www.ituc-csi.org/IMG/pdf/tpr_turkey-final_.pdf).
3. Development Workshop. *Model Action Plan for Children Working in the Harvesting of Hazelnuts in Turkey*. Cankaya; June 2012. <http://www.kalkinmaatolyesi.org/foto/file/Model%20Action%20Plan%20for%20Children%20Working%20in%20the%20Harvesting%20of%20Hazelnuts%20in%20Turkey.pdf>.
4. ICF Macro. *Summary Report In-Country Research on Child Labor and/or Forced Labor in Turkey Researcher's Feedback on the Data Collection Efforts and Summary Report per Good*. Summary Report. Calverton, MD; 2012.
5. Development Workshop. *Model Action Plan for Children Working in Sugarbeet Cultivation in Turkey*. Cankaya; August 2012. [www.kalkinmaatolyesi.org](http://www.kalkinmaatolyesi.org).
6. Development Workshop. *Baseline Study Concerning Children of the 6-14 Age Group Affected by Seasonal Agricultural Migration*. Cankaya; July 2012. <http://www.kalkinmaatolyesi.org/arsiv.php?page=haber&doc=71>.
7. Development Workshop. *Model Action Plan for Children Working in Seasonal Agricultural Labour in the Cukurova Region of Turkey*. Cankaya; July 2012. <http://www.hatay.gov.tr/uploads/icerik%20dosyalar/KalkinmaAtolyesi/pdf/ENG/CUKUROVA%20ACTION%20PLAN.pdf>.
8. ICF Macro. *In-Country Research on Child Labor and/or Forced Labor Turkey Report on the Results of Observation of Children in Citrus Harvesting*. Calverton, MD; March 8, 2012.
9. Development Workshop. *Seasonal Agricultural Work and Children Problem Analysis and Policy Recommendations*. Cankaya; July 2012. [www.kalkinmaatolyesi.org](http://www.kalkinmaatolyesi.org).
10. Fair Labor Association. *Assessment of the Hazelnut Supply Chain and Hazelnut Harvest in Turkey* Assessment Report; March 2012. [http://www.fairlabor.org/sites/default/files/documents/reports/nestle\\_hazelnut\\_report.pdf](http://www.fairlabor.org/sites/default/files/documents/reports/nestle_hazelnut_report.pdf).
11. Bulent Gulcubuk. *Turkey Baseline Survey on Worst Forms of Child Labour in the Agricultural Sector: Children in Cotton Harvesting in Karatas, Adana*. Ankara; September 2003. <http://www.ilo.org/ippecinfo/product/viewProduct.do?productId=5224>.
12. U.S. Department of State. "Turkey," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220341#wrapper>.
13. U.S. Embassy- Ankara. *reporting, January 31, 2014*.
14. U.S. Embassy- Ankara. *reporting, January 14, 2015*.
15. United Nations Office of Drugs and Crime. "Turkey," in *Global Report on Trafficking in Persons*; December 2012; [http://www.unodc.org/documents/data-and-analysis/glotip/Country\\_Profiles\\_Europe\\_Central\\_Asia.pdf](http://www.unodc.org/documents/data-and-analysis/glotip/Country_Profiles_Europe_Central_Asia.pdf).
16. ILO Committee of Experts. *Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Turkey (ratification: 2001) Published 2014*; accessed March 14, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::>.
17. U.S. Department of State. "Turkey," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013;

18. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
19. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Child Labor Survey, 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
20. Center for Middle Eastern Strategic Studies. *Effects of the Syrian Refugees on Turkey*; January 2015.
21. Burcak Belli. *Syrian child workers ‘left behind in life’*, Al Jazeera, [online] September 16, 2014 [cited January 14, 2015]; <http://www.aljazeera.com/news/middleeast/2014/06/syrianchildworkersleftbehindlife20146228011456956.html>.
22. U.S. Embassy- Ankara. *reporting, February 23, 2015*.
23. Daily Sabah. “10 Kids Kidnapped in Eastern Turkey by PKK.” *dailysabah.com* [online] September 9, 2014 [cited December 22, 2014]; <http://www.dailysabah.com/nation/2014/09/08/10-kids-kidnapped-in-eastern-turkey-by-pkk>.
24. Today’s Zaman. “5 children kidnapped by PKK in Mus return to families.” *todayzaman.com* [online] September 9, 2014 [cited December 22, 2014]; [http://www.todayzaman.com/national\\_5-children-kidnapped-by-pkk-in-mus-return-to-families\\_358165.html](http://www.todayzaman.com/national_5-children-kidnapped-by-pkk-in-mus-return-to-families_358165.html).
25. Today’s Zaman. “Terrorist PKK kidnaps 331 children in six months.” *todayzaman.com* [online] May 5, 2014 [cited December 22, 2014]; [http://www.todayzaman.com/national\\_terrorist-pkk-kidnaps-331-children-in-six-months\\_346992.html](http://www.todayzaman.com/national_terrorist-pkk-kidnaps-331-children-in-six-months_346992.html).
26. Today’s Zaman. “Kurdish Politician: PKK committing war crime by abducting children.” *todayzaman.com* [online] June 16, 2014 [cited December 22, 2014]; [http://www.todayzaman.com/national\\_kurdish-politician-pkk-committing-war-crime-by-abducting-children\\_350549.html](http://www.todayzaman.com/national_kurdish-politician-pkk-committing-war-crime-by-abducting-children_350549.html).
27. Daily Sabah. *Another victory for protesting Kurdish mothers as PKK releases child recruit*, Daily Sabah, [online] June 22, 2014 [cited December 30, 2014]; <http://www.dailysabah.com/nation/2014/06/23/anothervictoryforprotestingkurdishmothersaspkkreleaseschildrecruit>.
28. Amberin Zaman. *Fight against IS helps PKK gain global legitimacy*, Al Monitor, [online] September 16, 2014 [cited December 30, 2014]; <http://www.almonitor.com/pulse/originals/2014/09/turkeykurdistaniraqsyriaisispkkgloballegitimacy.html>.
29. Wladimir van Wilgenburg. “Kurdish Rebels Ban Child Soldiers.” *Al Monitor*, Washington, DC, October 28, 2013; Pulse. <http://www.al-monitor.com/pulse/originals/2013/10/kurdish-ban-child-soldiers.html#>.
30. Daily Sabah. “PKK to send back child recruits, Turkish media claims.” *dailysabah.com* [online] June 20, 2014 [cited December 30, 2014]; <http://www.dailysabah.com/nation/2014/06/20/pkk-to-send-back-child-recruits-turkish-media-claims>.
31. U.S. Embassy- Ankara. *reporting, November 24, 2014*.
32. U.S. Embassy- Ankara official. E-mail communication to USDOL official. April 29, 2015.
33. U.S. Embassy- Ankara. *reporting, September 25, 2014*.
34. U.S. Embassy- Ankara. *reporting, November 17, 2014*.
35. U.S. Embassy- Ankara official. E-mail communication to USDOL official. April 30, 2015.
36. Constanze Letch. *Syrian refugees trigger child labour boom in Turkey*, The Guardian, [online] September 2, 2014 [cited December 4, 2014]; <http://www.theguardian.com/law/2014/sep/02/syriarefugeeschildlabourturkey>.
37. U.S. Embassy- Ankara. *reporting, March 18, 2014*.
38. Government of Turkey. *Labor Act of Turkey*, No. 4857, enacted May 22, 2003.
39. Government of Turkey. *Regulation on the Principles and Procedures Governing the Employment of Child and Young Workers*, 25425, enacted April 6, 2004.
40. Government of Turkey. *Regulation on Hard and Dangerous Work*, enacted June 16, 2004.
41. Government of Turkey. *Regulation Amending the Regulation on the Principles and Procedures for the Employment of Children and Young Persons*, 28566, enacted February 21, 2013. [http://ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=94789](http://ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=94789).
42. ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Turkey (ratification: 2001) Published 2015*; accessed July 22, 2015; [http://ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3172649:NO](http://ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3172649:NO).
43. *Penal Code*, Law No. 5327, enacted September 26, 2004. <http://www.wipo.int/edocs/lexdocs/laws/en/tr/tr113en.pdf>.
44. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
45. Government of Turkey. *Law on Military Service*, No. 1111, enacted March 20, 1927. <http://www.refworld.org/docid/3ae6b4d020.html>.
46. Government of Turkey. *Education Reform Law*, No. 6287, enacted March 30, 2012. <http://www.tbmm.gov.tr/kanunlar/k6287.html>.
47. Government of Turkey. *Primary Education Law*, No. 222, enacted May 1, 1961. <http://mevzuat.meb.gov.tr/html/24.html>.
48. Nils Muiznieks. *Child labour in Europe: a persisting challenge*, The Council of Europe, [online] August 8, 2013 [cited July 22, 2015]; <http://www.coe.int/en/web/commissioner/-/child-labour-in-europe-a-persisting-challen-1>.
49. Government of Turkey. *Constitution of the Republic of Turkey*, enacted 1982. [http://global.tbmm.gov.tr/docs/constitution\\_en.pdf](http://global.tbmm.gov.tr/docs/constitution_en.pdf).
50. UN Committee on the Rights of the Child. *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Concluding Comment: Turkey*. Geneva; October 2, 2009. Report No. CRC/C/OPAC/TUR/CO/1. <http://sim.law.uu.nl/SIM/CaseLaw/uncom.nsf/bed3dd7764468b53c125685e004653e7756a706a94156299c125764e00473b4f?OpenDocument&Highlight=0.CRC%2FC%2FOPAC%2FTUR%2FCO%2F1>.
51. U.S. Embassy- Ankara official. E-mail communication to USDOL official. June 6, 2014.
52. U.S. Embassy- Ankara. *reporting, March 30, 2010*.
53. U.S. Embassy- Ankara official. E-mail communication to USDOL official. May 2, 2015.
54. CAOBISCO. *Background Document on The Turkish Government approach to eliminating child labour, improving working conditions and hazelnut sustainability in Turkey*. Ankara; September 3, 2011. <http://caobisco.eu/public/file/background.pdf>.
55. Rebecca Kilberg. *Turkey’s Evolving Migration Policy*, Migration Policy Institute, [online] July 24, 2014 [cited January 12, 2015]; <http://www.migrationpolicy.org/article/turkeysevolvingmigrationidentity>.
56. Government of the Republic of Turkey. *National Action Plan: Strengthening Institutions in the Fight Against Human Trafficking*. Ankara; 2009.
57. Government of Turkey. *Tenth Development Plan Brochure*; 2014. <http://www.mod.gov.tr/Lists/DevelopmentPlans/Attachments/4/Brochure%20of%20Tenth%20Development%20Plan%20%282014-2018%29.pdf>.
58. OECD. *Education Policy Outlook: Turkey*. Paris; October 2013. [http://www.oecd.org/edu/EDUCATION%20POLICY%20OUTLOOK%20TURKEY\\_EN.pdf](http://www.oecd.org/edu/EDUCATION%20POLICY%20OUTLOOK%20TURKEY_EN.pdf).
59. European Commission. *Turkey Progress Report*. Brussels September 8, 2014. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014SC0307&from=en>.
60. U.S. Embassy- Ankara official. E-mail communication to USDOL official. January 28, 2015.
61. U.S. Embassy- Ankara. *reporting, February 5, 2013*.

# Turkey

## MODERATE ADVANCEMENT

---

62. CAOBISCO. *CAOBISCO and ILO to extend cooperation in combating child labour in seasonal hazelnut harvesting in Turkey*, CAOBISCO, [online] June 20, 2014 [cited January 14, 2015]; <http://caobisco.eu/caobisco-chocolate-biscuits-confectionery-europe-news-92-CAOBISCO-and-ILO-to-extend-cooperation-in-combating-child-labour-in-seasonal-hazelnut-harvesting-in-Turkey.html#.VLbCIdLF-So>.
63. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
64. U.S. Embassy- Ankara. *reporting, February 14, 2012*.
65. European Union and the Government of Republic of Turkey. *Improving Social Integration and Employability of Disadvantaged Persons Grant Scheme*, March 25, 2014. <http://ihale.ikg.gov.tr/list.aspx?lang=en>.
66. *Government and UNICEF provide support and training for Syrian teachers in Turkey's refugee camps*, UNICEF Turkey, [online] November 7, 2013 [cited January 14, 2014]; [http://www.unicef.org/infobycountry/Turkey\\_70831.html](http://www.unicef.org/infobycountry/Turkey_70831.html).

*In 2014, Tuvalu made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government continued to review and revise its labor laws to improve compliance with international standards, including those related to child labor. However, limited evidence suggests that children in Tuvalu are engaged in child labor in fishing. Gaps remain in the Government's legislative framework. Children ages 15 to 17 are not protected from work in hazardous environments, and children, particularly boys, are not adequately protected from commercial sexual exploitation. In addition, the Government has not collected data to determine the prevalence and nature of the worst forms of child labor in the country to inform policy and program development.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited and the problem does not appear to be widespread, children in Tuvalu may be engaged in child labor in fishing. (1-3) Table 1 provides key indicators on children's work and education in Tuvalu. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		99.2

Source for primary completion rate: Data from 2006, published by UNESCO Institute for Statistics, 2015.(4)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**






Sector/Industry	Activity
Agriculture	Fishing,* activities unknown (1-3)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tuvalu has ratified one key international convention concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	



**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 84 of the Employment Act (6)
Minimum Age for Hazardous Work	Yes	15	Articles 85-87 of the Employment Act (6)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 85-87 of the Employment Act (6)
Prohibition of Forced Labor	Yes		Article 75 of the Employment Act; Article 249 of the Penal Code; Article 18 of the Constitution of Tuvalu (6-8)
Prohibition of Child Trafficking	Yes		Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Articles 136 and 244 of the Penal Code (7, 9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 136, 137, and 139-143 of the Penal Code (7)
Prohibition of Using Children in Illicit Activities	Yes		Articles 141-142 of the Penal Code (7)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	15	Education (Compulsory Education) Order (10)
Free Public Education	No		

† No standing military (11)

In 2014, the Government of Tuvalu continued to engage in a legal revision process initiated during the previous year, which aims to modernize labor laws and improve their compliance with international standards, including those related to child labor. In cooperation with the ILO, the Government held a multi-agency consultation session to review existing labor laws in February 2014. (12, 13) However, the Government has not ratified ILO C. 182 on the Worst Forms of Child Labor, and Tuvalu's current legislative framework still has a number of gaps.

Tuvaluan law does not establish 18 as the minimum age for hazardous work. Although there are some provisions in the Employment Act that prohibit children under 18 from engaging in certain types of activities, the list is incomplete and at times conditioned upon approvals. For example, boys under 18 are prohibited from working underground in a mine and on a ship doing certain tasks, unless they are approved by a medical practitioner, in which case they can work at age 16.(6) Similarly, boys under 18 are prohibited from working during the night in any industrial undertaking, unless the Commissioner has given written permission, in which case they can work at age 17. Boys under 16 are not permitted to work in a mine.(6)

Although the Penal Code prohibits the commercial sexual exploitation of girls under age 18 and boys under age 15, there are no legal provisions protecting boys ages 15 through 17 from engagement in this activity.(7, 14) When the court has reasonable cause to suspect that a female child is being subjected to commercial sexual exploitation, it may issue the Tuvalu Police Force a warrant to search the premises and arrest the accused under Article 143 of the Penal Code.(7) The court may also appoint a guardian for female child victims if a case goes to trial. Since the law does not cover male children in similar circumstances, they lack this protection.(7)

All pornography is illegal in Tuvalu, and the Penal Code includes penalties for those who make, distribute, or possess obscene publications.(7, 15, 16) However, law does not explicitly prohibit the use, procurement, or offering of a child for the production of pornography.(7) In addition, while the law criminalizes the use of children younger than age 15 for illicit activities, it fails to protect children ages 15 through 17.(7)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor (DOL)	Enforce labor laws, including those related to child labor.(12)
Tuvalu Police Force	Enforce criminal laws related to the worst forms of child labor, including those related to child trafficking and the commercial sexual exploitation of children.(12)

Research found no evidence that law enforcement agencies in Tuvalu took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Department of Labor (DOL) had two officers responsible for conducting labor inspections. Considering the lack of major industry and commerce in the country, as well as the limited employment opportunities for children, this number is determined to be adequate.(12) The labor officers did not participate in training during the reporting period, but sources report that they have received instruction from the ILO in previous years.(12) Funding for inspections is covered by the DOL's overall budget. Information was not available on the specific amount of money allocated for this purpose, though reports indicate that the Government does not have sufficient resources to formally monitor and enforce child labor laws.(2) The DOL reported that, although inspectors are empowered by law to conduct site visits at any place of employment, the agency does not carry out systematic inspections.(12) In 2014, the DOL did not conduct any labor inspections. As the DOL did not receive any reports of child labor law violations during the year, no citations or penalties were issued and no children were assisted.(12)

#### *Criminal Law Enforcement*

The Government does not employ investigators to enforce criminal laws related to the worst forms of child labor, and no relevant investigations were carried out during the reporting period. In 2014, research did not find any records of the number of violations involving the worst forms of child labor, and no known prosecutions, convictions, or penalties were issued for these crimes.(12)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The National Advisory Committee on Children, chaired by the Ministry of Education, is responsible for coordinating general children's issues across government agencies. The Committee monitors and reports on the Government's efforts to fulfill its commitments under the UN CRC.(12) However, research found no evidence that the Committee functions as a coordinating mechanism to address child labor, including in its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Tuvalu has established policies related to child labor, including its worst forms (Table 6).

**Table 6. Policies Related to Child Labor**

Policy	Description
<i>Te Kekega</i> II National Strategy for Sustainable Development (2005-2015)*	Seeks to promote sustainable livelihoods by developing the private-sector and promoting the effective use of public resources. Focuses on improving access to and quality of education for Tuvaluan children.(12, 17)
Tuvalu Education Strategic Plan II (TESP II) (2011-2015)*	Aims to enhance quality of education at all levels, from early childhood through secondary, technical, and vocational education.(18) Priority areas include improving curriculum and assessment measures, increasing student achievement, enhancing the quality and efficiency of management, developing human resources, and strengthening strategic partnerships.(18)
Education and Training Sector Master Plan*	Targets children who drop out of school. Offers children alternative education and training opportunities.(19) Implemented by the Ministry of Education.(16, 19)
UNDAF for the Pacific Region (2013-2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island countries and territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(20) In Tuvalu, aims to increase children's access to health, education, and social protection systems.(21)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

# Tuvalu

## MINIMAL ADVANCEMENT

Although Tuvaluan law does not guarantee free basic education, the Government has a policy to provide free tuition for children ages 6 to 13.(3, 18, 19, 22)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Tuvalu participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor (Table 7).

**Table 7. Social Programs to Address Child Labor**

Program	Description
Decent Work Country Program (DWCP)	ILO-implemented program that aims to strengthen Tuvalu's labor laws, support the ratification of ILO C. 182, and improve labor market monitoring systems by collecting recent statistics on child labor.(23) The DWCP seeks to improve labor market information and calls for the inclusion of child labor modules in planned household surveys.(3, 23)
Education for All Program*	Australian Government-funded program to improve access to quality education in Tuvalu. Objectives include increasing capacities in education planning and administration, teacher training, and early grade literacy.(3) Since 2012, the program has helped over 18 vocational teachers throughout Tuvalu to graduate from the Australian Pacific Technical College in courses related to training and assessment and early childhood education.(3)
Community Post-Primary Vocational Programs*‡	Ministry of Education program that provides vocational training to children in the outer islands. Frequency of training sessions depends on the availability of trainers.
High School Vocational Training Program*‡	Government-funded vocational training program at Motufoua Secondary School that provides Fiji National University-accredited vocational training to students starting at year 13.(3)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Tuvalu.

Research found no evidence of programs to specifically address child labor in the agricultural sector.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tuvalu (Table 8).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO C. 182 on the Worst Forms of Child Labor	2013 – 2014
	Ensure that all children under age 18 are prohibited from engaging in hazardous work and that the law comprehensively specifies the hazardous activities and occupations prohibited for children.	2009 – 2014
	Ensure that law protects boys ages 15 through 17 from commercial sexual exploitation.	2009 – 2014
	Ensure that law prohibits the use, procurement, or offering of a child for the production of pornography.	2012, 2014
	Ensure that law prohibits the use, procurement, or offering of children ages 15 through 17 for illicit activities.	2013 – 2014
Enforcement	Dedicate sufficient resources to child labor law enforcement, particularly with regard to inspections.	2009 – 2014
	Collect data on the enforcement of laws on child labor, including its worst forms, and make this information publicly available.	2009 – 2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2010 – 2014
Social Programs	Conduct research to better understand the extent and nature of child labor, including worst forms, in Tuvalu.	2010 – 2014
	Institute programs to address child labor in the agricultural sector.	2009 – 2014

## REFERENCES

1. U.S. Embassy- Suva. *reporting, January 18, 2012.*
2. U.S. Department of State. "Tuvalu," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/>.
3. U.S. Embassy- Suva official. E-mail communication to USDOL official. January 29, 2015.
4. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
5. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
6. Government of Tuvalu. *Employment Act, 0006*, enacted 2008. [http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0006/EmploymentAct\\_1.pdf](http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0006/EmploymentAct_1.pdf).
7. Government of Tuvalu. *Penal Code (Revised 2008)*, Cap 10 20, enacted October 18, 1965. [http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0007/PenalCode\\_1.pdf](http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0007/PenalCode_1.pdf).
8. Government of Tuvalu. *The Constitution of Tuvalu*, enacted October 1, 1986. Revised 2008. [source on file].
9. Government of Tuvalu. *Counter Terrorism and Transnational Organized Crime Act, 6 of 2009*, enacted November 30, 2009. [http://tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/2009/2009-0006/CounterTerrorismandTransnationalOrganisedCrimeAct2009\\_1.pdf](http://tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/2009/2009-0006/CounterTerrorismandTransnationalOrganisedCrimeAct2009_1.pdf).
10. Government of Tuvalu. *Education (Compulsory Education) Order*, Cap. 30.05.4, enacted January 1, 1984; Revised 2008. [http://tuvalu-legislation.tv/cms/images/LEGISLATION/SUBORDINATE/1984/1984-0014/EducationCompulsoryEducationOrder\\_1.pdf](http://tuvalu-legislation.tv/cms/images/LEGISLATION/SUBORDINATE/1984/1984-0014/EducationCompulsoryEducationOrder_1.pdf).
11. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers.* London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
12. U.S. Embassy- Suva. *reporting, January 15, 2015.*
13. ILO Country Office for Pacific Island Countries. "Tuvalu- a small island State tackles labour law reform." ilo.org [online] April 1, 2014 [cited [http://www.ilo.org/suva/WCMS\\_241030/lang--en/index.htm](http://www.ilo.org/suva/WCMS_241030/lang--en/index.htm)].
14. UN Committee on the Rights of the Child. *Concluding observations on the initial report of Tuvalu, adopted by the Committee at its sixty-fourth session (16 September–4 October 2013).* Geneva; October 30, 2013. Report No. CRC/C/TUV/CO/1. [source on file].
15. U.S Embassy- Suva. E-mail communication to USDOL official. May 23, 2013.
16. U.S. Embassy- Suva. *reporting, January 31, 2013.*
17. Government of Tuvalu. *Te Kakeeka II National Strategy for Sustainable Development 2005-2015.* Suva; November 2005. <http://www.sprep.org/att/IRC/eCOPIES/Countries/Tuvalu/42.pdf>.
18. UNICEF. *Achieving Education for All in Tuvalu.* Geneva; 2011. [source on file].
19. Government of Tuvalu. *Millennium Development Goals: Progress Report 2010/2011.* Funafuti; May 2011. [http://www.undp.org/fj/pdf/MDG%20Report/MDG\(tuvalu\)%20web.pdf](http://www.undp.org/fj/pdf/MDG%20Report/MDG(tuvalu)%20web.pdf).
20. United Nations Pacific. *United Nations Development Assistance Framework (UNDAF) For the Pacific Region 2013-2017.* Suva; 2013. [http://pacific.one.un.org/images/stories/2013/UNDAF\\_Summary\\_Report.pdf](http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf).
21. United Nations Pacific. "Tuvalu: UNDAF Results Matrix 2013-2017." (2013); [http://www.pacific.one.un.org/images/stories/2013/tuvalu\\_crm.pdf](http://www.pacific.one.un.org/images/stories/2013/tuvalu_crm.pdf).
22. U.S Embassy- Suva. E-mail communication to USDOL official. May 14, 2014.
23. ILO, Government of Tuvalu. *Decent Work Country Programme: Tuvalu.* Funafuti; May 11, 2010. <http://www.ilo.org/public/english/bureau/program/dwcp/download/tuvalu.pdf>.

# Uganda

## SIGNIFICANT ADVANCEMENT

In 2014, Uganda made a significant advancement in efforts to eliminate the worst forms of child labor. The Government passed a law that prohibits child pornography and appointed 10 members to the Industrial Court. It also launched a national child helpline to report cases of child exploitation to district officials and conducted a child labor prevalence study. In addition, the National Council on Children established an inter-ministerial task force to coordinate resource allocation and programming on child labor across ministries. However, children in Uganda are engaged in child labor, including in agriculture and in the worst forms of child labor, including in commercial sexual exploitation. Gaps in the legal framework persist, such as between compulsory education and minimum working ages, and enforcement information is not made publicly available.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uganda are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation. (1-19) Table 1 provides key indicators on children's work and education in Uganda.

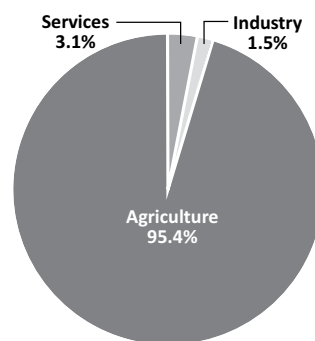
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	30.9 (3,034,126)
Attending School (%)	5-14 yrs.	88.7
Combining Work and School (%)	7-14 yrs.	34.4
Primary Completion Rate (%)		53.1

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(20)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labor Force Survey, 2010.(21)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Picking coffee and teat (3, 7-11)
	Growing cocoa* and tobacco† (1, 9, 10, 12)
	Growing rice† and acting as scarecrows on rice fields* (3, 9-11, 13)
	Production of vanilla and palm oil* (3, 12)
	Cutting, collecting, and carrying sugarcane† (10, 14-16)
	Herding cattle† (3, 9, 10)
	Fishing,† including catching, smoking,† and selling fish; loading boats† with equipment and offloading fish; using spears and diving under water to catch fish; and scaling, cleaning, and cutting fish (2, 6, 7, 9, 10)
	Producing and carrying charcoal (3, 10)
	Making bricks† (3, 4, 9, 12, 22)
	Collecting firewood for sale* (23)
Industry	Collecting scrap metal* (23)



**Table 2. Overview of Children's Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Mining*† and stone quarrying*† (3, 6, 9, 24)
	Domestic work (3, 5, 6, 9, 25, 26)
Services	Street vending† and working as porters*† (3, 12, 17)
	Cross-border trading, including carrying heavy loadst to and from Ugandan border points (27)
	Working in restaurants and bars† (9, 10, 17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (4, 17-19)
	Work in agriculture, fishing, bars, begging, cattle herding, and domestic service each as a result of human trafficking (18, 19)
	Forced labor in brick making,* mining,* and stone quarrying* (4)
	Used in the production of pornography* (10)
	Used in illicit activities, including smuggling* (3, 23)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.







Children are trafficked internally for sexual exploitation and forced labor in fishing, agriculture, and domestic service.(4) Children from the Karamoja region are trafficked to towns in Eastern Uganda for agriculture and domestic service, or to Kampala where they engage in begging.(28) In some cases, Ugandan children have been trafficked to East African countries for commercial sexual exploitation and forced labor.(4) Children from Burundi, the Democratic Republic of the Congo (DRC), Kenya, Rwanda, Tanzania, and South Sudan are also trafficked to Uganda for commercial sexual exploitation and agricultural work.(4)

Section 10(3)(a) of the Education (Pre-Primary, Primary, and Post-Primary) Act, 2008 calls for free primary education through age 12, but fees for school supplies and operating costs are often prohibitive for families.(6, 10, 29)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Uganda has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

Uganda has not ratified the Palermo Protocol on Trafficking in Persons.

Uganda has ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).(30) The Convention prohibits armed groups from recruiting children or from allowing them to participate in conflict in any manner.(31)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

# Uganda

## SIGNIFICANT ADVANCEMENT

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Section 32(2) of The Employment Act, 2006; Regulation 3 of The Employment (Employment of Children) Regulations, 2012 (32, 33)
Minimum Age for Hazardous Work	Yes	18	Section 32(4) of The Employment Act, 2006; Regulation 5 of The Employment (Employment of Children) Regulations, 2012 (32, 33)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Regulation 6 and the First Schedule of The Employment (Employment of Children) Regulations, 2012 (33)
Prohibition of Forced Labor	Yes		Article 25 of the Constitution (34)
Prohibition of Child Trafficking	Yes		Sections 3 and 5 of The Prevention of Trafficking in Persons Act, 2009 (35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 131, 136–137 and 139 of the Penal Code; Regulation 5 of The Employment (Employment of Children) Regulations, 2012; Section 14 of The Anti-Pornography Act, 2014 (33, 36, 37)
Prohibition of Using Children in Illicit Activities	Yes		Regulation 5 of The Employment (Employment of Children) Regulations, 2012 (33)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	No		
Compulsory Education Age	Yes	13	Section 10(3)(a) of The Education (Pre-Primary, Primary, and Post-Primary) Act, 2008 (29)
Free Public Education	Yes		Section 10(3)(a) of The Education (Pre-Primary, Primary, and Post-Primary) Act, 2008 (29)

\* No conscription (38)

Regulation 5 of Uganda’s Employment (Employment of Children) Regulations prohibits the use, procurement, or offering of any child for commercial sexual exploitation.(33) Despite this Regulation, Section 131 of the Penal Code only criminalizes those who procure or attempt to procure a girl for the purpose of commercial sexual exploitation. The Penal Code does not protect boys from being procured for the same purpose.(36, 39) The Penal Code penalizes intermediaries, but it is not clear whether it penalizes clients. It also does not protect children who are procured or offered for commercial sexual exploitation from being treated as offenders rather than victims.(36, 39)

During the reporting period, Uganda passed the Anti-Pornography Act, which fully prohibits child pornography.(37)

Section 10(3)(a) of the Education (Pre-Primary, Primary, and Post-Primary) Act calls for compulsory primary education to age 13, but the law leaves children ages 13 to 14 particularly vulnerable to the worst forms of child labor, as children are not required to be in school nor are they legally permitted to work in areas other than light work.(10, 29)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**TABLE 5. AGENCIES RESPONSIBLE FOR CHILD LABOR LAW ENFORCEMENT**

Organization/Agency	Role
Ministry of Gender, Labor, and Social Development (MGLSD)	Enforce labor laws.(3, 7, 40) District labor officers conduct labor inspections, including occupational safety and health inspections, throughout the country.(40-42) The Child Labor Unit develops policies and programs on child labor, serves as a resource for MGLSD’s non-specialized labor inspectors and occupational health and safety inspectors, and works with partners to implement awareness raising campaigns.(7, 42)

**TABLE 5. AGENCIES RESPONSIBLE FOR CHILD LABOR LAW ENFORCEMENT (cont)**

Organization/Agency	Role
Ministry of Internal Affairs (MIA)	Enforce criminal laws against forced labor, trafficking, commercial sexual exploitation, and the use of children for illicit activities. Lead investigations related to trafficking in persons.(7) Within MIA, Uganda Police Force's (UPF) Special Investigations Unit manages trafficking cases while the Sexual Offenses Department manages cases of commercial sexual exploitation. The Child and Family Protection Unit (CFPU) processes child abuse cases, including child labor.(42) CFPU liaison officers handle child labor complaints and overall child protection issues at police posts that do not have a CFPU officer.(7) MIA's Immigration Department assists in identifying potential trafficking victims.(43)
Ministry of Local Government	Oversee district labor officers and deploy community development officers (CDOs) at the district level. CDOs serve as labor officers when a district labor officer is not available.(23)
Ministry of Justice and Directorate for Public Prosecutions	Prosecute human trafficking cases.(44)
Industrial Court*	Handle labor disputes. Labor officers have the authority to bring cases before the court.(23) In 2014, 10 members were sworn in to the court.(23)

\* Agency responsible for child labor enforcement was created during the reporting period.

Law enforcement agencies in Uganda took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

Uganda's centralized labor inspection system was taken apart in the mid-1990s, following the decentralization of the country. The Local Governments Act, No. 1 of 1997 transferred labor issues from the central government to the districts.(41) The labor inspection function in the country has subsequently deteriorated.(41) Each of the 112 districts in the country is supposed to have a district labor officer responsible for addressing all labor issues, including child labor. There are conflicting estimates of the total number of district labor officers; however, the highest estimate is 49 officers countrywide.(23, 42) Training, funding, and logistical support for district labor officers is inadequate; some officers are responsible for additional non-labor duties.(3, 23, 42, 45)

Comprehensive information on labor inspections is not available, but the Ministry of Gender, Labor, and Social Development (MGLSD) reported having inspected more than 300 workplaces, largely in the agriculture sector. This level of inspection is inadequate according to the Government, and lack of funding prohibits a sufficient number of inspections.(23) Labor inspections are generally conducted based on complaints or in a certain geographic area, with random workplaces chosen. Notice is not usually given to employers in advance, and labor officers have the ability to close workplaces or processes that pose an imminent danger to workers.(45) During the reporting period, MGLSD worked with UNICEF to launch a national child helpline for reporting cases of child exploitation to district officials.(23, 46) Initial reports from the helpline indicate that approximately 100 to 150 calls related to child labor are received monthly. The helpline is only active in three districts, Kampala, Rakai, and Mukono.(23)

Comprehensive information is unavailable on the number of child labor law violations observed and the number of penalties issued.(23)

A source indicates that Uganda is developing a more comprehensive inspection program that involves all relevant public sector agencies.(47)

### ***Criminal Law Enforcement***

The Uganda Police Force's (UPF) Child and Family Protection Unit (CFPU) has approximately 500 officers throughout the country who handle child abuse, including child labor complaints.(42)

During the reporting period, the Anti-Human Trafficking National Taskforce trained more than 100 police officers on trafficking prevention and how to identify potential trafficking victims. In addition, more than 200 police officers were trained on victim management and investigation of cases.(28) Twenty magistrates were trained on implementing the Prevention of Trafficking in Persons Act.(28) However, this training has yet to be integrated into the general police training curriculum.(43) Training on other worst forms of child labor appears to be insufficient.(42)

# Uganda

## SIGNIFICANT ADVANCEMENT

During the reporting period, information was not available on the exact number of criminal law complaints related to child labor or on the number or the quality of the investigations, including on the presence of referral mechanisms to social services. The CFPU lacks sufficient resources to fully carry out its mandate of investigating child labor complaints, but it was able to record 143 cases of child labor.(23, 42)

The Government registered 88 male and 51 female child victims of trafficking. It investigated all 139 child trafficking cases and 4 people were convicted of human trafficking in 2014.(28) In February, the Uganda People's Defense Force assisted two children returning from the Lord's Resistance Army's captivity. The children were given medical assistance and then passed on to the army's child protection unit which works with NGOs to resettle the children.(43)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee on the Elimination of Child Labor	Coordinate child labor issues and implementation of the National Action Plan (NAP) on Elimination of the Worst Forms of Child Labor (2012/2013–2016/2017). Led by the MGLSD, with representation from several ministries, trade unions, development agencies, civil society, and media houses.(10)
Stop Child Labor Partners Forum	Coordinate, monitor, and evaluate child labor-related programs and policies in Uganda. Led by the National Council for Children (NCC), with representatives from several ministries, CFPU, and civil society groups.(10)
Coordination Office to Combat Trafficking in Persons (COCTIP)	Coordinate, monitor, and oversee implementation of the Prevention of Trafficking in Persons Act of 2009. Began implementing activities during the reporting period, including coordinating awareness raising and training initiatives.(23)
Anti-Human Trafficking National Taskforce	Coordinate anti-trafficking efforts among government ministries, draft policy, implement public information campaigns, and establish a database for trafficking cases. Led by MIA, with 30-member representation from several ministries and government directorates, UPF, Interpol, and other security organizations.(10, 28)
National Child Protection Working Group	Address child protection issues. Led by MGLSD, with participation from various ministries and civil society.(10)
NCC Inter-Ministerial Coordination Mechanism*	Ensure effective allocation of resources and programming on child labor issues across multiple agencies. Members include MGLSD; Office of the Prime Minister; Ministry of Health; Ministry of Agriculture; Ministry of Defense; Justice, Law, and Order Sector; MIA; Ministry of Education and Sports (MOES); and Ministry of Water and Sanitation. Headed by NCC and meets quarterly.(23)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, all of Uganda's coordinating mechanisms for child labor met regularly.(23, 28, 48)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Uganda has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor (2012/2013–2016/2017)	Aims to reduce the worst forms of child labor in Uganda by 2017, by increasing enrollment and completion of primary education; increasing households' access to social protection and assistance; increasing public awareness; strengthening the legal and policy framework; withdrawing, rehabilitating, and integrating working children; and enhancing tripartite collaboration among the Government, employers, and labor unions.(13)
National Awareness Strategy on Trafficking	Focuses on the prevention of human trafficking. Developed as a result of a training conducted by IOM and the National Coordinator of the Anti-Human Trafficking National Taskforce for government officials from intelligence agencies and the Justice, Law, and Order Sector.(43)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Development Plan (2010/2011–2014/2015)	Outlines Uganda's development priorities and implementation strategies. Includes an objective to promote and empower artisanal and small-scale miners, in part by training mining communities on child labor issues and enhancing monitoring of child labor in the mining industry.(49) Addresses increasing household incomes, and the availability and quality of gainful employment and access to social services.(49)
Education Sector Strategic Plan (2004–2015)*	Supports expansion of the basic education system to include complementary programs for disadvantaged children and youth.(50)
Skilling Uganda Strategic Plan (2011–2020)*	Provides a strategic plan for business, technical, and vocational education and training. Seeks to provide vocational training to youth who drop out of school.(51)
UNDAF Uganda (2010–2014)*	Aims to improve the situation of vulnerable populations through sustainable livelihoods and access to quality social services.(52)
National Strategic Program Plan of Interventions for Orphans and Other Vulnerable Children (2011/2012–2015/2016)	Aims to monitor and protect children from child labor.(53)
Strategic Plan for the Implementation of the Amnesty Act of 2000 (2013–2015)	Continues activities to disarm, demobilize, and reintegrate former LRA rebels, including child soldiers. Implemented by the Uganda Amnesty Commission along with other government agencies.(28)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The National Anti-Trafficking Taskforce has drafted a national action plan to combat trafficking, which is in the final stages of review. The plan aims to prevent trafficking, increase prosecutions, and improve coordination and services.(23, 54)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Uganda funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Skilling Uganda Program*	MOES program providing vocational training to youth who drop out of school. During the reporting period, the World Bank contributed \$75 million, OPEC contributed \$25.5 million, and Saudi Arabia contributed \$13.5 million.(10, 51) Government will improve 26 vocational schools with these funds.(10)
Uganda Social Assistance Grants for Empowerment (2011–2015)*‡	MGLSD program providing direct income support of approximately \$8 per month to poor and vulnerable households in 15 districts located in Central, Northern, and Western Uganda. Supported by donors at approximately \$49 million.(10) Government funded approximately \$2.4 million in office space, equipment, and staff; also released \$800,000 in funding for the program.(54) In 2014, the program expanded to Yumbe District and the number of beneficiaries increased to 113,000.(23)
Coordinated Response to Human Trafficking in Uganda	IOM project providing support to children trafficked from the Karamoja region for exploitive street work in urban areas of Uganda; builds capacity of services providers in Karamoja and elsewhere in Uganda. (55) Together with the Government, launched a Web site to raise awareness of human trafficking issues in Uganda and provide information on laws and government activities; Web site helps link trafficking victims to appropriate contacts.(43, 55)
Uganda Youth Development Link	Protects children from sexual exploitation, trafficking, and labor; provides rehabilitation and livelihood skills training to victims. Provides services through five drop-in centers and outreach posts in a Kampala slum; one drop-in center in Kitega, Mukono District; and one rehabilitation transit center at Masooli in Wakiso District.(56)
Child Labor Study†	MGLSD study to map areas with high prevalence of child labor. The main sectors covered include agriculture, mining, stone quarrying, and the service industry.(23, 48)
Uganda Women's Effort to Save Orphans	NGO-implemented initiative that provides shelter and counseling to trafficking victims under age 18.(43)
Combating Child Labor through Education (2010–2015)‡	MOES 3-hour after-school education program in areas where children are unable to attend school for a full day. Collaborates with MGLSD and received support from ILO and the Dutch Government.(10) Schools receive some funding from district budgets.(10)



# Uganda

## SIGNIFICANT ADVANCEMENT

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Global Action Program on Child Labor Issues Project (2011–2016)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor through data collection and research in Uganda.(57) In April 2014, a report on child labor and youth employment was presented at a national workshop in Kampala.(58)
Country-Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project (2013–2017)	USDOL-funded capacity building project implemented by the ILO in at least 10 countries to build local and national capacity of the Government to address child labor. Aims to improve legislation addressing child labor issues, including by bringing local or national laws into compliance with international standards; improve monitoring and enforcement of laws and policies related to child labor; and develop, validate, adopt, and implement a NAP on the elimination of child labor in Uganda.(59)
African Youth Empowerment and Development Initiative (2013–2017)	A \$3 million USDOL-funded, 4-year project implemented by World Education, Inc. to address exploitative labor among youth under the age of 18. The project will provide training to youth to help them develop marketable skills and serve as civic leaders in their communities.(60)
Decent Work Country Program (2013–2017)	ILO-implemented program that outlines strategies for promoting decent work in Uganda. Priorities include youth employment and improved social protection for both formal and informal workers; also includes a focus on prevention and elimination of the worst forms of child labor.(61)
Youth Venture Fund*‡	Government program aiming to reduce youth unemployment.(43)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Uganda.

In 2014, the Government continued to carry out a number of activities to raise awareness of human trafficking in Uganda. The Government’s anti-trafficking budget is small, and the country depends on agency and donor contributions for its activities.(28)

Although Uganda has programs that address child labor, the scope of these programs is insufficient to fully address the extent of the problem.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uganda (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Ensure that the Penal Code protects boys from being procured for commercial sexual exploitation, all clients are penalized, and children who are procured or offered for prostitution are protected from being treated as offenders.	2009 – 2014
	Ensure that the law requires free, compulsory education to age 15 so that it is commensurate with the minimum age for work.	2009 – 2014
Enforcement	Ensure adequate funding, training, and logistical support for law enforcement agencies.	2013 – 2014
	Collect and publish comprehensive data on labor inspections—including the type, quality, frequency, location, complaints, and referrals—and on child labor violations and penalties.	2013 – 2014
	Provide sufficient training to criminal law enforcement officials on identifying the worst forms of child labor, including integrating the Prevention of Trafficking in Persons Act into the police officer training curriculum.	2013 – 2014
	Collect and publish information on the number of criminal law complaints received related to child labor and the number and quality of criminal investigations, including referral mechanisms to social services.	2014
	Ensure that criminal law enforcement entities are adequately funded to investigate child labor reports.	2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into the Education Sector Strategic Plan, Skilling Uganda Strategic Plan, and the UNDAF Uganda.	2014
	Finalize and adopt the National Action Plan to combat human trafficking.	2013 – 2014
Social Programs	Take steps to ensure that all children are able to attend school regardless of their ability to pay school fees and other related costs.	2012 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2013 – 2014
	Increase funding and services for trafficking victims.	2013 – 2014
	Expand existing social programs to address the scope of the child labor problem, particularly in agriculture and commercial sexual exploitation.	2009 – 2014

## REFERENCES

1. COMEECA. *Community Empowerment for Elimination of Child Labor in Tobacco: Revised Project Document*. Kampala; October 2010.
2. ICF Macro. *Child Labor in the Fishing Industry in Uganda*. Calverton; October 2011. [www.macrointernational.com](http://www.macrointernational.com).
3. U.S. Department of State. "Uganda," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dclid=220173EXECUTIVE>
4. U.S. Department of State. "Uganda," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226840.htm>.
5. UCW. *Understanding Children's Work and Youth Employment Outcomes in Uganda*. Inter-Agency Report. Rome; June 2014. [http://www.ucw-project.org/attachment/Uganda\\_report\\_child\\_labor\\_youth\\_employment20141016\\_154929.pdf](http://www.ucw-project.org/attachment/Uganda_report_child_labor_youth_employment20141016_154929.pdf).
6. World Education/Bantwana. *Africa Youth Empowerment Development Initiative Baseline Report*; 2014 December. [Hard Copy on File].
7. U.S. Embassy- Kampala. *reporting, March 22, 2013*.
8. Terre des Hommes. *The future of child labour: Study of the worst forms of child labour in Bangladesh, Bolivia, India, Kenya, Peru, Tanzania and Uganda*. The Hague; 2010. <http://www.terredeshommesnl.org/download/64>.
9. Uganda Bureau of Statistics. *National Labour Force and Child Activities Survey 2011/12*. Kampala; July 2013. [http://www.ubos.org/onlinefiles/uploads/ubos/pdf%20documents/NCLS%20Report%202011\\_12.pdf](http://www.ubos.org/onlinefiles/uploads/ubos/pdf%20documents/NCLS%20Report%202011_12.pdf).
10. U.S. Embassy- Kampala. *reporting, January 16, 2014*.
11. Ministry of Gender, Labor, and Social Development. *Guidelines for Labor Inspectors on the Identification of Hazardous Child Labor*. Kampala; May 2010.
12. Masinde, A. "Ugandan children providing for families." *New Vision*, Kampala, April 1, 2013. <http://allafrica.com/stories/201304011171.html>.
13. Ministry of Gender, Labor, and Social Development. *National Action Plan for the Elimination of Worst Forms of Child Labor in Uganda 2012/2013-2016/17*. Kampala; May 2012. [http://www.unicef.org/uganda/NAP\\_Uganda\\_June\\_2012.pdf](http://www.unicef.org/uganda/NAP_Uganda_June_2012.pdf).
14. Terre des Hommes. *For a world which values children- Annual Report 2011*. Geneva; 2012. <http://www.terredeshommes.org/wp-content/uploads/2013/06/11report.pdf>.
15. ANPPCAN-Uganda. "Alarming Child Labour Rates in Jinja District." *anppcanug.org* [online] 2011 [cited December 20, 2013]; [http://www.anppcanug.org/wp-content/uploads/press\\_releases/PR\\_Alarm\\_child.pdf](http://www.anppcanug.org/wp-content/uploads/press_releases/PR_Alarm_child.pdf).
16. ANPPCAN-Uganda. *Mapping Exercise of Households and Children Exposed to Child Labour*; 2012. [source on file].
17. Human Rights Watch. *Where do you want us to go? Abuses against Street Children in Uganda*. New York; 2014 July 17. <http://www.hrw.org/reports/2014/07/17/where-do-you-want-us-go>.
18. U.S. Embassy- Kampala. *reporting, February 3, 2012*.
19. UYDEL. *Commercial Sexual Exploitation of Children in Uganda: A Critical Efforts to Address CSEC 2005-2011*. Kampala; 2011.
20. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
21. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Labor Force Survey, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
22. Kafeero, S. "The brick boys of Entebbe." *The Independent*, Kampala, July 1, 2012. <http://www.independent.co.ug/features/features/6015-the-brick-boys-of-entebbe>.
23. U.S. Embassy- Kampala. *reporting, January 15, 2015*.
24. Nabulya, R. *Uganda Ranks High In Child Labor*, *Chimpreports*, [online] December 6, 2013 [cited June 25, 2014]; <http://chimpreports.com/10691-uganda-ranks-high-in-child-labor/>.
25. Ministry of Gender, Labor, and Social Development. *National Action Plan for the Elimination of Worst Forms of Child Labor in Uganda 2011-2015*. Kampala; November 2010.
26. Arojjo, S. *The Platform for Labour Action: Hope for Child Domestic Workers in Uganda*. Kampala; September 2, 2010. [http://www.consultancyafrica.com/index.php?option=com\\_content&view=article&id=534:the-platform-for-labour-action-hope-for-child-domestic-workers-in-uganda&catid=90:optimistic-africa&Itemid=295](http://www.consultancyafrica.com/index.php?option=com_content&view=article&id=534:the-platform-for-labour-action-hope-for-child-domestic-workers-in-uganda&catid=90:optimistic-africa&Itemid=295).
27. Tusiime, C. "Kabale Children Catch Cross Border Trade Fever," *Uganda Radio Network*; January 19, 2011; radio broadcast; July 16, 2013; <http://ugandaradionetwork.com/a/story.php?s=34448>.
28. U.S. Embassy- Kampala. *reporting, February 17, 2015*.
29. Government of Uganda. *The Education (Pre-Primary, Primary and Post-Primary) Act, 2008. Act 13*, enacted August 29, 2008. [http://www.google.com/url?sa=t&crct=j&q=&esrc=s&frm=1&source=web&ccd=1&ved=0CB0QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2FUGanda%2FUGanda\\_EducationAct.pdf&ei=BkrmUayBcWQqgbMhIKIAG&usq=AFQjCNFheCzDihwYxFeQoPBIRc7TdPj88A&sig2=9nA2RP70IWcwyAlVi1Pwfw](http://www.google.com/url?sa=t&crct=j&q=&esrc=s&frm=1&source=web&ccd=1&ved=0CB0QFjAA&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2FUGanda%2FUGanda_EducationAct.pdf&ei=BkrmUayBcWQqgbMhIKIAG&usq=AFQjCNFheCzDihwYxFeQoPBIRc7TdPj88A&sig2=9nA2RP70IWcwyAlVi1Pwfw).
30. "African convention on internally displaced persons comes into force." *The Guardian*, London, December 7, 2012. <http://www.guardian.co.uk/global-development/2012/dec/07/african-convention-internally-displaced-persons>.
31. African Union. *Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)*, enacted 2012. <http://au.int/en/content/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>.

# Uganda

## SIGNIFICANT ADVANCEMENT

32. Government of Uganda. *The Employment Act*, enacted June 8, 2006. <http://www.ilo.org/dyn/natlex/docs/SERIAL/74416/76582/F1768664138/UGA74416.pdf>.
33. Government of Uganda. *The Employment (Employment of Children) Regulations*, enacted April 20, 2012.
34. Government of Uganda. *The Constitution of Uganda*, enacted 1995. [http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CB0QFjAA&url=http%3A%2F%2Fwww.parliament.go.ug%2Fnew%2Fimages%2Fstories%2Fconstitution%2Fconstitution\\_of\\_Uganda\\_1995.pdf&ei=0irU-O9FMyOqAaQx4DoAg&usq=AFQjCNGmzErpWyzgjm8WIPiHkZQz8hFDQ&sig2=Mla04mPll1gimhJz1fBbGw&bv=bv.69620078.d.b2k](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CB0QFjAA&url=http%3A%2F%2Fwww.parliament.go.ug%2Fnew%2Fimages%2Fstories%2Fconstitution%2Fconstitution_of_Uganda_1995.pdf&ei=0irU-O9FMyOqAaQx4DoAg&usq=AFQjCNGmzErpWyzgjm8WIPiHkZQz8hFDQ&sig2=Mla04mPll1gimhJz1fBbGw&bv=bv.69620078.d.b2k).
35. Government of Uganda. *The Prevention of Trafficking in Persons Act, 2009*, enacted October 23, 2009.
36. Government of Uganda. *Penal Code of Uganda*, enacted 1950. <http://www.ulii.org/ug/legislation/consolidated-act/120>.
37. Government of Uganda. *The Anti-Pornography Act*, enacted February 6, 2014.
38. Government of Uganda. *The Uganda Peoples' Defence Forces Act, 2005*, enacted September 2, 2005. <http://www.icrc.org/applic/ihl/ihl-nat.nsf/0/34C18819BB7C4DFFC12573750032B4CE>.
39. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uganda (ratification: 2001) Published: 2014*; accessed November 7, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
40. U.S. Embassy- Kampala. *reporting, March 2, 2012*.
41. ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Uganda (ratification: 1963) Submitted: 2012*; accessed June 25, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
42. U.S. Embassy- Kampala. *reporting, May 3, 2014*.
43. U.S. Embassy- Kampala. *reporting, February 20, 2014*.
44. U.S. Embassy- Kampala. *reporting, February 25, 2010*.
45. LABADMIN. *Labour Inspection Country Profile: Uganda*. Geneva; March 4, 2013. [http://www.ilo.org/labadmin/info/WCMS\\_209370/lang-en/index.htm](http://www.ilo.org/labadmin/info/WCMS_209370/lang-en/index.htm).
46. World Education/Bantwana. *African Youth Empowerment Development Initiative Technical Progress Report*; 2014 October. [Hard Copy on File].
47. ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Uganda (ratification: 1963) Published: 2014*; accessed April 24, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
48. U.S. Embassy- Kampala official. E-mail communication to USDOL official. April 14, 2015.
49. IMF. *Uganda: Poverty Reduction Strategy Paper*. Washington, DC; May 2010. <http://www.imf.org/external/pubs/ft/scr/2010/cr10141.pdf>.
50. Ministry of Education and Sports. *Education Sector Strategic Plan, 2004-2015*. Kampala; June 2004. [http://planipolis.iiep.unesco.org/upload/Uganda/Uganda\\_ESSP\\_2004\\_2015.pdf](http://planipolis.iiep.unesco.org/upload/Uganda/Uganda_ESSP_2004_2015.pdf).
51. Ministry of Education and Sports. *Skilling Uganda: BTVET Strategic Plan 2011-2020*. Kampala; July 2011. [wbfiles.worldbank.org/.../SABER\\_WFD\\_Uganda\\_CR\\_Final\\_2012.pdf](http://wbfiles.worldbank.org/.../SABER_WFD_Uganda_CR_Final_2012.pdf).
52. UN. *Development Assistance Framework for Uganda, 2010-2014*. Kampala; 2010. <http://countryoffice.unfpa.org/uganda/drive/UNDAF.pdf>.
53. Ministry of Gender, Labor, and Social Development. *National Strategic Programme Plan of Interventions for Orphans and Other Vulnerable Children 2011/2012-2015/16*. Kampala; May 2011. [http://www.mglsd.go.ug/ovcmis/docs/document\\_1.pdf](http://www.mglsd.go.ug/ovcmis/docs/document_1.pdf).
54. U.S. Embassy- Kampala official. E-mail communication to USDOL official. May 9, 2014.
55. IOM Uganda. *Coordinated Response to Human Trafficking in Uganda*, IOM, [online] [cited March 23, 2014]; <http://www.crtuganda.com/government-in-action/office-to-combat-tipl>.
56. UYDEL. *Uganda Youth Development Link*, UYDEL, [online] [cited March 23, 2014]; <http://www.uydel.org/>.
57. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2014.
58. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2015.
59. ILO-IPEC. *Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor*. Technical Progress Report. Geneva; April 2014.
60. USDOL. *African Youth Empowerment and Development Initiative (AYEDI)*. Technical Cooperation Project Summary. Washington, DC; February 2014.
61. ILO. *Decent Country Work Programme 2013-2017*. Geneva; 2012. <http://www.ilo.org/public/english/bureau/program/dwcp/countries/>.

In 2014, Ukraine made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, Ukraine experienced the election of a new government, armed conflict with Russian-backed separatists in the south and east of the country, and the illegal attempted annexation of Crimea by Russia, which may impact the Government's ability to address the worst forms of child labor. The Government partnered with the IOM, the OSCE, and the anti-trafficking NGO La Strada to carry out several awareness-raising campaigns to combat human trafficking. These campaigns were targeted at youth displaced by the conflict in eastern Ukraine and the occupation of Crimea, who are at increased risk of becoming human trafficking victims. The Government also published a report on the efforts made in 2013 to implement the National Program for Combating Human Trafficking Until 2015. However, children in Ukraine are engaged in child labor, including in street work and in the worst forms of child labor, including in pornography. There are no laws or regulations that prohibit possessing child pornography or benefitting from its proceeds, and the age of consent for sexual relationships is not clearly defined. The National Action Plan for Child Protection and the National Program for Combating Human Trafficking remained underfunded in 2014. Furthermore, shelter and rehabilitation centers for children, including street children and victims of human trafficking, are insufficient to fully address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ukraine are engaged in child labor, including in street work. Children are also engaged in the worst forms of child labor in commercial sexual exploitation, including pornography.<sup>(1)</sup> Table 1 provides key indicators on children's work and education in Ukraine.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	4.4 (182,714)
Attending School (%)	5-14 yrs.	96.5
Combining Work and School (%)	7-14 yrs.	5.0
Primary Completion Rate (%)		102.8

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.<sup>(2)</sup>

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2012.<sup>(3)</sup>

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Harvesting of onions,* other activities unknown (1, 4)
Industry	Construction,* activities unknown (1, 4, 5)
	Mining,† including loading, transporting, and sorting of coal (6, 7)
Services	Street work,* including distributing advertising leaflets,* washing cars,* sales activities in kiosks,* and begging* (1, 4)
	Used in the production of pornography (1, 8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (4, 5, 9, 10)
	Used by militants in armed conflict (11, 12)
	Forced begging sometimes as a result of human trafficking* (4, 5, 8-10)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C.182.

# Ukraine

## MODERATE ADVANCEMENT

In 2014, Ukraine experienced the election of a new government, armed conflict with Russian-backed separatists in the south and east of the country, and the occupation and attempted illegal annexation of Crimea by Russia, which may impact the Government's ability to address the worst forms of child labor.

Children from Ukraine are trafficked transnationally as well as domestically.(9, 10) Homeless, orphaned, and poor children are at high risk of being trafficked and are targeted by recruiters for child pornography.(9, 10) Commercial sexual exploitation of children, including for pornography, remains a serious problem in Ukraine.(4, 13)

During the reporting period, the conflict in eastern Ukraine created over 460,000 Internally Displaced Persons (IDPs), over a third of whom are children.(14, 15) The inability of many IDP families to access adequate shelter and available social benefits puts children at increased risk of exploitation in the worst forms of child labor, including human trafficking.(16) The Ministry of Social Policy (MSP) has noted an increased vulnerability to both domestic and international human trafficking among the IDP community, and there have been reports of kidnapping of girls from conflict-affected areas for commercial sexual exploitation and labor exploitation.(5, 16) In addition, authorities have in some cases refused to grant Roma IDPs the same level of assistance as other IDPs, putting Roma children at an even greater risk of exploitation.(17)




There are media reports, to date unconfirmed by UN Personnel, of over a dozen cases of the use of children in conflict by combined Russian-separatist forces in the contested regions of Ukraine.(11, 12) An independent fact-finding mission by civil society organizations and staff of the Ukrainian Parliament's Human Rights Commissioner's Office reported evidence of children being used by separatists as guards at checkpoints and detention facilities. In addition, separatist leader Aleksandr Zakharchenko has allegedly stated that children as young as 14 are fighting in his rebel unit.(18) In addition, although the Government of Ukraine has proactively enforced prohibitions against the use of children under 18 in the conflict, credible media sources have reported 1-2 isolated incidents of children as young as 16 fighting with Ukrainian forces not under direct control of the Government.(12)

Although Ukraine's Constitution and Law on General Secondary Education guarantee free universal education, a reduction of educational facilities associated with the decreasing population of school-age children is limiting education access for children living in rural areas, Roma children, and children with disabilities.(13) Roma children are also sometimes denied access to education due to discrimination.(4)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ukraine has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 188 of the Labor Code; Article 150 of the Criminal Code; Article 21 of the Law of Ukraine on the Protection of Childhood (1, 19-21)



**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Hazardous Work	Yes	18	Article 190 of the Labor Code; Article 21 of the Law of Ukraine on the Protection of Childhood (20, 21)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Order No. 46 on the approval of the list of heavy work and work with dangerous and harmful working conditions, in which the employment of minors is prohibited; Article 150-1 of the Criminal Code (5, 7, 19)
Prohibition of Forced Labor	Yes		Article 43 of the Constitution of Ukraine; Article 1 of the Law of Ukraine on Employment; Articles 172 and 173 of the Criminal Code (19, 22, 23)
Prohibition of Child Trafficking	Yes		Article 149 of the Criminal Code (19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 301–303 of the Criminal Code; Articles 10 and 21 of the Law of Ukraine on the Protection of Childhood; the Law of Ukraine on Amendments to Certain Legislative Acts of Ukraine on Combating the Distribution of Child Pornography; Articles 1 and 6–7 of the Law of Ukraine on the Protection of Public Morality (19, 21, 24, 25)
Prohibition of Using Children in Illicit Activities	Yes		Article 304 of the Criminal Code; Articles 10 and 21 of the Law of Ukraine on the Protection of Childhood (19, 21)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 15 of the Law of Ukraine on Military Duty and Military Service; Decree No. 447 On Measures to Improve the Defense Capabilities of the State (26, 27)
Minimum Age for Voluntary Military Service	Yes	18	Article 15 of The Law of Ukraine on Military Duty and Military Service (27)
Compulsory Education Age	Yes	17	Articles 12 and 20 of the Law on General Secondary Education (28)
Free Public Education	Yes		Article 53 of the Constitution of Ukraine; Article 2 of the Law on General Secondary Education (22, 28)

In Ukraine, the minimum age for work is 16. However the Labor Code allows children to be employed at age 15 with parental consent.<sup>(20)</sup> Additionally, in secondary or vocational schools, students may perform light work at age 14 with parental consent, provided that the work does not interfere with their education and is not harmful to their health.<sup>(20)</sup> Research found that minors in vocational training programs for hazardous occupations are permitted to perform hazardous work for less than 4 hours a day beginning at age 14, as long as occupational health and safety standards are met.<sup>(1, 29)</sup> Moreover, the CEACR noted that the minimum age for such work is 2 years below the international minimum age of 16 for entering hazardous vocational training.<sup>(29)</sup>

Existing criminal laws in Ukraine continue to have gaps in fully protecting children from the worst forms of child labor. While the Criminal Code prohibits commercial exploitation of children, it does not specifically define an age of consent for sexual relations, which has contributed to the prosecution of children ages 16 to 17 as offenders rather than as victims of sexual exploitation.<sup>(1)</sup> In addition, there is no law that prohibits the possession of child pornography or benefitting from its proceeds.<sup>(1)</sup>

In October 2014, the Parliament adopted the Law of Ukraine on Ensuring the Rights and Freedoms of Internally Displaced Persons, which developed a registration process for IDPs and instituted monthly benefit payments to displaced families.<sup>(30)</sup> However, many IDPs may be unaware of the resources made available by the new law, or may lack the identification papers required to access these resources.<sup>(17)</sup>

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

# Ukraine

## MODERATE ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Labor Inspectorate (SLI) within the Ministry of Social Policy (MSP)	Enforce labor laws, including laws on child labor, by conducting inspections.(1) Inspections related to child labor laws are coordinated by the Child Labor Division of the SLI, but are carried out by regular SLI inspectors.(1, 4, 31)
Department on Adoption and Children's Rights Protection within the MSP	Identify children involved in the worst forms of child labor, most of whom are in the informal sector.(1, 4)
Criminal Police for Children's Affairs (CPCA) within the Ministry of Internal Affairs (MOI)	Identify and investigate the involvement of children in the worst forms of child labor.(1, 4) Refer children determined to be in need of assistance during criminal investigations to social services offered by the MSP.(32)
Criminal Juvenile Police within the MOI	Address crimes committed by minors and against minors.(1)
Department for Combating Crimes Related to Human Trafficking (CTD) within the MOI	Enforce laws against child trafficking and cybercrimes.(1)
State Migration Service	Assist refugees and migrants in need in the country, including victims of human trafficking.(1, 32)
State Border Guards Services	Protect the country's borders and identify cases of human trafficking.(32)
Office of the Ombudsman for Children's Rights	Monitor the rights of children, including regarding the issue of child labor, and ensure that Ukraine abides by international obligations regarding children's rights. Coordinate the development of laws on child protection.(33) Inform the public of children's rights.(33)
National Referral Mechanism	Identify victims of human trafficking, including children, and refer victims to appropriate government agencies for assistance and the provision of services. Led by the MSP.(5)

Law enforcement agencies in Ukraine took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2014, the number of labor inspectors employed by the State Labor Inspectorate (SLI) dropped from 572 to 437.(18) According to the SLI, the number of inspectors is inadequate compared to the number of registered employers in Ukraine.(1)

Funding for inspections is limited; inspectors lack sufficient office space, means of transportation, and travel budgets.(1, 34) Furthermore, a 70 percent cut to the SLI's budget enacted during 2014 resulted in forced furlough days and increased resignations among inspectors, many of whom worked less than one week a month.(18) Article 31 of the August 2014 Law of Ukraine On Amendments to the Law of Ukraine on the State Budget of Ukraine for 2014 stipulates that labor inspections can only occur at a company's own request or with the consent of the Cabinet of Ministers, unless there is a criminal investigation against the company. Because the Cabinet of Ministers publishes its decisions, including on whether to allow labor inspections, it is effectively impossible to conduct an unannounced inspection.(18) Due to these substantial bureaucratic barriers, inspections almost ceased in the second half of the year. Given the cutbacks in authorized inspections and resources due to the overall deteriorating budget situation in Ukraine, the SLI has described its ability to inspect for child labor violations as inadequate.(18)

The results of inspections conducted by the SLI are made publicly available on the SLI's website, which is updated quarterly.(1) During the first 10 months of 2014, the SLI conducted 5,038 child labor inspections. The SLI identified 202 employers using child labor.(18) The most common child labor law violations were for overly long working hours, failure to maintain work records, and lack of training. The SLI issued 197 citations, filed 101 administrative cases against employers in courts, and referred 19 cases to law enforcement bodies.(18) The SLI referred children found working in an unsafe work environment to social services, according to the MSP's policy.(1) According to SLI, fines assessed against employers for administrative violations and certain criminal violations are too low to serve as effective deterrents. Fines range from \$35-\$115.(1, 18)

### *Criminal Law Enforcement*

Under the administrative reform undertaken by the Government over the last few years, the Criminal Police for Children's Affairs (CPCA) was reorganized into a unit under the Criminal Police Department of the Ministry of Interior, and the Department for

Combating Crimes Related to Human Trafficking (CTD) was reorganized as the Counter Trafficking Division under the Criminal Investigation Department and Cyber-Crime Division.(35) The reform resulted in the departure of specially trained detectives and a reduction in the time spent on trafficking investigations.(32) However, during 2013, the CTD was elevated back to the level of Department, allowing the CTD to increase the number of officers it employs from 270 to over 500. In 2014, the restoration of the Department continued to yield positive developments in the form of active cooperation on human trafficking cases with U.S. law enforcement, including initiating a joint investigation in cooperation with the Federal Bureau of Investigation.(5)

During 2014, the CPCA employed approximately 3,000 officers throughout the country, while the CTD had more than 500 officers.(1, 18, 32) During the year, the IOM provided training on trafficking in persons to more than 277 judges, prosecutors, and law enforcement officers.(5) Since the passage of the Criminal Procedure Code of 2012, Ukraine has instituted a system of juvenile judges and police investigators to ensure the protection of children's rights and appropriate prosecution of minor offenders.(1, 35) Despite this, concerns have been raised that the training of judges is more focused on punishing offenders, even if they are under age 18, than on treating children as witnesses or victims.(1)

Children who are discovered to be in dangerous situations during the course of criminal investigations are referred to the MSP system of Shelters and Centers for Socio-Psychological Rehabilitation of Children.(1) In 2014, the Ministry of Interior recorded two victims of child trafficking, seven victims of child prostitution, and six cases related to child pornography.(5, 18) Two child victims of trafficking for labor exploitation in construction received official victim status.(5) Although the National Referral Mechanism (NRM) for victims of trafficking continued to be expanded in 2014, the MSP lacked sufficient authority and financial resources to establish and run the NRM efficiently.(5)

Data on child trafficking and other crimes related to labor exploitation of children are not disaggregated from law enforcement statistics.(9) Research did not find information on the number of investigations, prosecutions, convictions, or implemented penalties related to violations of criminal laws on the worst forms of child labor.

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Ministry of Social Policy (MSP)	Lead the Government's efforts to combat child labor and human trafficking, including by drafting legislation and government regulations on these issues.(1, 9)
Interagency Council on Family, Gender Equality, Demographic Development, Prevention of Violence in the Family, and Counter Trafficking Issues	Coordinate efforts to address the worst forms of child labor, including trafficking of children. Chaired by the MSP; members include representatives from the Ministries of Justice, Education, Security, Health, Foreign Affairs, and from international and nongovernmental organizations.(1, 36)
Interagency Working Group to Protect the Rights of Civilians, Including Women and Children, during the Anti-Terrorist Operation in the Eastern Regions of Ukraine*	Protect IDPs and other civilians from negative consequences of the ongoing military operations in Ukraine, including the increased rates of domestic and transnational human trafficking. Established by the MSP; members include representatives from the Secretariat of the Verkhovna Rada Commissioner for Human Rights, the Authorized Representative of the President of Ukraine for Children's Rights, and other government agencies and NGOs.(16) The Interagency Group held its first meeting in June 2014.(16)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Although the Interagency Council's requirements call for a meeting every 3 months, research found no evidence that the Council met in 2014. Ukrainian authorities report that a meeting was scheduled for July 2014, but was canceled due to events related to the crisis in Ukraine.(16)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Ukraine has established policies related to child labor, including its worst forms (Table 7).

# Ukraine

## MODERATE ADVANCEMENT

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Implement the UN Convention on the Rights of the Child through 2016 (NAP)	Aims to protect children, including from economic exploitation, through awareness raising, rehabilitation of victims found in the worst forms of child labor, access to education, and creation of a child labor monitoring system.(1, 32, 37) In November 2014, Parliament passed a National Action Plan for the implementation of the NAP in 2014. The 2014 National Action Plan specified that the worst forms of child labor must be captured in statistical reporting, beginning in February 2015.(38, 39)
National Program for Combating Human Trafficking (Until 2015)	Guides the work of the National Coordinator on Combating Human Trafficking and contains specific actions and timetables in regard to preventing, protecting, and prosecuting trafficking crimes.(40) Goals for 2014 include establishing a procedure to monitor local and central authorities' treatment of issues related to trafficking in persons; strengthening cooperation between local and central authorities; conducting a public information campaign on risk factors for human trafficking and the dangers of illegal migration; and fulfilling obligations to assist victims, including the provision of financial assistance.(41)
USAID Country Development Cooperation Strategy (CDCS) (2012–2016)	Aims to support democratic processes, advance economic growth and prosperity, and achieve greater integration into European structures. Includes a special objective on countering trafficking in persons that involves piloting a NRM for victims of human trafficking and improving methods for rehabilitation and reintegration of victims, including children.(42)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In March 2014, the MSP published a full-year report on actions taken under the National Program for Combating Human Trafficking Until 2015 in 2013 and included the Program's goals for 2014.(41) Research did not find evidence of any actions taken in 2014 to meet those goals. In addition, research found no evidence of actions under the NAP during the reporting period. A lack of sufficient funding hampers the ability of the Ministries to implement actions called for under the NAP, including implementing the mandated child labor monitoring system, and the National Program for Combatting Human Trafficking.(1, 5)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Ukraine funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor and forced labor through data collection and research in Ukraine.(43)
Shelters and Centers for Socio-Psychological Rehabilitation of Children‡	MSP-operated program to provide protection in 14 short-term shelters and 76 long-term rehabilitation centers for children in need, including street children. Short-term shelters provide accommodation for up to 90 days, and rehabilitation centers offer accommodation for up to 12 months, and regular social, medical, psychological, and other types of services for non-residents.(1, 5, 9, 16)
Centers for Social Services for Family, Youth, and Children‡	Government-run program to provide services for victims of human trafficking, among other populations in need. As of 2014, 687 shelters were available to assess victims' needs and draft rehabilitation plans.(1, 5)
Anti-Trafficking Awareness-Raising Programs‡‡	Joint effort by MSP and the IOM entitled "Safely to Success" that targeted youth through social media, TV, and on-the-ground events in areas of Ukraine with high levels of migration and high levels of IDPs from the conflict in Eastern Ukraine.(5, 9, 44) The MSP also partnered with the Ministry of Internal Affairs, the OSCE Project Coordinator in Ukraine, and the anti-trafficking NGO La Strada to design and print stickers for distribution in the IDP community with rules of safe behavior to avoid becoming a victim of human trafficking.(16) An additional program was initiated by regional governments at the urging of the MSP to distribute leaflets, posters, and other media with information about the risks of human trafficking to IDPs.(5, 16)
Multiplication of the Anti-Trafficking National Referral Mechanism in Ukraine‡	Joint program by MSP and OSCE to train officials in several regions of Ukraine to identify and provide services to trafficking victims. Involves collaborative work between local agencies and nongovernmental partners.(9)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Countering Trafficking in Persons (TIP) Project (2004–2018)	USAID-funded project implemented by the IOM to reduce trafficking in persons by building the capacity of Ukrainian institutions to address the problem by strengthening the NRM and increasing government funding for counter-trafficking efforts.(45)
Free School Lunches*‡	Government-sponsored program that provides free school lunches to certain categories of children including those from families with many children, families of Chernobyl victims, low-income families, and families in some rural areas.(46)
The Decent Work Country Program (2012–2015)	Government and ILO 3-year joint program that includes a social protection component to improve the social status of migrant workers, develop and implement a national occupational safety and health program, and strengthen the labor inspection system.(47)
Strengthening and Protecting Children's Rights in Ukraine (2013–2015)	\$670,000 project funded by the Government of Norway and implemented by the Council of Europe in partnership with the Government of Ukraine. Aims to strengthen the protection of human rights in Ukraine through the prevention of violence against children.(48, 49) In 2014, conducted training for government officials on interview and data collection techniques to use with children who are victims of violence, such as human trafficking and commercial sexual exploitation.(48, 49)
UNICEF Country Program (2012–2016)	Aims to decrease social exclusion and disparities affecting children and ensure that socially excluded children benefit from quality health care and social services.(50)

\*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Ukraine.

There are a variety of service providers for victims of human trafficking in Ukraine. However, the MSP's delay in conveying the status of "victim of trafficking" to all children who have been trafficked prevents children without this status from accessing free government services. Research found that this delay may often result from the insufficient provision of documentation to the MSP. (5, 9)

Although the MSP provides services for children in shelters and social-psychological rehabilitation centers, the current availability of shelters and trained personnel is insufficient to fully address the extent of the problem.(35) The Centers for Social Services for Family, Youth, and Children have experienced a large turnover of staff due to an excessive workload and low pay.(40) In addition, budget cuts enacted in 2014 due to the overall budget crisis in Ukraine resulted in the layoff of 12,000 social workers.(51) This may restrict the Centers in their ability to efficiently address the main needs of trafficking victims. Likewise, high turnover in the regions, where local agencies are responsible for identifying trafficking victims under the NRM, has hampered the provision of services to victims.(9)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ukraine (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit all children under age 16 from working in hazardous occupations in vocational training.	2011 – 2014
	Ensure that laws treat children ages 16 to 17 as victims of sexual exploitation rather than as offenders.	2012 – 2014
	Ensure that laws prohibit possessing child pornography and benefitting from its proceeds.	2012 – 2014
Enforcement	Increase the budget of the SLI, in order to increase the number of inspectors, provide labor inspectors with appropriate resources to carry out inspections, and increase the number of inspections.	2011 – 2014
	Address the provisions of the Law on Amendments to the Law of Ukraine on the State Budget of Ukraine for 2014 that created obstacles to conducting labor inspections. Ensure that inspectors have sufficient ability to conduct both complaint-based and targeted inspections as needed, including unannounced inspections.	2014



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the fines for administrative and criminal violations of child labor laws are sufficient to effectively deter employers from violating child labor laws.	2013-2014
	Ensure that judges treat children who are victims of commercial sexual exploitation and other worst forms of child labor as victims and not offenders.	2013-2014
	Ensure that the MSP has the necessary funding and authority to effectively establish and operate the National Referral Mechanism.	2014
	Make data on the number of investigations, convictions, and implemented penalties related to violations of all criminal laws on the worst forms of child labor publicly available.	2014
Coordination	Ensure that the Interagency Council on Family, Gender Equality, Demographic Development, Prevention of Violence in the Family, and Counter Trafficking Issues carries out its mandate to coordinate the Government's efforts on all child labor issues, through regular meetings and other activities as appropriate.	2009 – 2014
Government Policies	Provide sufficient funds to implement the National Program for Combatting Trafficking and the NAP, including implementing the mandated child labor monitoring system.	2010 – 2014
Social Programs	Ensure that all IDPs are aware of the resources available to them and that internally displaced children are able to access adequate shelter and receive available social benefits, regardless of their ethnicity.	2014
	Assess children's access to rural schools and develop programs to facilitate access to education for Roma children, disabled children, and children in rural areas.	2010 – 2014
	Assess the impact that existing programs may have on child labor.	2011 – 2014
	Ensure that all children who are victims of human trafficking are able to access government services available for victims. Ensure all reasonable efforts are made to obtain needed documentation when considering whether to grant trafficking victim status to children.	2013 – 2014
	Increase the number of shelters and socio-psychological rehabilitation centers for children and the number of trained personnel staffing these shelters, in order to fully meet demand for their services. Provide sufficient funding to return the number of social workers to the level prior to budget cuts.	2013 – 2014
	Take steps to reduce turnover in both the Centers for Social Services for Family, Youth, and Children and in local agencies that are part of the National Referral Mechanism to ensure that victims of human trafficking are provided the services they require.	2012 – 2014

### REFERENCES

- U.S. Embassy- Kyiv. *reporting*, January 17, 2014.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2012. Analysis received January 16, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Ukraine," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Kyiv. *reporting*, February 24, 2015.
- ILO. Ukraine: Child Labour in Mining [Video Clip]; 2005, July 22, 2014; [http://www.ilo.org/global/about-the-ilo/multimedia/video/video-news-releases/WCMS\\_067902/lang-en/index.htm](http://www.ilo.org/global/about-the-ilo/multimedia/video/video-news-releases/WCMS_067902/lang-en/index.htm).
- Government of Ukraine. *Approval of the list of heavy work and work with dangerous and harmful working conditions, in which the employment of minors is prohibited*, 46, enacted March 31, 1994. <http://zakon2.rada.gov.ua/laws/show/z0176-94>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Ukraine (ratification: 2000) Published: 2012*; accessed June 23, 2014; <http://www.ilo.org/dyn/normlex/en/>
- U.S. Embassy- Kyiv. *reporting*, March 12, 2014.
- U.S. Department of State. "Ukraine," in *Trafficking in Persons Report- 2014*. Washington, DC; June 20, 2014; [http://www.state.gov/j/tip/rls/tiprpt/2013/?utm\\_source=Subscribers&utm\\_campaign=35f27bd04c-Trafficking\\_Bulletin\\_Issue\\_9\\_July\\_20137\\_22\\_2013&utm\\_medium=email&utm\\_term=0\\_1002a3b355-35f27bd04c-92744149](http://www.state.gov/j/tip/rls/tiprpt/2013/?utm_source=Subscribers&utm_campaign=35f27bd04c-Trafficking_Bulletin_Issue_9_July_20137_22_2013&utm_medium=email&utm_term=0_1002a3b355-35f27bd04c-92744149).
- U.S. Department of State. E-mail communication to USDOL official. March 27, 2015.
- Vitaly Shevchenko. "Ukraine conflict: Child soldiers join the fight." *bbc.com* [online] 2014 [cited <http://www.bbc.com/news/world-europe-30134421>].
- UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Ukraine*. Geneva; April 21, 2011. Report No. CRC/C/UKR/CO/3-4. <http://www.unhcr.org/refworld/docid/4dcb87f2.html>
- The Internal Displacement Monitoring Centre. *Ukraine IDP Figures Analysis*. Geneva; October 2014. <http://www.internal-displacement.org/europe-the-caucasus-and-central-asia/ukraine/figures-analysis>.

15. The UN High Commissioner for Refugees. *Internal Displacement Map*. [accessed November 17, 2014] <http://unhcr.org.ua/en/2011-08-26-06-58-56/news-archive/1244-internal-displacement-map>.
16. Group of Experts on Action Against Trafficking in Persons. *GRETA Report concerning the implementation of the Council of Europe convention on Action against Trafficking in Human Beings by Ukraine*. Strasbourg, Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings; September 19, 2014. [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2014\\_20\\_FGR\\_UKR\\_w\\_cmnts\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2014_20_FGR_UKR_w_cmnts_en.pdf).
17. The Internal Displacement Monitoring Centre. *Time to act: Internal displacement on the rise in Ukraine*. Geneva; October 22, 2014. <http://www.internal-displacement.org/europe-the-caucasus-and-central-asia/ukraine/2014/time-to-act-internal-displacement-on-the-rise-in-ukraine>.
18. U.S. Embassy- Kyiv. *reporting, January 14, 2015*.
19. Government of Ukraine. *Criminal Code of Ukraine*, enacted 2001. <http://www.legislationline.org/documents/section/criminal-codes>.
20. Government of Ukraine. *Labor Code of Ukraine*, enacted December 10, 1971. <http://www.wipo.int/wipolex/en/details.jsp?id=6186>.
21. Government of Ukraine. *Law of Ukraine on the Protection of Childhood*, enacted April 26, 2001. <http://zakon4.rada.gov.ua/laws/show/2402-14/print1415035498920514>.
22. Government of Ukraine. *Constitution of Ukraine*, enacted June 28, 1996. <http://www.president.gov.ua/en/content/constitution.html>.
23. Government of Ukraine. *Law of Ukraine on Employment*, No. 803-XII, enacted March 1, 1991. <http://www.brama.com/law/business1/emplaw.txt>.
24. Government of Ukraine. *Law of Ukraine on the Protection of the Public Morality*, enacted November 20, 2003. <http://zakon4.rada.gov.ua/laws/show/1296-15/print1415035498920514>.
25. *Law of Ukraine on Amendments to Certain Legislative Acts of Ukraine on Combating the Distribution of Child Pornography*, No. 105, enacted January 20, 2010. <http://zakon4.rada.gov.ua/laws/show/1819-17/print1415035498920514>.
26. Government of Ukraine. *Decree on Measures to Enhance the Defense Capacity of the State*, No. 447, enacted May 1, 2014. <http://zakon4.rada.gov.ua/laws/show/447/2014/print1415035498920514>.
27. Government of Ukraine. *Law of Ukraine on Military Duty and Military Service*, enacted March 25, 1992. <http://zakon4.rada.gov.ua/laws/show/2232-12/print1415035498920514>.
28. Government of Ukraine. *Law of Ukraine on General Secondary Education*, No. 651-XIV, enacted May 13, 1999. <http://osvita.ua/legislation/law/2232/print/>.
29. ILO Committee of Experts. *Observation concerning Minimum Age Convention, 1973 (No. 138) Ukraine (ratification: 1979) Published: 2014*; accessed October 24, 2014; <http://www.ilo.org/dyn/normlex/en/>.
30. *Rada approves law on internally displaced persons*, Interfax - Ukraine, [online] October 20, 2014 [cited November 17, 2014]; <http://en.interfax.com.ua/news/general/229646.html>.
31. U.S. Embassy- Kyiv. E-mail communication to USDOL official. June 3, 2014.
32. U.S. Embassy- Kyiv. E-mail communication to USDOL official. May 13, 2014.
33. Government of Ukraine. *Decree on Regulations on the Ombudsman for Children under the President of Ukraine*, No. 811, enacted August 11, 2011. [http://www.president.gov.ua/en/content/up\\_pr\\_dyt.html?PrintVersion](http://www.president.gov.ua/en/content/up_pr_dyt.html?PrintVersion).
34. ILO Committee of Experts. *Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Ukraine (ratification: 2004) Submitted: 2012*; accessed April 24, 2014; <http://www.ilo.org/dyn/normlex/en/>.
35. U.S. Embassy- Kyiv. *reporting, January 30, 2013*.
36. Government of Ukraine. *Resolution on the Interagency Council on Family, Gender Equality, Economic Development, Domestic Violence Prevention, and Combating Human Trafficking*, No. 1087, enacted September 5, 2007. <http://zakon0.rada.gov.ua/laws/show/1087-2007-%D0%BF>.
37. Government of Ukraine. *Law of Ukraine on the National Program "National Action Plan to implement the UN Convention on the Rights of the Child" until 2016*. March 5, 2009. <http://zakon4.rada.gov.ua/laws/show/1065-17>.
38. U.S. Embassy- Kyiv. E-mail communication to USDOL official. February 2, 2015.
39. Government of Ukraine. *Law of Ukraine on the Action Plan to implement the 2014 National Program "National Action Plan to implement the UN Convention on the Rights of the Child" until 2016*, No. 1140-r, enacted November 19, 2014. <http://zakon2.rada.gov.ua/laws/show/1140-2014-%D1%80/print1390592499082260>.
40. U.S. Embassy- Kyiv. *reporting, February 21, 2013*.
41. Ministry of Social Policy. *2013 Report on the Results of the Tasks and Activities of the National Programme on Combating Human Trafficking Until 2015*. Kyiv; March 6, 2014. <http://www.mlsp.gov.ua/labour/control/uk/publish/category?catid=160722>.
42. USAID. *Ukraine Country Development Cooperation Strategy 2012-2016*. Washington, DC. [http://www.usaid.gov/sites/default/files/documents/1863/USAID\\_Ukraine\\_CDSCS\\_2012-2016.pdf](http://www.usaid.gov/sites/default/files/documents/1863/USAID_Ukraine_CDSCS_2012-2016.pdf).
43. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; October 2014.
44. IOM Mission in Ukraine. *'Safely to Success': IOM and the Swiss Confederation Raise Awareness of Young Ukrainians about Migration and Human Trafficking*, International Organization for Migration, [online] July 21, 2014 [cited November 14, 2011]; <http://www.iom.org.ua/en/safely-success-iom-and-swiss-confederation-raise-awareness-young-ukrainians-about-migration-and>.
45. USAID. *Countering Trafficking in Persons (TIP) Project: International Organization for Migration (July 20, 2004 – January 1, 2018)*, USAID, [online] April 28, 2014 [cited April 28, 2014]; <http://www.usaid.gov/where-we-work/europe-and-urasia/ukraine/democracy-human-rights-and-governance>
46. U.S. Embassy- Kyiv. *reporting, January 12, 2011*.
47. ILO Budapest. *ILO Budapest Newsletter* Budapest; June 12, 2012. [http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms\\_192675.pdf](http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms_192675.pdf).
48. *Strengthening and Protecting Children's Rights in Ukraine*, Council of Europe, [online] [cited March 17, 2015]; <http://www.coe.int/en/web/kyiv/45>.
49. *Council of Europe project "Strengthening and protecting children rights in Ukraine" Calendar of Activities (2014)*, Council of Europe, [online] September 1, 2014 [cited March 17, 2015]; <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900016800930df>.
50. UNICEF. *Country programme document 2012-2016*; 2011. [http://www.unicef.org/about/execboard/files/Ukraine\\_final\\_approved\\_2012-2016\\_20\\_Oct\\_2011.pdf](http://www.unicef.org/about/execboard/files/Ukraine_final_approved_2012-2016_20_Oct_2011.pdf).
51. U.S. Embassy- Kyiv. E-mail communication to USDOL official. February 20, 2015.

# Uruguay

## MODERATE ADVANCEMENT

*In 2014, Uruguay made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government expanded the National Action Plan to End Child Labor in Garbage Scavenging to include a study of adolescent work in agriculture in rural areas and established the Office of Rural Employment within the Ministry of Labor to work directly with rural communities. The Ministry of Labor hired 20 additional labor inspectors and the Ministry of Interior held a series of workshops to train police, immigration officials, prosecutors, and judges on human trafficking issues. However, children in Uruguay continue to engage in the worst forms of child labor in garbage scavenging and commercial sexual exploitation. The Government does not collect or publish information on the number of investigations, prosecutions, and convictions for labor and criminal law violations. Uruguay lacks a comprehensive national child labor policy, and programs to prevent and eliminate child labor are limited.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uruguay are engaged in the worst forms of child labor, including in garbage scavenging and commercial sexual exploitation.(1-5) Table 1 provides key indicators on children’s work and education in Uruguay.

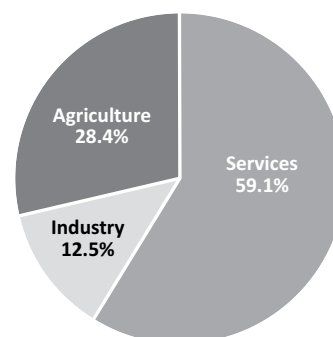
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	6.1(31,955)
Attending School (%)	5-14 yrs.	97.8
Combining Work and School (%)	7-14 yrs.	6.5
Primary Completion Rate (%)		104.3

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Encuesta Nacional de Trabajo Infantil (MTI), 2009.(7)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Livestock raising, activities unknown† (1)
	Fishing,*† activities unknown (1, 3)
Industry	Construction work† in buildings and roads (1, 4, 5, 8)
	Manufacturing,† activities unknown (1, 4)
Services	Street work,*† including begging† and street vending*† (2-5, 9-11)
	Garbage scavenging† and recycling (5, 8, 9, 12, 13)
	Domestic work† (1-4)
Categorical Worst Forms of Child Labor‡	Forced domestic work (1-4)
	Used in the production of child pornography* (10, 14, 15)
	Commercial sexual exploitation sometimes as a result of human trafficking (10, 14, 15)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

The 2009 National Child Labor Survey found that 11.6 percent of children between ages 5 and 17 were engaged in some form of economic activity, and of these children, 8.5 percent were engaged in work that was considered to be hazardous. Engagement in such work is more likely to occur in rural areas.(1) The Government has found that the number of children of Afro descent engaged in child labor is higher than that of children of other ethnic groups in Uruguay.(1, 16, 17) Children of Afro descent are more likely to be engaged in work that exposes them to harm.(16, 17) The Ministry of Social Development (MIDES) and the National Statistics Institute have estimated that approximately 20,000 children work with their parents in recycling activities derived from garbage collection and sorting in the streets and at home.(9, 13, 18) A March 2013 MIDES report revealed that children in 1,211 homes in Montevideo, where families sort garbage and recyclables, live in unsanitary and unhealthy conditions. More than 70 percent of these children live in chronic poverty.(5, 9) Children are found in commercial sexual exploitation, especially in tourist areas and near the borders of Uruguay with Argentina and Brazil. There are limited reports that minors engage in prostitution as a way to help provide income for their families.(2-4) Children are victims of internal sexual exploitation and there is evidence that they are also used in child pornography.(10, 14, 15, 18) The Government identified the provinces of Canelones, Cerro Largo, Colonia, Lavalleja, Maldonado, Paysandú, Rio Negro, Rocha, San Jose, Treinta y Tres, as well as the capital Montevideo, as the primary areas of recruitment for trafficking in persons victims.(19)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Uruguay has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 162 of the Code for Children and Adolescents (20)
Minimum Age for Hazardous Work	Yes	18	Article 163 of the Code for Children and Adolescents; Article 93 of Decree No. 321/009 (20, 21)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section A, Articles 1–7 of Resolution 1012/006 (22)
Prohibition of Forced Labor	Yes		Articles 7 and 53 of the Constitution; Article 78 of the Migration Law (23, 24)
Prohibition of Child Trafficking	Yes		Article 15 of the Code for Children and Adolescents; Article 81 of the Migration Law; Article 6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law (20, 24, 25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 15 of the Code for Children and Adolescents; Article 81 of the Migration Law; Articles 1–6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law(20, 24, 25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 1–6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law; Article 59 of the Narcotics Law(25-27)
Minimum Age for Compulsory Military Recruitment	N/A*		

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	18	Article 4 of the Military Training Law (28)
Compulsory Education Age	Yes	17	Article 7 of the General Education Law (18, 29, 30)
Free Public Education	Yes		Article 71 of the Constitution; Articles 15–16 of the General Education Law (23, 29)

\* No conscription (31)

The Adolescent Labor Division within the Institute for Adolescents and Children (INAU) grants minors between ages 13 and 15 permission to engage in light work. However, the Government of Uruguay has not drafted a list of what occupations constitute light work, or specified regulations governing the hours and conditions for light work.(12, 20) The Code for Children and Adolescents establishes a general prohibition against hazardous work for children under 18 and Decree No. 321 identifies the agricultural sector as hazardous and prohibits children under age 18 from working in this sector. While Decree No. 321 stipulates penalties for violations related to underage work in agriculture, research did not find penalties for violations related to other hazardous occupations prohibited for children by Resolution 1012/006.(21, 22)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MTSS)	Monitor overall enforcement of labor laws and compliance with labor regulations, and issue penalties for violations. Responsible for the legal protection of workers, including identifying locations and conditions in which child labor may occur.(5, 9, 32-34) Inspection Unit is responsible for inspections to address violations of the law. Inspectors refer child labor cases to the Institute for Adolescents and Children (INAU).(5, 9, 12, 32, 33)
Ministry of Social Development (MIDES) INAU	Lead agency responsible for children's issues in Uruguay. Assist all children, including those employed within the informal sector.(2, 35) Enforce and implement policies to prevent child labor and provide training on child labor issues.(34) Evaluate permit requests and grant work permits, ensuring that children under age 18 are not employed in hazardous work. Support child welfare and protection, and coordinate services for children found in child labor.(5, 9, 34, 36) Work with the MTSS and the National Insurance Bank to investigate child labor complaints, and with the Ministry of Interior (MOI) to prosecute cases when legal violations are found. (37) The responsibilities of INAU's Department of Child Labor include (1) preventing and monitoring the participation of minors in work activities that might adversely affect welfare and development; (2) monitoring work conditions and environment, as well as legislation on minors; (3) investigating all accidents and complaints of irregularities at the national level; and (4) proposing amendments and regulations of current legislation regarding child labor.(38)
Ministry of the Interior	Investigate all organized crimes, including child trafficking, commercial sexual exploitation of children, and use of children in narcotics operations. Gather evidence for a judge to make ruling.(3, 15, 37, 39) Children identified as victims of the worst forms of child labor through MOI investigations can be placed under the protection or custody of INAU.(3, 39)
Specialized Court for Organized Crime	Mandate police investigations for cases related to organized crime. Operated by two judges and two public prosecutors.(3, 15, 18, 39, 40)

Law enforcement agencies in Uruguay took actions to combat child labor, including its worst forms.

#### ***Labor Law Enforcement***

In 2014, INAU employed 10 inspectors, the same number as in 2013. Two are in Artigas, one in Flores, one in Lavalleja, and six in Montevideo.(9, 12) There are 150 Ministry of Labor and Social Security (MTSS) inspectors who conduct investigations and assess penalties associated with labor violations, including child labor; this is an increase from 130 in 2013.(9, 12) Labor inspectors did not receive child labor-specific training in 2014.(18) Although research did not find information on INAU's 2014 budget, the Government has stated that training and resources are adequate to enforce child labor laws.(12, 18)



Labor inspectors may conduct unannounced inspections in all sectors of the labor market, including on private farms and in homes. (12) When the MTSS receives a complaint regarding child labor via its hotline or by other means, it shares this information with INAU, which then investigates and assists the children who might be affected. The MTSS classifies hotline complaints under child labor only if the phrase is specifically mentioned, which may result in the misclassification of child labor cases.(3) INAU also operates a hotline to receive complaints about child labor, but it does not keep current statistics on reported cases. The medical staff of the National Insurance Bank may report possible violations, resulting in labor accidents, to the judiciary for further investigation. (37) Research did not find information on the number of labor inspections conducted in 2014. INAU's 2013 annual report indicates that it received 44 complaints of child labor violations and conducted a total of 4,046 inspections, compared to 3,200 in 2012.(8) The high number of inspections that each inspector carries out may compromise the effectiveness of the inspections. In addition, INAU conducts the majority of its inspections in the capital of Montevideo, despite evidence from the National Child Labor Survey indicating that most child labor occurs in rural areas.(3, 9) In 2014, the MTSS created the Office of Rural Employment to work directly with rural communities. The MTSS also began developing an employers' guide in which it will outline appropriate hiring practices and work activities for adolescents older than age 15.(12)

When MTSS or INAU inspections identify child labor law violations, each agency may carry out investigations and apply sanctions according to its legal mandate; for cases in which criminal laws may have been violated, the MTSS or INAU may report those cases to the judiciary for further investigation.(37) INAU's Adolescent Labor Division does not record how many penalties or citations for child labor law violations were issued or how many children were removed or assisted as a result of inspections.(12)

### *Criminal Law Enforcement*

The enforcement of criminal laws is mainly the responsibility of the Ministry of Interior (MOI) and INAU. In 2014, the MOI held a series of human trafficking workshops focused on identification and response, victim referral and assistance, and international commitments; these workshops were attended by local police, officials working on organized crime, and immigration officials.(41) The MOI also held a workshop for prosecutors and judges on international standards in human trafficking detection, investigation, and criminal prosecution.(41) INAU reported that investigators had received adequate training on the worst forms of child labor and had sufficient resources to carry out inspections.(12) However, no information is available on the amount of funding provided for investigations, the number of investigators employed, the number of investigations or prosecutions carried out, or the number of convictions obtained.(12) MIDES implements a database for tracking victim services, and the Attorney General's Office will pilot an electronic case management system in 2015 to collect national data from the judicial system.(18, 41) Generally, it takes 1 to 2 years to resolve a case involving the commercial sexual exploitation of children, and the same amount of time before penalties can be applied.(3, 39)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee for the Eradication of Sexual Exploitation of Children and Adolescents (CONAPEES)	Implement actions to combat the sexual exploitation of children and adolescents.(2, 3) Develop public policies and a national plan of action with respect to the commercial sexual exploitation of children and adolescents, taking into account Uruguay's existing norms and international commitments. Led by INAU and composed of representatives from several government agencies, NGOs, and UNICEF.(42)
Committee for the Eradication of Child Labor (CETI)	Coordinate efforts between law enforcement bureaus and NGOs to develop a plan of action for child laborers and their families.(35) Led by the MTSS and INAU, chaired by the Inspector General, and coordinated by the Sub-Inspector General of the MTSS. Composed of government agencies, industry representatives, labor groups, and NGOs; meets every two weeks.(2, 9, 42, 43)
Anti-Trafficking Interagency Committee	Coordinate Uruguay's anti-trafficking efforts; chaired by MIDES.(2, 3)

During the reporting period, the MTSS and INAU strengthened the existing mechanism for filing and responding to child labor complaints by improving coordination and information exchanges from their databases. Agencies that are part of the Committee for the Eradication of Child Labor notified INAU and referred cases to the appropriate services.(12, 18) The National Committee for

# Uruguay

## MODERATE ADVANCEMENT

the Eradication of Sexual Exploitation of Children and Adolescents and the Ministry of Foreign Affairs held a conference on child trafficking for Women's Month.(19)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Uruguay has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy for Childhood and Adolescence (2010–2030)*	Identifies goals to be achieved by 2030. Developed by government agencies, political parties, civil society, and private-sector organizations; recognized as a roadmap for policies on children.(2, 44)
CONAPEES National Plan for the Eradication of Commercial and Non-Commercial Child and Adolescent Exploitation	Works to eliminate the commercial sexual exploitation of children. Goals include strengthening victims' rights, improving protection measures for victims and witnesses, keeping children in school, reintegrating children who had previously left school, and developing alternative income strategies for families.(2, 3)
National Action Plan to End Child Labor in Garbage Scavenging	Seeks to combat child labor in garbage dumps through specific projects that involve education, health care, housing, and law enforcement agencies. Launched by CETI and implemented by government agencies, including the MTSS and MIDES.(5, 9) CETI members are finalizing a draft protocol of action for the detection and assistance of child laborers in garbage collection. During the reporting period, the plan was expanded to study child labor in rural areas to eliminate the worst forms of child labor in agriculture.(12)
MIDES Plan to Combat Child Labor (2010–2015)	Includes a range of programs intended to impact child labor. Major focus areas include social and labor inclusion, citizen participation, social and educational inclusion, awareness raising, and programs giving special benefits to youth and populations at risk.(12)
MERCOSUR United Against Child Labor Campaign	Develops public awareness about the need to combat child labor in MERCOSUR. Addresses child labor in agriculture, domestic work, and sexual exploitation, with particular emphasis on communities along country borders.(45)
Second Presidential Declaration on the Prevention and Eradication of Child Labor in MERCOSUR (2012)	Promotes greater articulation among governmental agencies, levels of government, and civil society among MERCOSUR members.(46)
MERCOSUR Southern Child Initiative	Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding the commercial sexual exploitation of children, child trafficking and pornography, child labor, and migrant labor by harmonizing country legal frameworks with international conventions affecting children and by exchanging best practices.(47)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Uruguay at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014). (48, 49)
Presidential Decree: Commercial Sexual Exploitation of Children and Adolescents: Obligations of Tourism Operators (2013)	Requires tourism operators to raise awareness, take preventative actions, and report incidents of commercial sexual exploitation of children to the Ministry of Tourism and CONAPEES. In 2014, the Ministry of Tourism printed stickers reading "We are responsible companies that condemn the commercial sexual exploitation of children and adolescents" for tourism operators to display on their premises.(19, 50)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was launched during the reporting period.

Research did not find evidence of the existence of a comprehensive policy aimed at combating the worst forms of child labor.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Uruguay funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Pro-Child (Pro-Niño)‡	Telefónica Foundation-implemented program focused on prevention and eradication of child labor. Established in 2000 and has more than 10,000 active youth participants nationwide.(2, 51)
National Plan of Equality*‡	Institute for Social Security program that mandates that beneficiaries have their children attend school and receive medical services. Established the Family Allocations Program, a conditional cash transfer program to reduce national poverty levels and assist working families with their children, as well as families in need.(52-54)
MIDES Youth Affairs Bureau Programs‡	MIDES Youth Affairs Bureau implements three programs intended to impact the worst forms of child labor: (1) Participation, Citizenship, and Culture; (2) Education and Educational Integration; and (3) Training and Work.(12)
Southern Child Initiative/ MERCOSUR (Niñ@ Sur)	MERCOSUR initiative that includes public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in raising domestic legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.(55, 56)
Regional Action Group for the Americas ( <i>Grupo de Acción Regional para las Américas</i> )	Regional program that conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(55, 57)
Regional Project to End Child Labor in Latin America (2011–2015)	\$4.5 million Government of Spain-funded, 3-year project implemented by ILO-IPEC to combat child labor.(58)
Education Program to End Child Labor (2012–2014)	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aimed to strengthen public policies and government capacity to combat child labor in 19 countries in the Americas, including Uruguay. Ended November 2014.(58)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Uruguay.

Plans to address child labor in garbage scavenging, agriculture, and commercial sexual exploitation have been adopted, but programs to assist these children have not been established.(9, 12) Research did not find evidence of any existing or planned programs to assist working children in other sectors. While the Government has continued to fund and expand social programs to eliminate poverty and increase social inclusion in order to eliminate child labor, the scope of these programs is insufficient to fully address the extent of the problem.(12) More programs are needed to reach those who are engaged in the worst forms of child labor, including in the agricultural sector and in commercial sexual exploitation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uruguay (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the laws governing light work identify the activities that children between ages 13 and 15 can undertake, and regulate the hours and conditions of the work to ensure that children are not exposed to hazardous labor.	2012 – 2014
	Ensure that the laws establish penalties for violations related to all hazardous occupations prohibited for children.	2010 – 2014
Enforcement	Provide more comprehensive guidelines for the MTSS hotline operators to allow proper classification of calls regarding child labor.	2011 – 2014
	Institute systematic recordkeeping of child labor cases at INAU.	2009 – 2014
	Employ sufficient labor inspectors who are responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce without compromising the quality of inspections.	2013 – 2014
	Increase the number of inspections in rural areas.	2011 – 2014
	Collect and make publicly available information on the number of investigations, prosecutions, citations, convictions, and applications of penalties for labor and criminal law violations, as well as the number of children assisted as a result of investigations.	2013 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Collect and make publicly available information about the number of investigators responsible and the amount of funding provided for enforcing criminal laws on the worst forms of child labor.	2013 – 2014
Government Policies	Assess the impact that existing policies have on reducing the worst forms of child labor.	2013 – 2014
	Integrate child labor prevention and elimination strategies into the National Strategy for Childhood and Adolescence.	2014
	Draft and adopt a comprehensive national policy to address the worst forms of child labor.	2010 – 2014
Social Programs	Conduct research to determine the nature of activities carried out by children working with livestock, in fishing, in manufacturing, and in the informal sector in order to inform policies and programs.	2013 – 2014
	Assess the impact that the National Plan for Equality may have on child labor.	2011 – 2014
	Implement programs to provide assistance to child laborers, including those engaged in agricultural work, garbage scavenging, and commercial sexual exploitation.	2010 – 2014

## REFERENCES

- ILO-IPEC and National Statistical Institute of Uruguay. *Magnitud y Características del Trabajo Infantil en Uruguay*; 2011. <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=17355>.
- U.S. Embassy- Montevideo. *reporting, January 31, 2013*.
- U.S. Embassy- Montevideo. *reporting, January 20, 2012*.
- Diario Cambio. “Explotación Infantil.” [diariocambio.com.uy](http://www.diariocambio.com.uy/index.php?id=25642) [online] September 2, 2012 [cited April 29, 2014]; <http://www.diariocambio.com.uy/index.php?id=25642>.
- U.S. Department of State. “Uruguay,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta Nacional de Trabajo Infantil (MTI), 2009. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- INAU. *Memoria Anual INAU 2013*. Montevideo; January 2014. [http://www.inau.gub.uy/index.php?option=com\\_docman&task=catview&gid=11&Itemid=19](http://www.inau.gub.uy/index.php?option=com_docman&task=catview&gid=11&Itemid=19).
- U.S. Embassy- Montevideo. *reporting, January 17, 2014*.
- International Trade Union Confederation. *Internationally Recognised Core Labour Standards in Uruguay: Report for the WTO General Council Review of the Trade Policies of Uruguay*. Geneva; April 2012. <http://www.hrw.org/news/2012/05/01/uruguay-first-ratify-domestic-workers-convention>.
- U.S. Department of State. “Uruguay,” in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>
- U.S. Embassy- Montevideo. *reporting, January 12, 2015*.
- Fundacion Telefonica. *Trabajo Infantil en el Uruguay: La paradoja de la sobrevivencia en la basura*. Montevideo, REDLAMYC; 2010. [http://www.redlamyc.info/images/stories/trabajo\\_infantil\\_en\\_Uruguay\\_la\\_paradoja\\_de\\_la\\_sobrevivencia\\_en\\_la\\_basura.pdf](http://www.redlamyc.info/images/stories/trabajo_infantil_en_Uruguay_la_paradoja_de_la_sobrevivencia_en_la_basura.pdf).
- UN Human Rights Council. *Summary record of the 12th meeting*. Geneva; March 18, 2010. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/173/72/PDF/G0917372.pdf?OpenElement>.
- U.S. Department of State. “Uruguay,” in *Trafficking in Persons Report- 2012*. Washington, DC; June 19, 2012; <http://www.state.gov/documents/organization/192598.pdf>.
- Fundacion Telefonica. *Trabajo infantil en niños, niñas y adolescentes Afrodescendientes en Uruguay: Descubriendo horizontes de integración*; 2012. [http://www.fundacion.telefonica.com/es/prensa/noticias/trabajo\\_infantil/2012/noviembre/pdf/ti\\_en\\_nna\\_afrodescendientes\\_en\\_uruguay.pdf](http://www.fundacion.telefonica.com/es/prensa/noticias/trabajo_infantil/2012/noviembre/pdf/ti_en_nna_afrodescendientes_en_uruguay.pdf).
- Diario La República. *En Uruguay trabajan unos 27.000 niños afrodescendientes*, República, [online] [cited May 19, 2014]; <http://www.republica.com.uy/trabajo-infantil-2/>.
- U.S. Embassy- Montevideo official. E-mail communication to USDOL official. May 8, 2015.
- U.S. Embassy- Montevideo. *reporting, February 18, 2015*.
- Government of Uruguay. *Código de la niñez y la adolescencia*, enacted August 9, 2004. <http://archivo.presidencia.gub.uy/ley/2004090801.htm>.
- Government of Uruguay. *Decreto N° 321/009*, enacted July 9, 2009. [http://www.impo.com.uy/descargas/decreto%20321\\_009.pdf](http://www.impo.com.uy/descargas/decreto%20321_009.pdf).
- Government of Uruguay. *Resolución 1012/006 del Directorio de INAU*, enacted May 29, 2006. <http://cetiuruguay.org/normativa/resoluciones/40-resolucion-1012006-del-directorio-de-inau.html>.
- Government of Uruguay. *Constitución de la República*, enacted 2004. <http://www.parlamento.gub.uy/constituciones/const004.htm>.
- Government of Uruguay. *Ley N° 18.250 Migración* enacted January 6, 2008. <http://www.parlamento.gub.uy/leyes/AccesoTextoLey.asp?Ley=18250&Anchor=>.
- Government of Uruguay. *Ley N° 17.815 Violencia Sexual Comercial no Cometida contra niños, adolescentes o incapaces*, enacted September 6, 2004. <http://www.parlamento.gub.uy/leyes/AccesoTextoLey.asp?Ley=17815&Anchor=>.
- Government of Uruguay. *Se Regula Su Comercializacion y Uso y Se Establecen Medidas Contra el Comercio Ilicito de las Drogas*, Ley No 14.294, enacted November 11, 1974.
- Government of Uruguay. *Dictanse Normas Referentes a Estupefacientes y Sustancias que Determinen Fisica o Psiquica*, Ley No 17.016, enacted October 28, 1998.
- Government of Uruguay. *Ley N° 9.943 Instruccion Militar*, enacted July 20, 1940. <http://www.parlamento.gub.uy/leyes/AccesoTextoLey.asp?Ley=09943&Anchor=>.
- Government of Uruguay. *Ley General de Educación*, 18.437, enacted December 12, 2008. <http://www.parlamento.gub.uy/leyes/AccesoTextoLey.asp?Ley=18437&Anchor=>.
- Ministerio de Educación y Cultura. *Anuario Estadístico de Educación 2013*. Montevideo; December 2014. [http://educacion.mec.gub.uy/innovaportal/file/927/1/anuario\\_2013.pdf](http://educacion.mec.gub.uy/innovaportal/file/927/1/anuario_2013.pdf)

31. Government of Uruguay. *Ley N° 18.650 Ley Marco de Defensa Nacional*, enacted February 19, 2010. <http://www.parlamento.gub.uy/leyes/ AccesoTextoLey.asp?Ley=18650&Anchor>.
32. MTSS. *Inspección General del Trabajo y de la Seguridad Social*, MTSS, [online] [cited May 20, 2014]; [http://www.mtss.gub.uy/index.php?option=com\\_content&view=article&id=29&Itemid=41](http://www.mtss.gub.uy/index.php?option=com_content&view=article&id=29&Itemid=41).
33. MTSS. *Inspecciones*, MTSS, [online] [cited May 20, 2014]; [http://www.mtss.gub.uy/index.php?option=com\\_content&task=view&id=1652&Itemid=1652](http://www.mtss.gub.uy/index.php?option=com_content&task=view&id=1652&Itemid=1652).
34. ITUC-CSI. *Normas Fundamentales del Trabajo Internacionalmente Reconocidos en Uruguay*. Geneva, CSI; April 25 and 27, 2012. [http://www.ituc-csi.org/IMG/pdf/final\\_uruguay\\_tpr\\_es.pdf](http://www.ituc-csi.org/IMG/pdf/final_uruguay_tpr_es.pdf).
35. U.S. Department of State official. E-mail communication to USDOL official. June 21, 2012.
36. INAU. *Historia*, INAU, [online ] November 19, 2009 [cited May 20, 2014]; [http://www.inau.gub.uy/index.php?option=com\\_content&view=article&id=24&Itemid=29](http://www.inau.gub.uy/index.php?option=com_content&view=article&id=24&Itemid=29).
37. U.S. Embassy- Montevideo official. E-mail communication to USDOL official. March 18, 2014.
38. INAU. *Manual de Funciones*. Montevideo, INAU; April 2010. [http://www.inau.gub.uy/index.php?option=com\\_docman&task=catview&gid=12&Itemid=4](http://www.inau.gub.uy/index.php?option=com_docman&task=catview&gid=12&Itemid=4).
39. U.S. Embassy- Montevideo. *reporting, December 2, 2010*.
40. U.S. Embassy- Montevideo official. E-mail communication to USDOL official. May 23, 2013.
41. U.S. Embassy- Montevideo. *reporting, December 3, 2014*.
42. CONAPEES. *CONAPEES - Explotación Sexual Comercial de Niñas, Niños y Adolescentes en Uruguay* CETI, [online] [cited March 19, 2014]; <http://www.nohayexcusas.org.uy/conapees.html>.
43. MTSS. *MTSS Organización y Estructura*, MTSS, [online] [cited May 20, 2014]; [http://www.mtss.gub.uy/index.php?option=com\\_content&task=view&id=1639&Itemid=1639](http://www.mtss.gub.uy/index.php?option=com_content&task=view&id=1639&Itemid=1639).
44. José Mujica, Sr., Pedro Bordaberry, Pablo Mieres, and Luis Alberto Lacalle. *Declaration for childhood and adolescence in Uruguay* Montevideo; October 2009.
45. International Labour Organization. *El MERCOSUR unido contra el trabajo infantil*, [online] [cited May 15, 2014]; [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_178923/lang-es/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_178923/lang-es/index.htm).
46. International Labour Organization. *Tercer Programa de Trabajo Decente por País para Argentina, periodo 2012 a 2015*. Buenos Aires, ILO; 2013. [http://www.oit.org.ar/WDMS/bib/publ/documentos/ptdp\\_2012\\_2015\\_web.pdf](http://www.oit.org.ar/WDMS/bib/publ/documentos/ptdp_2012_2015_web.pdf).
47. Secretaria de Derechos Humanos, Ministerio de Justicia y Derechos Humanos, and UNICEF Oficina de Argentina. *Iniciativa Niñ@Sur- Recomendaciones sobre derechos y asistencia a las niñas, niños, y adolescentes víctimas de trata, tráfico, explotación sexual y/o venta*. Buenos Aires, UNICEF; 2014. [http://www.unicef.org/argentina/spanish/iniciativa\\_ninio\\_sur.pdf](http://www.unicef.org/argentina/spanish/iniciativa_ninio_sur.pdf).
48. ILO. *18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour*, ILO, [online] [cited December 1, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm) [source on file].
49. United Nations News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." un.org [online] October 15, 2014 [cited [http://www.un.org/apps/news/story.asp?NewsID=49082#\\_YHyeYdLF98E](http://www.un.org/apps/news/story.asp?NewsID=49082#_YHyeYdLF98E)].
50. Government of Uruguay. *Explotación Sexual Comercial de Niñas, Niños y Adolescentes. Obligaciones de los operadores turísticos.*, Decree 398/013, enacted December 13, 2013. [http://www.impo.com.uy/descargas/decreto%20321\\_009.pdf](http://www.impo.com.uy/descargas/decreto%20321_009.pdf).
51. Lima, ME. "Escolares Piden a Mujica Que "Rete a Los Padres de Niños Que Trabajan"." elpais.com [online] June 13, 2012 [cited April 29, 2014]; <http://www.elpais.com.uy/120613/pciuda-646056/ciudades/Ninos-le-entregan-20-ideas-a-Mujica/>.
52. Veronica Amarante, Mery Ferrando, and Andrea Vigorito. *School Attendance, Child Labor and Cash Transfers. An Impact Evaluation of PANES*. Quebec, Poverty & Economic Research Network; December 2011. [portal.pep-net.org/documents/download/id/18233](http://portal.pep-net.org/documents/download/id/18233).
53. Republica Oriental del Uruguay. *Plan de Equidad*; February 22, 2010. <http://www.mides.gub.uy/mides/carpeta.jsp?contentid=818&channel=mides>.
54. Social Security Bank. *Asignaciones Familiares*, Social Security Bank, [online] [cited April 29, 2014]; [http://www.bps.gub.uy/5470/asignacion\\_familiar.html](http://www.bps.gub.uy/5470/asignacion_familiar.html).
55. Mercosur. *Reunión de la Comisión Permanente para la Coordinación e Implementación de las Acciones Relativas a la Iniciativa Niñ@ Sur para la Protección y Promoción de los Derechos de los Niños y Niñas y Adolescentes*, Mercosur, [online] [cited April 29, 2014]; <http://www.niniosur.com/pdf/actabsas.pdf>.
56. Niñ@Sur. *Quiénes Participan?*, Niñ@Sur, [online] [cited February 13, 2013]; <http://www.niniosur.com/index2.asp?id=124>.
57. Grupo de Acción Regional de las Américas. *Países Participantes, Grupo de Acción Regional de las Américas*, Grupo de Acción Regional de las Américas, [online] [cited April 29, 2014]; [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=article&id=52%3Aquiénes-somos&catid=38&Itemid=73&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=article&id=52%3Aquiénes-somos&catid=38&Itemid=73&lang=es).
58. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.



# Uzbekistan

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

*In 2014, Uzbekistan made efforts to eliminate the worst forms of child labor, but was also complicit in the use of forced child labor in the cotton sector. While the central Government made concerted efforts to prevent and to remediate forced child labor in cotton production, Uzbekistan is receiving an assessment of no advancement because of government complicity in forced child labor, particularly at the local level. Although there was no evidence of a large-scale, centrally-coordinated, forced mobilization of children, some local officials, in more than an isolated incident, continued to mobilize children during the cotton harvest.*



*In committing to end this practice, the Cabinet of Ministers declared its intent to ensure that no one under the age of 18 would participate in the cotton harvest; broadly communicated its new commitment through awareness-raising campaigns to prevent children from being forcibly mobilized to pick cotton; and sponsored after-school programs as an alternative to child labor. The Government also led a monitoring effort utilizing ILO methodology to observe the fall 2014 harvest in all cotton-growing regions of the country, finding 41 child laborers, assessing penalties to 19 school officials and farm managers for the use of child labor, and removing children from the fields.*

*Despite efforts to end the mobilization of children, in the course of widespread mobilization of third-year secondary school students (predominantly age 18) to pick cotton, an unknown number of 17-year-old students were also mobilized through this practice. Independent observers also reported some cases in several provinces in which younger students were mobilized. In a few instances, reports indicate that a local government authority such as a district or regional governing official (hokim) or town mayor may have directly ordered the mobilization of students under age 18.*

*In at least some cases, callers to hotlines for reporting labor violations in the harvest were unable to get through, leaving an important gap in the system for receiving and processing child labor complaints. The Government also maintained policies in the cotton sector that mandate regional harvest quotas and set crop prices at levels that create incentives for local administrators to forcibly mobilize labor, creating an ongoing risk of mobilized child labor. Several observers stated that any reduction in the mobilization of children was offset by an increase in the compulsory mobilization of adult labor, although this trend could not be confirmed. Some of these observers reported surveillance, intimidation, and detention by the local government authorities while attempting to gather information about labor practices in the cotton harvest.*

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

There is a lack of current data on child labor in Uzbekistan. To date, the Government has not conducted a national survey on child labor. However, evidence from multiple, independent sources shows that during the 2014 harvest, some local officials, in more than an isolated incident mobilized children to pick cotton, in contravention of the Government's official prohibition.(1-7) In addition, there have been limited reports that during the pre-harvest season, some children are forced to cultivate cotton.(8-10) Table 1 provides key indicators on children's work and education in Uzbekistan.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	4.3 (244,095)
Attending School (%)	5-14 yrs.	84.1
Combining Work and School (%)	7-14 yrs.	5.0
Primary Completion Rate (%)		91.8

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(11)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(12)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Cultivating* and harvesting cotton† (1, 7-10, 13-16)
	Cultivating and harvesting silkworms* (15, 17-19)
Services	Street vending and street begging (16, 20)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (21)
	Forced labor in cultivating* and harvesting cotton† (1, 14-16, 22-28)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

In 2014, the Government-supported Coordination Council on Child Labor Issues (Coordination Council) reported that the monitoring exercise it had conducted found 41 children ages 9-17 picking cotton, and that all of those children reported having worked at the direction of their parents or of their own accord.(29)

While observers were unable to carry out formal third-party monitoring that could systematically check the validity of results reported by the Coordination Council, a number of independent observers attested that they did not see evidence of a centrally-coordinated, forced mobilization of children.(1, 30-33) A plan for the ILO to independently monitor for child labor and forced labor on farms and in communities associated with five World Bank projects was negotiated and received Government approval during the reporting period, however, there was insufficient lead time to implement the plan for the 2014 harvest. Instead, Bank staff and their Government counterparts conducted “intensified field supervision,” which consisted of visiting cotton fields, reviewing work contracts, and asking basic questions of the workers.(32-34) The timing of these visits was determined by Government officials, and local authorities generally appeared to have been informed in advance.(32, 33) As it has done since 2009, a Germany-based NGO, the Uzbek-German Forum for Human Rights, coordinated efforts by local human rights advocates, farmers, teachers, and other community members to observe and report on labor practices across the cotton-growing regions. The group stated that the efforts of at least two advocates were hampered by restrictions on their access to the fields, and some of their observers reported that they experienced surveillance, intimidation, and detention by the authorities while attempting to gather information.(6) U.S. Embassy personnel who conducted informal observations of fields and schools throughout the harvest inconsistently encountered police near the fields during their visits as part of the broader local government oversight efforts.(2)

Multiple sources reported cases of local administrators, in several provinces, mobilizing children for the harvest. Available evidence suggests that across the country local administrators mobilized predominantly age 18, third-year secondary school students. However, in the course of doing so, an unknown number of 17 year-old third-year students were also mobilized through this practice.(1, 4, 7) Reports suggest that in at least one case, administrators checked the passports of third-year students to ensure that those under age 18 were not mobilized, however, research could not determine to what extent this practice occurred.(2, 6) Credible statistics are not available on the number of underage third-year students who may have been mobilized. Independent observers reported some cases within several provinces, in which school principals mobilized classes of first-year and second-year secondary school students (ages 15 to 17) or in some cases, sixth to ninth graders (ages 11 to 15), particularly during the last two weeks of the harvest period.(1, 2, 4, 5, 21, 35) In addition, there were a few reports from different locations that a local government authority such as a district or regional governing official (*bokim*) or town mayor may have directly ordered the mobilization of students under age 18.(2, 4, 7, 28, 36)

Observers stated that any reduction in the mobilization of children was offset by an increase in the compulsory mobilization of adult labor, including of teachers.(1, 31) Comparative data on the adult cotton-picking workforce were not available to confirm or disprove this observation. The practice of forcibly mobilizing people to work in the cotton fields creates an ongoing risk that children may be mobilized when labor demand is high, particularly the final weeks of the harvest when the fall rains threaten to ruin the crop. Sources indicate that for the majority of the harvest period, most local administrators kept secondary schools (colleges and lyceums) open. However, many teachers were obliged to pick cotton, which disrupted class schedules and, in a number of cases, closed secondary schools.(1, 3, 4)

# Uzbekistan

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT




Sources reported that workers were expected to pick between 66 and 176 pounds of cotton per day, with the weight requirements declining toward the end of the harvest.(10, 28) Research could not identify whether a similar quota was in place for child pickers.(6, 37) Reports on working hours for child pickers varied; some worked a partial day after a few hours of school, while others worked 9 or more hours per day, including on the weekend.(1, 6) Some workers picked without gloves or other protective gear. (1, 6, 37) The Coordination Council reported that adequate housing and meals were provided to all workers, and the U.S. Embassy observed a number of well-provisioned worker camps.(29, 37) However, researchers for the Uzbek-German Forum for Human Rights found that some workers lived in unsanitary, unheated facilities and paid the farmer for meager food.(1, 6) According to one report, children in grades below the third year of secondary education returned home at the end of each work day.(6) Reports suggest a diversity of housing arrangements for student pickers, from homestays with local families to school gymnasiums or worker camps.(38) Research could not determine the housing conditions for third year students that stayed overnight at the worksite.

Another form of child labor occurring in Uzbekistan is the trafficking of children for commercial sexual exploitation. Children are trafficked for this purpose internally and abroad, primarily to destinations across Asia.(39, 40)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Uzbekistan has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 77 of the Labor Code; Article 20 of the Law on the Guarantees of the Rights of the Child (16, 41, 42)
Minimum Age for Hazardous Work	Yes	18	Article 241 of Labor Code (43)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Decree on Adoption of the List of Occupations with Unfavorable Working Conditions to Which it is Forbidden to Employ Persons under Eighteen Years of Age; Decree on Approval of Provision on Requirements on Prohibition of Use of Minors' Labor (44, 45)
Prohibition of Forced Labor	Yes		Constitution; Article 7 of the Labor Code; Articles 51 and 491 of the Administrative Code; Articles 135 and 138 of the Criminal Code (46-49)
Prohibition of Child Trafficking	Yes		Law on the Guarantees of the Rights of the Child; Article 135 of the Criminal Code (42, 49)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 10 of the Law on the Guarantees of the Rights of the Child; Article 135 of the Criminal Code (42, 49)
Prohibition of Using Children in Illicit Activities	Yes		Article 10 of the Law on the Guarantees of the Rights of the Child (42)
Minimum Age for Compulsory Military Recruitment	Yes	18	Law on Universal Military Service (50)

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	18	Law on Universal Military Service (50, 51)
Compulsory Education Age	Yes	18	Law on Education (52)
Free Public Education	Yes		Law on Education (52)

**III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR**

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Protection	Conduct labor inspections, including inspections for compliance with child labor laws.(16, 53)
Ministry of Interior Office for Combating Trafficking	Investigate crimes related to child trafficking, which may then be prosecuted by the Prosecutor General's Office.(40)
Prosecutor General's Office	Prosecute criminal violations involving the worst forms of child labor, including human trafficking and commercial sexual exploitation.(40)
Ministry of Public Education, Ministry of Higher and Secondary Special Education, and Center for Secondary and Vocational Education	Monitor elementary through secondary school students to prevent forced child labor, including in cotton. Monitor employment of all graduates of all educational institutions.(3, 54)
Coordination Council on Child Labor Issues (Coordination Council)	Monitor all forms of child labor.(24, 54) Comprises representatives from the Federation of Trade Unions (which serves as its Chair); the Chamber of Commerce and Industry; the Ministries of Labor and Social Protection, Public Education, Foreign Affairs, Health, and Interior; the Employer's Union; the Women's Committee; the Center for Human Rights; the Center for Secondary and Vocational Education; and NGOs.(3, 13, 29)
Women's Committee of Uzbekistan	Monitor school attendance through the academic year, especially during the cotton harvest. A total of 14 regional and 194 district branches of the Women's Committee involved in monitoring school attendance.(54)

Law enforcement agencies in Uzbekistan took actions to combat child labor, including its worst forms.

***Labor Law Enforcement***

The Ministry of Labor and Social Protection employs approximately 300 labor inspectors, about half of whom investigate legal rights in the workplace, while the rest conduct technical inspections on occupational health and safety requirements.(3, 53) Either inspectorate may address child labor, depending on the nature of the violation.(35) Information was not available regarding the total number of inspections that the Government carried out in 2014 for the purpose of enforcing child labor laws.

The Government, along with local administrators, continued its enforcement efforts to keep children in school and out of the fields during the cotton harvest.(29, 30) The Government-supported Coordination Council conducted a national monitoring effort during the fall harvest. In contrast to 2013, in which an ILO high-level mission organized, trained, and led the monitoring teams, the ILO played a supporting role to the Coordination Council in 2014 by training monitors and advising on the methodology for monitoring.(13, 29) Through this consultation, the Coordination Council decided to intensify its monitoring of children ages 16 to 18 by focusing on school visits to secondary-level institutions and selecting cotton pickers up to age 20 for interview. As in the 2013 ILO mission, site visits were to be unannounced.(3, 29)

The monitoring exercise took place from September 18 through October 25, 2014. Similarly to the 2013 ILO-led mission, it included eight monitoring units that were responsible for monitoring eight zones, which covered all the cotton-producing areas of Uzbekistan.(29) Each monitoring unit consisted of eight members, comprising representatives from the Trade Union Federation, the Ministry of Labor and Social Protection, the Chamber of Commerce and Industry, and the Women's Committees of Trade Unions. In 2014, several local community youth, health, and women's groups joined the monitoring units.(29) The monitoring teams conducted 714 site visits.(3)

# Uzbekistan

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

The monitoring teams identified 41 children, ages 9 to 17, who were working in the cotton fields during the harvest in violation of Uzbekistan's labor laws. Children were found picking cotton in six of the eight zones, with nearly half of these cases in Samarkand Province.(29) As a result of these violations, the Government reported that the children were immediately removed from the fields and that warnings or fines were issued to 11 school principals, 3 farmers, and 6 foremen. Fines ranged from 3 to 10 times the individual's monthly salary.(29) No local government officials were cited in these cases, and the monitors did not identify any cases in which an entire school class was mobilized.(29)

A key finding of the ILO's 2013 monitoring mission report was that recordkeeping at schools and on district lists of cotton pickers were not maintained consistently across all zones.(13) Research did not find evidence that the Government took action to address this issue in advance of the 2014 harvest. The Government's official report on the 2014 harvest monitoring stated that attendance at secondary schools averaged 91 percent.(29) However, observers who independently reviewed attendance records at a sampling of schools found great disparity in attendance rates among institutions.(3)

Differences previously noted between monitoring results reported by the Government and reporting by independent observers indicate that the Government's current monitoring and enforcement regime does not sufficiently investigate, identify, and punish the range of reported violations. Among the reported violations inadequately addressed by the Government are the mobilization of entire classes of schoolchildren, the closure of secondary schools to mobilize students, and the potential involvement of local or regional government authorities (such as *hokim* or town mayors) in such mobilization.(3-7) In December, Government officials stated that they were also following up on published reports of child labor in the harvest from independent sources.(55) Besides the cases identified during the monitoring exercise, there were no other reported sanctions or prosecutions during the reporting period against those responsible for engaging children to work in the cotton harvest or in any form of child labor.

### *Criminal Law Enforcement*

The Government provided statistics on human trafficking law enforcement, but did not disaggregate data on cases involving children. The Government reported that in 2014 it investigated 1,016 criminal cases of human trafficking, prosecuted 641 individuals and convicted 583 individuals.(56) In 2014, the Ministry of Interior (MOI) converted an existing law enforcement unit in Tashkent to a section focused on the prevention of human trafficking of Uzbekistani citizens planning to go abroad.(3, 35)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Coordination Council	Coordinate efforts to address child labor issues, including monitoring of the cotton harvest.(13, 29) In 2014, the Coordination Council received monitor training from the ILO, monitored the cotton harvest with ILO consultation, and cooperated in planning for a national survey on labor recruitment in agriculture.(29, 48)
Interagency Working Group	Coordinate efforts to address labor rights issues, including child labor.(53, 57, 58) Report to the ILO on the Government's implementation of ratified conventions, prevent forced labor, and protect working minors.(57-61)
Interagency Commission on Combating Trafficking in Persons	Oversee efforts to combat trafficking.(40, 62) Chaired by the Prosecutor General and includes representatives from other government entities, such as the Ministries of Labor and Social Protection, Interior, and Foreign Affairs; the National Security Service; and the State Customs Committee.(40)
Local interagency committees	Monitor human trafficking at the provincial, regional, and municipal levels.(40)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Uzbekistan has established policies related to child labor, including its worst forms (Table 7).



**Table 7. Policies Related to Child Labor**

Policy	Description
Memorandum of Understanding Between the International Labor Organization and the Republic of Uzbekistan†	Establishes terms of agreement between the ILO and the Government on cooperation to implement a Decent Work Country Program in Uzbekistan from 2014-2016.(63) This agreement represents an important step toward implementation of recommendations of the ILO supervisory bodies, including utilizing ILO technical assistance and continuing to work with the ILO or other credible third parties to observe cotton harvests.(22, 64)
National Action Plan for the Application of ILO Conventions	Includes a National Policy on child labor issues.(16, 60, 65) Also covers forced labor.(48)
Resolution of the Cabinet of Ministers No. 132 on Additional Measures to Ensure the Implementation of ILO Conventions†	Establishes actions and efforts to be taken to address the worst forms of child labor, and forced labor. Outlines additional activities to be implemented in 2014-2016 in response to ILO Convention requirements, including awareness-raising, monitoring of the cotton harvest, legal reform, data collection, and activities on the worst forms of child labor targeting government ministries, international organizations, students, trade unions, and employers.(66) Ministry of Labor and Social Protection is charged with implementation.(3)
National Plan of Action Against Trafficking in Persons (2013–2014)	Includes activities to enact legal reforms; conduct public awareness-raising; strengthen victim protections; and increase capacity for law enforcement bodies, ministries, agencies, and NGOs to combat human trafficking. (56)
Education Sector Plan (2013– 2017)*	Defines the 5-year development strategy for the education sector and aims to ensure equal opportunities and quality education for all.(67)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In August 2014, the Cabinet of Ministers affirmed in its internal meeting that the participation of children under age 18 in the cotton harvest was strictly prohibited, and this was broadly communicated through an awareness-raising campaign, including trainings for local officials, a public speech by the Prime Minister, posted announcements in schools, and school administrators' meetings with parents (although no official decree was published).(3, 7, 29, 30, 68) However, there are indications that such communications lacked a clear explanation of the legal standards and consequences for not observing the ban.(2) For example, at one college, parents were reportedly instructed to sign a letter pledging that their child would participate voluntarily in cotton picking.(7, 30)

Additionally, the national Government maintained cotton production policies that mandate harvest quotas and set crop prices at levels that offer strong incentives for local administrators to organize and impose forced labor, which create an ongoing risk that children may be mobilized.(1, 64, 69)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Uzbekistan funded and participated in programs that included the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
After-School Programming†	Ministry of Public Education-implemented program during the cotton harvest to provide extracurricular sports and hobbies for students in order to prevent the use of child labor.(29)
Support to the Decent Work Country Program of the Republic of Uzbekistan†	USDOL-funded \$2 million project awarded in December 2014 to the ILO to enhance the capacity of the Government and workers' and employers' representatives to prevent and reduce child labor and forced labor, and to promote decent work in Uzbekistan. (29, 70)
Global Partnership for Education†	Multilateral initiative to coordinate the efforts of developing countries, donors, international organizations, teachers, NGOs, and the private sector to secure universal access to quality education in the least-developed countries.(71, 72) In 2014, the Partnership endorsed the Government's Education Sector Plan and awarded a \$50 million grant to Uzbekistan for its implementation in coordination with UNICEF and the World Bank. The program will promote child literacy and math skills; develop teachers' classroom skills; expand access to quality early childhood care and education in rural areas; raise the quality of secondary education; and increase the capacity of the Ministry of Public Education to monitor the education system.(71)
School Assistance*‡	Ministry of Public Education program that provides winter clothes and other educational resources to needy families to support their school attendance.(73)

# Uzbekistan

NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

**Table 8. Social Programs to Address Child Labor**

Program	Description
Family Support Assistance*‡	Government of Uzbekistan program that provides an allowance to low-income families to be paid if their children continue their education up to age 18.(73)
Child Protection Assistance*	UNICEF program that engages with the Government of Uzbekistan to support the development of a national child protection system that will prevent and respond to children who are at risk of or have been subject to child abuse, exploitation, and violence.(74)
Child Rights Monitoring	UNICEF program that partners with local and regional governments, NGOs, and civil service training institutions to strengthen Uzbekistan’s application and monitoring of obligations under the UN Convention on the Rights of the Child.(75)
Shelter Support‡	Ministry of Labor and Social Protection operates a shelter for trafficking victims that provides victims with medical, psychological, legal, and vocational training.(21)
Awareness-raising‡	Government broadcasts developed in partnership with an anti-human- trafficking NGO to raise awareness of labor trafficking.(21)
Human Trafficking Hotlines‡	Ministry of Labor and Social Protection operates hotlines for reporting incidents of trafficking.(56)
Labor Hotlines‡	Trade unions and Ministry of Labor and Social Protection operate hotlines for workers to report labor violations. (3) There were indications during the reporting period that some hotlines were not operational, leaving gaps in the system for receiving and processing child labor complaints.(3, 5)
Cotton Picking Machine Provisions*‡	Government program that rents harvesting machines to farmers to help reduce the need for human cotton pickers.(3, 54) In 2014, a limited number of harvesters were available for rent.(3)

\* The impact of this program on child labor does not appear to have been studied.

† Program was approved during the reporting period.

‡ Program is funded by the Government of Uzbekistan.

Although the Government has implemented programs to combat child labor in the cotton harvest and to address human trafficking, the scope of these programs is insufficient to fully address the extent of the problem.

During the reporting period, the Government engaged with international organizations in their efforts to develop a system for monitoring and remediating forced labor or child labor in the cotton sector among beneficiaries of agricultural and rural development projects. In response to international concerns about the risk that its portfolio of projects in Uzbekistan could incidentally support or use these prohibited forms of labor, the World Bank committed to create a mechanism for third-party monitoring and a feedback channel for child labor and forced labor complaints.(33, 76, 77) The Government actively participated in discussions regarding the design of these mechanisms and stated it would ensure labor standards are maintained during project implementation. Methodologies for forced labor monitoring and the feedback mechanism for child labor and forced labor complaints were still in a nascent state at the end of the year.(32, 76)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uzbekistan (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Target labor and criminal inspections in areas where hazardous child labor is known to occur, especially in the cotton sector.	2011 – 2014
	Allow independent observers unrestricted access to monitor the cotton harvest through unannounced site visits, and punish officials who threaten or detain observers in order to suppress information about labor violations.	2014
	Publish updated information on investigations and convictions related to the worst forms of child labor and trafficking of children.	2011 – 2014
	Strengthen recordkeeping in educational institutions and maintain up to date records of cotton workers’ ages on district lists.	2013 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a comprehensive cotton harvest monitoring and enforcement system that investigates worker complaints and third-party reports of school closings and mobilization of children under age 18 to work in the cotton harvest or other forms of child labor, and applies sanctions against responsible individuals, including local or regional government authorities (such as <i>hokim</i> or town mayors).	2012 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2014
Government Policies	Strengthen efforts to raise awareness of the ban on child labor in the cotton harvest by developing and disseminating presentation materials that clearly explain the legal definition of prohibited child labor and the consequences of failing to abide by the law.	2014
	Revise policies that mandate cotton harvest quotas to help prevent forced involvement of children under age 18 in the cotton harvest.	2012 – 2014
	Conduct a national child labor survey.	2013 – 2014
Social Programs	Expand programs to address the worst forms of child labor, with a particular focus on children involved in cotton production.	2009 – 2014
	Ensure that hotlines for child labor, forced labor, and other concerns about cotton harvest labor practices are fully operational and hotline personnel are trained and ready to provide assistance.	2014
	Assess the impact that school assistance and family support programs may have on addressing child labor.	2011 – 2014

## REFERENCES

- Uzbek-German Forum for Human Rights. *Preliminary Report on Forced Labor During Uzbekistan's 2014 Cotton Harvest* November 7, 2014.
- U.S. Department of Labor's Office of Child Labor, FL, and Human Trafficking. *Notes from discussion with U.S. Embassy-Tashkent official*. Washington: March 18, 2015
- U.S. Embassy- Tashkent. *reporting, January 15, 2015*.
- U.S. Embassy- Tashkent. *reporting, October 10, 2014*
- U.S. Embassy- Tashkent. *reporting, October 24, 2014*.
- Uzbek-German Forum for Human Rights. "The Government's Riches, the People's Burden: Human Rights Violations in Uzbekistan's 2014 Cotton Harvest." (2015);
- Rahmatullayev, T. "Cotton Campaign Chronicle in Uzbekistan: The issue of involving children in cotton picking remains unresolved." Central Asia News.
- IWPR. "Child Labour Persists in Uzbek Cotton Industry." Turkish Weekly, Ankara, September 24, 2011. <http://www.turkishweekly.net/news/124002/child-labour-persists-in-uzbek-cotton-industry.html>.
- Uznews.net. "Uzbek Schoolchildren Forced to Weed Cotton Fields." uznews.net [source on file] May 16, 2013 [cited March 10, 2014];
- Uzbek-German Forum for Human Rights. *Chronicle of Forced Labor of Children and Adults: Issue 1*. Berlin; June 5, 2013. <http://uzbekgermanforum.org/wp-content/uploads/2013/08/1-Cotton-Chronicle-20131.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed April 8, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from MICS3 Survey, 2006. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- ILO. *ILO High Level Mission Report on the Monitoring of Child Labor*. Geneva; December 2013.
- Jong Chul Kim, Sejin Kim, and Il Lee. *2013 Field Investigation Report: Uzbekistan* Seoul, Advocates for Public Interest Law; December 13, 2013. <http://www.apil.or.kr/attachment/cfile7.uf@2137684452AAA61E0A2FE4.docx>.
- Uzbek-German Forum for Human Rights. *Human Rights Due Diligence and World Bank Funding in Uzbekistan's Agricultural Sector* June 2014. <http://uzbekgermanforum.org/wp-content/uploads/2014/06/UGF-World-Bank-Loans-to-Uzbekistan.pdf>.
- U.S. Department of State. "Uzbekistan," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220622.pdf>.
- Central Asia Economy Newswire. "Uzbek Children Breed Silkworms Despite Child Labor Ban." centralasianewswire.com [online] September 6, 2010 [cited December 8, 2014]; <http://centralasianewswire.com/Business/Uzbek-children-breed-silkworms-despite-child-labor-ban/viewstory.aspx?id=1614>.
- Mirovalev, M. "Smooth as Silk? Not for Uzbekistan Farm Kids." Washington, DC, September 9, 2010; World News. <http://www.washingtontimes.com/news/2010/sep/9/smooth-as-silk-not-for-farm-kids/?page=all>.
- Farangis Najibullah, and Sadridin Ashurov. "Uzbeks Toil To Keep Silk Industry's Traditions Alive." rferl.org [online] March 12, 2013 [cited January 2, 2014]; <http://www.rferl.org/content/uzbekistan-silk-industry/24926469.html>.
- UNCRC. *Concluding observations on the combined third and fourth periodic reports of Uzbekistan, adopted by the Committee at its sixty-third session (27 May-14 June 2013)*. Geneva; July 10, 2013. [www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-UZB-CO-3-4.pdf](http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-UZB-CO-3-4.pdf).
- U.S. Embassy- Tashkent. *reporting, February 18, 2015*.
- ILO Committee of Experts. "Report of the Committee of Experts on the Application of Conventions and Recommendations," in International Labour Conference, 101st Session 2012; Geneva; [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_174843.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_174843.pdf).
- Human Rights Watch. *Uzbekistan: Forced Labor Widespread in Cotton Harvest*, Human Rights Watch, [online] January 26, 2013 [cited January 16, 2014]; <http://www.hrw.org/news/2013/01/25/uzbekistan-forced-labor-widespread-cotton-harvest>.
- Uzbek-German Forum for Human Rights, Cotton Campaign. *Review of the 2012 Cotton Harvest in Uzbekistan*. Berlin; December 20, 2012. <http://www.cottoncampaign.org/wp-content/uploads/2012/12/Review2012-CottonHarvestUzbekistan.pdf>.
- Responsible Sourcing Network. *From the Field: Travels of Uzbek Cotton through the Value Chain*. Oakland; 2012. <http://www.sourcingnetwork.org/storage/FromTheFieldReport.pdf>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Published: 2012*; accessed March 10, 2015; <http://www.ilo.org/ilolex/english/ilolex.htm>.
- New York Times. "In Uzbekistan, the Practice of Forced Labor Lives on During the Cotton Harvest." New York, December 17, 2013. <http://mobile.nytimes.com/2013/12/18/world/asia/forced-labor-lives-on-in-uzbekistans-cotton-fields.html?from=world>.
- U.S. Embassy- Tashkent. *reporting, February 14, 2014*.

# Uzbekistan

## NO ADVANCEMENT - EFFORTS MADE BUT COMPLICIT

29. Coordination Council for the Problems of Child Labor in the Republic of Uzbekistan. *Minutes No. 5 About the Results of the National Monitoring of Child Labour in Cotton Harvest in 2014 and the Recommendations for the Governmental Authorities, Ministries, Agencies and Civil Society Institutes*. Tashkent, November 3, 2014.
30. U.S. Embassy- Tashkent. *reporting, September 19, 2014*.
31. U.S. Department of Labor's Office of Child Labor, Forced Labor, and Human Trafficking. *Summary of Interviews with Human Rights Advocates in Uzbekistan*. December 4, 2014
32. U.S. Department of Labor's Office of Child Labor, Forced Labor, and Human Trafficking. *Summary of Interview with World Bank staffperson*. December 3, 2014
33. World Bank Inspection Panel. *Republic of Uzbekistan: Second Rural Enterprise Support Project (P109126) and Additional Financing for the Second Rural Enterprise Support Project (P126962): Final Eligibility Report and Recommendation on a Request for Inspection*; 2015 December 19, 2014. [http://ewebapps.worldbank.org/apps/ip/PanelCases/89%20-%20Final%20Eligibility%20Report%20\(English\).pdf](http://ewebapps.worldbank.org/apps/ip/PanelCases/89%20-%20Final%20Eligibility%20Report%20(English).pdf).
34. Office of Child Labor, Forced Labor, and Human Trafficking. *Notes from discussion with World Bank staffperson*. May 8, 2015
35. U.S. Embassy- Tashkent. E-mail communication to USDOL official. June 16, 2015
36. U.S. Embassy- Tashkent. *reporting, September 26, 2014*.
37. U.S. Embassy- Tashkent official. E-mail communication to USDOL official. April 28, 2015
38. Office of Child Labor, Forced Labor, and Human Trafficking. *Notes from Discussion with U.S. Embassy- Tashkent official*. June 18, 2015
39. U.S. Department of State. "Uzbekistan," in *Trafficking in Persons Report-2014*. Washington, D.C.; June 20, 2014; <http://www.state.gov/documents/organization/226849.pdf>.
40. U.S. Embassy- Tashkent. *reporting, February 15, 2013*.
41. Government of the Republic of Uzbekistan. *Law No. ZRU-239 to amend the Labour Code of the Republic of Uzbekistan and Law on Child's Rights Guarantees*, UZB-2009-L-85547, enacted 2009. [http://www.oit.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&cp\\_isn=85547](http://www.oit.org/dyn/natlex/natlex_browse.details?p_lang=en&cp_isn=85547).
42. Government of the Republic of Uzbekistan. *Law No. ZRU-139 on Child's Rights Guarantees*, UZB-2008-L-85548, enacted 2008. [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&cp\\_isn=85548](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&cp_isn=85548).
43. Government of the Republic of Uzbekistan. *Law No. ZRU-365 Labor Code of the Republic of Uzbekistan*, enacted 1996. [http://fmc.uz/legisl.php?id=k\\_trud\\_1](http://fmc.uz/legisl.php?id=k_trud_1)
44. Government of the Republic of Uzbekistan. *Decree on Approval of Provision on Requirements on Prohibition of Use of Minors' Labor*, enacted 2010.
45. Government of the Republic of Uzbekistan. *Decree on Adoption of the List of Occupations with Unfavorable Working Conditions to which it is forbidden to Employ Persons under Eighteen Years of Age*, enacted 2009.
46. Government of the Republic of Uzbekistan. *Constitution of the Republic of Uzbekistan*, enacted 1992. <http://gov.uz/en/constitution/>.
47. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Published: 2011*; accessed January 3, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
48. Government of the Republic of Uzbekistan. *On Measures Undertaken to Implement Conventions on Forced Labour*. 2014.
49. Government of the Republic of Uzbekistan. *Criminal Code of the Republic of Uzbekistan*, enacted 1994. [http://www.unhcr.org/refworld/publisher/NATLEGBO/D\\_UZB.3ae6b59216.0.html](http://www.unhcr.org/refworld/publisher/NATLEGBO/D_UZB.3ae6b59216.0.html).
50. Child Soldiers International. *Louder than words: An agenda for action to end state use of child soldiers*. London; 2012. [http://www.child-soldiers.org/user\\_uploads/pdf/louderthanwordsseptember20124903558.pdf](http://www.child-soldiers.org/user_uploads/pdf/louderthanwordsseptember20124903558.pdf).
51. Conscience and Peace Tax International. *Submission to the 98th Session of the Human Rights Committee: March 2010: Uzbekistan*. Conscientious Objection to Military Service and related issues. April 2009. [http://www.google.com/ur?sa=t&rect=j&q=&esrc=s&source=web&cd=3&ved=0CDMQFjA&url=http%3A%2F%2Fwww2.ohchr.org%2Fenglish%2Fbodies%2Fhrc%2Fdocs%2Fngos%2FCPTI\\_uzbekistan98\\_en.doc&ei=ruHFUuDKGdKzASfz4GYDQ&usq=AFQjCNGwnt65gF6pQq-3VYOBnGobEi-2nQ&sig2=0qEji-Cd9Av-xo7wD9E9Xg&bvm=bv.58187178.d.cWc&cad=rja](http://www.google.com/ur?sa=t&rect=j&q=&esrc=s&source=web&cd=3&ved=0CDMQFjA&url=http%3A%2F%2Fwww2.ohchr.org%2Fenglish%2Fbodies%2Fhrc%2Fdocs%2Fngos%2FCPTI_uzbekistan98_en.doc&ei=ruHFUuDKGdKzASfz4GYDQ&usq=AFQjCNGwnt65gF6pQq-3VYOBnGobEi-2nQ&sig2=0qEji-Cd9Av-xo7wD9E9Xg&bvm=bv.58187178.d.cWc&cad=rja).
52. UNESCO. *Uzbekistan Education Sector Overview*, UNESCO, [online] 2013 [cited June 23, 2015]; <http://www.unesco.org/education/resources/education-system-profiles/uzbekistan/education-sector-overview/>.
53. U.S. Embassy- Tashkent. *reporting, January 31, 2013*.
54. Ministry of Foreign Affairs of the Republic of Uzbekistan official. Written communication to U.S. Department of State official. February 17, 2014.
55. U.S. Department of Labor's Office of Child Labor, Forced Labor, and Human Trafficking. *Summary of Meeting with the Ministry of Labor and Social Protection*. December 3, 2014
56. Government of the Republic of Uzbekistan. *Information on anti-TIP efforts carried out in Uzbekistan in 2014*. 2015.
57. ILO Committee of Experts. *Examination of Individual Case concerning Convention No. 182: Worst Forms of Child Labour, 1999 Uzbekistan (ratification: 2008) Published: 2011*; accessed June 23, 2015; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2556592](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2556592).
58. Embassy of the Republic of Uzbekistan- Washington official. Written communication to U.S. Department of State official. April 13, 2011.
59. U.S. Embassy- Tashkent. *reporting, January 4, 2012*.
60. Embassy of the Republic of Uzbekistan- Washington official. Written communication to Office of the United States Trade Representative official. April 9, 2012.
61. Ministry of Foreign Affairs of the Republic of Uzbekistan official. Written communication to U.S. Department of State official. March 12, 2013.
62. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Published: 2012*; accessed June 23, 2015; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3087347](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3087347).
63. ILO and the Republic of Uzbekistan. *Memorandum of Understanding*. 2014. <http://www.ilo.org/public/english/bureau/program/dwcp/download/uzbekistan.pdf>.
64. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Published: 2013*; accessed January 14, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
65. Government of the Republic of Uzbekistan. *Decree of the Cabinet of Ministers of the Republic of Uzbekistan on Additional Measures in 2012-2013 for Implementation of the Convention on Forced or Compulsory Labor and the Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor Ratified by the Republic of Uzbekistan*, no. 82, enacted March 26, 2012.
66. Government of the Republic of Uzbekistan. *Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 137 of 27 May 2014 on Additional Measures to Ensure the Implementation of Conventions of the International Labour Organization (ILO) Ratified by the Republic of Uzbekistan for the Period of 2014-2016*. 2014.
67. Government of the Republic of Uzbekistan. *Education Sector Plan 2013 - 2017*. Tashkent; 2013. <http://www.globalpartnership.org/content/uzbekistan-education-sector-plan-2013-2017>.
68. Cabinet of Ministers of the Republic of Uzbekistan. *Minutes of the Meeting Held at the Cabinet of Ministers of the Republic of Uzbekistan No. 111*. August 6, 2014.
69. Mayor of the City of Tashkent. *Resolution of the Mayor of Tashkent City No. 179 On the Mass Mobilization of Cotton Pickers in the Jizzakh and Syrdarya Regions Due to the Start of the 2014 Harvest Season*. August 28, 2014.
70. U.S. Department of Labor's Office of Child Labor, Forced Labor and Human Trafficking. *Notice of Intent to Fund the Decent Work Country Program in Uzbekistan*. 2014.
71. Global Partnership for Education. *Global Partnership for Education: Uzbekistan*, [online] [cited January 14, 2015] <http://www.globalpartnership.org/country/uzbekistan>.
72. Global Partnership for Education. *Global Partnership for Education: About GPE*, [online] [cited January 14, 2015]; <http://www.globalpartnership.org/about-GPE>.
73. Asian Development Bank. *Republic of Uzbekistan: Updating and Improving the Social Protection Index*. Manila; August 2012. <http://www.adb.org/sites/default/files/projdocs/2013/44152-012-reg-tacr-29.pdf>.
74. UNICEF. *UNICEF Uzbekistan: Child Protection: Social Work*, [online] [cited January 14, 2015]; <http://unicef.uz/en/programmes/child-protection/social-work>.
75. UNICEF. *UNICEF Uzbekistan: Social Policy: Child Rights Monitoring*, [cited January 14, 2015]; <http://unicef.uz/en/programmes/social-policy/child-rights-monitoring>.
76. World Bank. *Implementation Status and Results Uzbekistan South Karakalpakstan Water Resources Management Improvement (P127764)*; 2014 November 15, 2014. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/PA/2014/11/15/090224b082861a171\\_0/Rendered/PDF/Uzbekistan000S0Report000Sequence001.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/PA/2014/11/15/090224b082861a171_0/Rendered/PDF/Uzbekistan000S0Report000Sequence001.pdf).
77. World Bank. *Project Information Document Appraisal Stage: Improving Pre-primary and General Secondary Education Project (P144856)*; 2014 July 14. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/PA/2014/07/16/090224b082591812/2\\_0/Rendered/PDF/ProjectInform0on0Project000P144856.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/PA/2014/07/16/090224b082591812/2_0/Rendered/PDF/ProjectInform0on0Project000P144856.pdf).



In 2014, Vanuatu made no advancement in efforts to eliminate the worst forms of child labor. The Government continued implementing the National Minimum Standards in Education, a key component of which is child protection. However, limited evidence suggests that children are engaged in child labor in agriculture and in the worst forms of child labor in commercial sexual exploitation. The law does not establish a minimum age for hazardous work and the law does not prohibit hazardous occupations and activities for children. A mechanism to coordinate government efforts to combat child labor has not been established. Vanuatu does not have any social programs to address child labor, including its worst forms.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Vanuatu are engaged in the worst forms of child labor in commercial sexual exploitation.(1) Table 1 provides key indicators on children’s work and education in Vanuatu. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		83.6

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(2)  
Data were unavailable from Understanding Children’s Work Project’s analysis, 2015.(3)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Activities unknown* (4, 5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (1, 5, 6)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor per se under Article 3 (a) – (c) of ILO C. 182.


There have been no national surveys of child labor in Vanuatu to determine the nature and prevalence of the problem.(7) By tradition, children in Vanuatu are expected to assist with agricultural production from a young age.(5)

The Vanuatu Education Road Map establishes a policy to make primary education, grades one to six, free to all children by 2015. (8) However, school fees and lack of physical access to schools continue to be significant barriers to education.(7, 9-11)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR



Vanuatu has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓



**Table 3. Ratification of International Conventions on Child Labor (cont)**

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 40 of the Employment Act (12)
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Section 7 of the Employment Act, Section 102 of the Penal Code (12, 13)
Prohibition of Child Trafficking	Yes		Section 102 of the Penal Code (13)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 101B, 101D, and 147B of the Penal Code (13)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	No		
Free Public Education	No		

† No standing military (14)

While the minimum age for employment is 15, the law permits children ages 12 through 14 to perform light domestic or agricultural work on third-party farms, if they are employed with a family member. The Employment Act does not define what constitutes “light work.”(12) The Government has neither established a minimum age for hazardous work nor prohibited hazardous occupations and/or activities for children.(12)

Information was not available on whether there are laws that regulate the use of children in illicit activities, such as drug trafficking; however, incitement of another person to any criminal offense is prohibited by the Penal Code.(13)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Labor Department	Enforce provisions set forth in the Employment Act, including child labor laws.(15)
Vanuatu Police Force	Enforce all criminal laws, including those regarding human trafficking and commercial sexual exploitation of children.(5)

Research did not find evidence that law enforcement agencies in Vanuatu took actions to combat child labor, including its worst forms.

**Labor Law Enforcement**

Based on the most recent information available, four inspectors within the Labor Department are responsible for child labor cases. Labor inspector training on the topic of child labor is limited to informal presentations.(1) Information is not available on the number of labor inspections, violations of child labor laws, or citations and/or penalties issued during the reporting period.(16) Research did not find whether a referral mechanism exists between the Labor Department and the Vanuatu Police Force, or between the Labor Department and social protection and rehabilitation services.

**Criminal Law Enforcement**

Based on the most recent data available, the Vanuatu Police Force employs 50 investigators, who are responsible for enforcing laws against the worst forms of child labor.(5) Information is not available on the training of investigators or on the number of investigations, prosecutions, and convictions of crimes related to the worst forms of child labor.(7) Research did not find whether a referral mechanism exists between the Vanuatu Police Force and a social welfare program that can provide protection and rehabilitation for children involved in the worst forms of child labor.

**IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

Although a committee exists to improve the well-being of children, research found no evidence that the committee functions as a coordinating mechanism to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Children's Committee	Coordinate Government efforts to improve children's well-being, including eliminating the commercial sexual exploitation of children. Monitor child protection issues and create a comprehensive and integrated agenda for children's rights.(7, 17)

**V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Vanuatu has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
UNDAF for the Pacific Region (2013–2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, Niue, Palau, Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(18) Includes initiatives to prevent and respond to abuse and exploitation of children in Vanuatu.(19)
Vanuatu Education Road Map*	Establishes a comprehensive strategic direction for the country's education sector and specifically supports the goal of achieving universal primary education by 2015. Includes three strategic goals: (1) to increase equal access to education, which includes increasing government grants and phasing out parental contributions; (2) to improve the quality of education; and (3) to improve management of the education system.(8)
Vanuatu Minimum Quality Standards for Primary Schools*	Includes a requirement that all primary schools develop and implement Safe School Policies that cover child protection and emergency preparedness.(20)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Although the Government of Vanuatu has policies related to child labor, research found no evidence of a policy addressing child labor, including its worst forms.

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

Research found no evidence of programs that include the goal of eliminating or preventing child labor, including its worst forms.

**VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR**

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Vanuatu (Table 8).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014
	Set the minimum age for hazardous work at 18 and ensure that the law prohibits hazardous occupations and/or activities for children.	2009 – 2014
	Ensure that the law protects children under age 15 employed in light domestic or agricultural work.	2009 – 2014
	Ensure that the law establishes a compulsory age for education that is equal to or older than the minimum age for work.	2009 – 2014
Enforcement	Train labor inspectors on enforcing child labor laws and train criminal investigators on enforcing laws prohibiting the worst forms of child labor.	2014
	Publish data on the number of labor inspections, violations of child labor laws, and citations and/or penalties. Publish data on the number of investigations, prosecutions, and convictions of crimes related to the worst forms of child labor.	2012 – 2014
	Establish referral mechanisms among the Labor Department, the Vanuatu Police Force, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014
Coordination	Establish a coordinating mechanism to combat child labor, including its worst forms.	2012 – 2014
Government Policies	Explore ways to increase access to schooling and fully implement the policy of free, universal education.	2012 – 2014
	Integrate child labor elimination and prevention into existing education and child protection policies.	2012 – 2014
	Establish a policy to address child labor, including its worst forms.	2014
Social Programs	Conduct a national child labor survey to determine the prevalence and nature of child labor in Vanuatu.	2014
	Implement programs to address the worst forms of child labor, specifically commercial sexual exploitation.	2012 – 2014

### REFERENCES

- U.S. Department of State. "Vanuatu," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220453.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Department of State. "Vanuatu," in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; [http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic\\_load\\_id=186318](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186318).
- U.S. Embassy- Port Moresby. *reporting, December 28, 2014*.
- U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. May 22, 2013.
- U.S. Embassy- Port Moresby. *reporting, January 16, 2014*.
- Government of Vanuatu. *Vanuatu Education Road Map*. Canberra; 2009. [http://www.usaid.gov.au/publications/pages/8652\\_7694\\_5075\\_2266\\_8206.aspx](http://www.usaid.gov.au/publications/pages/8652_7694_5075_2266_8206.aspx).
- Oxfam New Zealand. *Back to School in Vanuatu*, Oxfam, [online] [cited July 18, 2013]; <http://www.oxfam.org.nz/what-we-do/where-we-work/vanuatu/education>.
- Humanium for Children's Rights. *Children of Vanuatu: Realizing Children's Rights in Vanuatu*, Humanium, [online] [cited December 29, 2014]; <http://www.humanium.org/en/vanuatu/>.
- ILO. *Country Baselines Under the ILO Declaration Annual Review (2000-2010): the Effective Abolition of Child Labour (CL), Vanuatu*. Geneva; 2010. [http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/lang-en/docName--WCMS\\_091263/index.htm](http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/lang-en/docName--WCMS_091263/index.htm).
- Government of Vanuatu. *Employment Act (Cap 160)*, Act 1 of 1983; Act 20 of 1986, enacted May 30, 1983 (Revised edition 1988). [http://www.ifev.edu.vu/council/empl\\_act.html](http://www.ifev.edu.vu/council/empl_act.html).
- Government of Vanuatu. *Penal Code*, Chap. 135, enacted August 7, 1981. [http://www.paclii.org/vu/legis/consol\\_act/pc66/](http://www.paclii.org/vu/legis/consol_act/pc66/).
- Central Intelligence Agency. *The World Factbook: Vanuatu*, United States Government, [online] [cited January 5, 2015]; <https://www.cia.gov/library/publications/the-world-factbook/geos/nh.html>.
- U.S. Department of State. "Vanuatu," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Embassy- Port Moresby. *reporting December 28, 2014*.
- Ministry of Justice and Community Services, Government of Vanuatu, [previously online] [cited April 30, 2013]; <http://www.governmentofvanuatu.gov.vu/index.php/government/justice> [source on file].
- UNDAF for the Pacific Region 2013-2017. [http://www.undp.org/content/dam/samoal/docs/UNDP\\_WS\\_UNDAF\\_Summary\\_Report\\_2013-17.pdf](http://www.undp.org/content/dam/samoal/docs/UNDP_WS_UNDAF_Summary_Report_2013-17.pdf).
- UNDAF. *Results Matrix 2013-2017, Vanuatu*. [http://www.pacific.one.un.org/images/stories/2013/vanuatu\\_crm.pdf](http://www.pacific.one.un.org/images/stories/2013/vanuatu_crm.pdf).
- Ministry of Education. *Vanuatu Minimum Quality Standards for Primary Schools*; September 2011. [http://www.unicef.org/pacificislands/UNICEF\\_VANUATU\\_MINIMUM\\_QUALITY\\_STANDARDS\\_FOR\\_PRIMARY\\_SCHOOLS\\_1.pdf](http://www.unicef.org/pacificislands/UNICEF_VANUATU_MINIMUM_QUALITY_STANDARDS_FOR_PRIMARY_SCHOOLS_1.pdf).

*In 2014, Venezuela made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government signed the Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor and maintained policies and programs that aim to alleviate poverty and improve conditions for some working children. However, children in Venezuela continue to engage in the worst forms of child labor, including in commercial sexual exploitation and forced domestic service. The Government does not have sufficient efforts in place to protect children in key sectors where child labor is prevalent and does not make information on enforcement efforts publicly available. In addition, information is not available on the effectiveness of the Government's coordinating body on child labor, and the Government has not established a list of hazardous occupations prohibited for children.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Venezuela are engaged in the worst forms of child labor, including in commercial sexual exploitation and forced domestic service.(1-6)

Data from the 2006 Household Survey indicate that children's employment levels are highest in the states of Apure and Guárico. The 2006 Survey also shows that among children ages 10 to 14, girls are more likely to work in manufacturing and trade while boys are more likely to work in agriculture.(7) The Government's 2011 census found approximately 262,000 children and adolescents between ages 10 and 17 working in Venezuela, but research could not determine the extent to which the survey encompassed the informal sector, or whether there are studies that target the worst forms of child labor.(8) Table 1 provides key indicators on children's work and education in Venezuela.

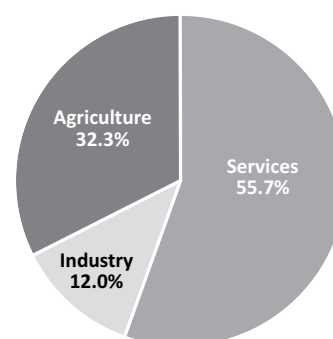
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10-14 yrs.	5.1 (138,641)
Attending School (%)	5-14 yrs.	96.0
Combining Work and School (%)	10-14 yrs.	4.1
Primary Completion Rate (%)		96.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Hogares por Muestreo (EHM), 2006.(10)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Clearing land,* planting,* fumigating,*and harvesting* (11)
	Tending and grazing livestock,* cleaning corrals (11, 12)
	Fishing,* including processing ark clams* (11, 12)
Industry	Mining,* activities unknown (5, 13)
	Manufacturing,* activities unknown (7)

# Venezuela

## MINIMAL ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Domestic service (4, 13-15)
	Street work including peddling, collecting bus and taxi fares,* and motorbike couriering* (5, 8, 12, 16, 17)
	Construction assistance,* including lifting and carrying heavy materials (5, 12)
	Carrying bags and pushing carts in supermarkets* (12)
	Garbage scavenging, recycling (16, 18)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work* and street begging* (3, 5, 6, 13, 19)
	Selling drugs sometimes as a result of forced labor* (5, 13)
	Commercial sexual exploitation sometimes as a result of human trafficking (1-3, 6)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.







‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

Children are sometimes trafficked to urban areas, such as Caracas and Maracaibo, or to resort destinations, such as Margarita Island, for commercial sexual exploitation.(3)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Venezuela has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 32 of the Labor Law; Article 96 of the Law for the Protection of Children and Adolescents (20, 21)
Minimum Age for Hazardous Work	Yes	18	Article 96 of the Law for the Protection of Children and Adolescents; Articles 79–80 of the Regulations on Occupational Safety and Health Conditions (21, 22)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 96 of the Law for the Protection of Children and Adolescents; Articles 79 and 80 of the Regulations on Occupational Safety and Health Conditions (21, 22)
Prohibition of Forced Labor	Yes		Article 30 of the Labor Law; Article 38 of the Law for the Protection of Children and Adolescents; Article 54 of the Constitution; Article 41 of the Law Against Organized Crime and Terrorism; Article 56 of the Law for Women’s Right to a Life Free from Violence (20, 21, 23-25)
Prohibition of Child Trafficking	Yes		Articles 40, 231–232, and 266-268 of the Law for the Protection of Children and Adolescents; Article 54 of the Constitution; Article 41 of the Law Against Organized Crime and Terrorism; Articles 55–56 of the Law for Women’s Right to a Life Free from Violence (21, 23-25)



**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 33 and 258 of the Law for the Protection of Children and Adolescents; Articles 46–49 of the Law Against Organized Crime and Terrorism; Article 56 of the Law for Women’s Right to a Life Free from Violence; Article 24 of the Special Law against Cybercrimes (21, 24-26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 264–265 of the Law for the Protection of Children and Adolescents; Article 38 of the Drug Act (21, 27)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 4 of the Partial Reform of the Military Enlistment Law (28)
Compulsory Education Age	Yes	15	Article 53 of the Law for the Protection of Children and Adolescents; Articles 102–103 of the Constitution; Articles 3 and 6 of the Education Law (21, 23, 29)
Free Public Education	Yes		Article 53 of the Law for the Protection of Children and Adolescents; Article 102 of the Constitution; Articles 3 and 6 of the Education Law (21, 23, 29)

\* No conscription (23, 28)

Articles 79 and 80 of the Regulations on Occupational Safety and Health Conditions prohibit activities considered to be dangerous or unhealthy for children under age 18, but they do not specify or incorporate a list of these activities. Similarly, article 96 of the Law for the Protection of Children and Adolescents prohibits children under age 18 from working in activities prohibited by law, but does not specify which activities are considered hazardous or prohibited for minors to perform. (21, 22) The Government has yet to establish a comprehensive list of hazardous occupations prohibited to children under age 18. (1, 5, 30, 31)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Popular Power for Labor and Social Security (MINPPTRASS)	Enforce labor laws, including child labor laws. Develop policies and projects regarding child labor. (16, 32)
National Institute for Prevention, Safety, and Health at Work (INPSASEL)	Assist MINPPTRASS in enforcing labor laws and conditions of work in Venezuela. Help develop labor inspection apparatus as well as implement national labor policies. (33)
Ministry of Popular Power of the Interior, Justice, and Peace (MPPRIJP)	Investigate trafficking-in-persons cases through its Criminal Investigative Division and its Scientific, Penal, and Criminal Investigative Corps (CICPC). Role of CICPC is to help enforce laws related to commercial sexual exploitation and illicit activities. (5)

Law enforcement agencies in Venezuela took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

Although the Government has stated that the Ministry of Popular Power for Labor and Social Security (MINPPTRASS) and the National Institute for Prevention, Safety, and Health at Work (INPSASEL) carry out child labor inspections in the formal and informal business sectors, research did not find information regarding the number of labor inspectors employed to enforce child labor laws; it is unknown whether labor inspectors received training on child labor or had adequate resources. The number of labor inspections conducted during the reporting period is also unknown and research did not find information available on whether, or how many, employers were sanctioned for child labor violations, referral mechanisms to assist children, or whether penalties are sufficient to effectively deter child labor violations. (5)

# Venezuela

## MINIMAL ADVANCEMENT

### *Criminal Law Enforcement*

Research did not find publicly available information regarding criminal law enforcement, including the total number of victims, investigations, prosecutions, or convictions for trafficking or commercial sexual exploitation.(5) In January 2014, three women in the state of Anzoátegui were convicted for human trafficking and commercial sexual exploitation of four minors. One woman was sentenced to 18 years and 6 months of prison for sexual exploitation and cruel treatment of minors; the other two women were sentenced to 8 years and 9 months of prison for collusion on sexual exploitation.(34) Human trafficking victims are typically referred to government agencies and local organizations for legal and psychological services, however research did not find information regarding a formal referral process for officials to implement.(6)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role and Description
System for the Protection of Children and Adolescents	Coordinate and protect children's rights and address child labor issues through policies and programs at the national and state levels. Comprised of several government ministries, government councils, and representatives from civil society.(21, 35) Mandated by the Law for the Protection of Children and Adolescents.(21)

Research could not determine the extent to which the System for the Protection of Children and Adolescents was active during the reporting period. Research could also not determine whether the Government maintains a coordinating body that addresses the trafficking of children, including for commercial sexual exploitation.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Venezuela has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Second Socialist Plan for the Economic and Social Development of the Nation (2013–2019)*	Provides a roadmap for reducing poverty by improving economic opportunity, access to health care, education, and housing.(36)
National Plan of Action Against Abuse and Commercial Sexual Exploitation (PANAESC)	Addresses the prevention of commercial sexual exploitation of children under age 18 and the rehabilitation of victims.(37)
Second Presidential Declaration on the Prevention and Eradication of Child Labor in MERCOSUR (2012)	Promotes greater coordination between governmental agencies, levels of government, and with civil society among MERCOSUR members.(38, 39)
MERCOSUR's Southern Child Initiative	Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding the commercial sexual exploitation of children, child trafficking and pornography, child labor, and migrant labor; by improving country legal frameworks to harmonize them with international conventions affecting children, and by exchanging best practices.(40-42)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014-2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through the signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Venezuela at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(43, 44)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Although the Government of Venezuela has adopted poverty reduction strategies, as well as policies that target the trafficking and commercial sexual exploitation of children, research did not find evidence of a national policy that targeted other forms of child labor, such as domestic service and garbage scavenging.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Venezuela funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Program to Dignify Working Children and Adolescents (PRODINAT)‡	National Council for the Rights of Children and Adolescents (IDENA) administered program that aims to eradicate exploitative working conditions and establish safe business environments in which children above the legal age may work.(5, 30, 45)
Children of the Barrio Mission ( <i>Misión Niños del Barrio</i> )‡	IDENA-administered program that provides services to at-risk and underprivileged children, including child laborers. Primary goal is to eradicate exploitation, abuse, and psychological and physical mistreatment of children from birth to age 17.(8, 16, 46)
Negra Hipólita Mission ( <i>Misión Negra Hipólita</i> )‡	Government program that provides assistance to vulnerable groups, including street children.(47) Assists children engaged in child labor, including those working at garbage collection sites and on the street.(48, 49) Has assisted more than 50,000 children since its inception in 2006.(49)
Communal Centers for Comprehensive Care*‡	IDENA-supervised centers that provide meals and educational assistance to at-risk children from birth to age 12. Also partners with the Ministry of Popular Power, Health, and Social Development to provide medical and dental care to children.(50)
National Day Camps*‡	IDENA-administered program under the Community Vacation Plan that provides summer day camps to children, with a focus on athletic, artistic, and cultural activities. In 2014, program received approximately \$22.9 million and reached 1.6 million children and adolescents.(5, 8)
Regional Action Group for the Americas ( <i>Grupo de Acción Regional para las Américas</i> )	Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(51, 52)
Elimination of Child Labor in Latin America (Phase 4)	A \$4.5 million, 4-year project funded by the Government of Spain and implemented by ILO-IPEC to combat child labor in 19 countries, including Venezuela.(53)
Education and Monitoring Program for the Eradication of Child Labor	A \$1.3 million, 2-year project funded by the Government of Spain and implemented by ILO-IPEC that aimed to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including Venezuela. Included the objective of developing information systems on the worst forms of child labor.(53)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Venezuela.

In 2014, research indicated the Program to Dignify Working Children and Adolescents (PRODINAT) had limited efficacy due to a continued lack of governmental funding.(5) Research could not identify government programs that targeted children engaged in other forms of child labor, for example in domestic service and commercial sexual exploitation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Venezuela (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Specify and adopt a comprehensive list of hazardous occupations and activities prohibited to children.	2009, 2011 – 2014
Enforcement	Make information on the enforcement of child labor laws publicly available, including funding, the number of inspections, violations found, and penalties imposed, whether inspectors receive adequate training, and whether there were any investigations, prosecutions or convictions for the worst forms of child labor.	2009 – 2014
Coordination	Make information on the activities of the System for the Protection of Children and Adolescents publicly available.	2013 – 2014
	Publish information about any coordinating mechanism that addresses the trafficking of children, including for commercial sexual exploitation.	2013 – 2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into the Second Socialist Plan for the Economic and Social Development of the Nation.	2009 – 2014
	Adopt a national policy that addresses all relevant forms of child labor, including domestic service and garbage scavenging.	2013 – 2014
Social Programs	Ensure that child labor censuses cover all children under age 18 in both the formal and informal economy, and make the results publicly available.	2010 – 2014
	Conduct additional research on the worst forms of child labor, particularly in commercial sexual exploitation and forced domestic service, and make the results publicly available.	2010 – 2011, 2013 – 2014
	Assess the impact that the Communal Centers for Comprehensive Care and the National Day Camps may have on child labor.	2013 – 2014
	Strengthen and expand existing programs, and implement additional programs to specifically address the worst forms of child labor, particularly in forced domestic service and commercial sexual exploitation.	2009 – 2014

### REFERENCES

- ILO Committee of Experts. *Individual Observation Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivarian Republic of Venezuela (ratification: 2005) Published: 2012*; accessed February 2, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO:20010::>
- U.S. Department of State. "Venezuela," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- U.S. Department of State. "Venezuela," in *Trafficking in Persons Report- 2014*. Washington, DC; 2014; <http://www.state.gov/documents/organization/226849.pdf>.
- Blanco Allais, F. "No a la explotación del trabajo infantil." *El Universal*, Caracas, June 12, 2013; Opinion. <http://www.eluniversal.com/opinion/130612/no-a-la-explotacion-del-trabajo-infantil-imp>.
- U.S. Embassy- Caracas. *reporting, January 13, 2015*.
- U.S. Embassy- Caracas. *reporting, February 13, 2015*.
- UCW. *Trends in children's employment and child labour in the Latin America and Caribbean region- Country report for the Bolivarian Republic of Venezuela*. Working Paper Series. Rome; November 2010. [http://www.ucw-project.org/attachment/Venezuela\\_trends20110420\\_151840.pdf](http://www.ucw-project.org/attachment/Venezuela_trends20110420_151840.pdf).
- U.S. Embassy- Caracas. *reporting, February 24, 2014*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta de Hogares por Muestreo (EHM), 2006. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- Fernando Blanco, Henry Moncrieff. *Trabajo y Tradición: Niños y adolescentes del medio rural en Venezuela*. Caracas, Centro de Investigación Social CISOR; November 2013. [http://www.cisor.org.ve/detalle\\_doc.asp?ID=457](http://www.cisor.org.ve/detalle_doc.asp?ID=457).
- U.S. Embassy Caracas official. E-mail communication to USDOL official. April 14, 2015.
- U.S. Department of State. "Venezuela," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220689.pdf>.
- Centro de Investigación Social CISOR. *El Trabajo infanto-adolescente en Venezuela: Estado de la cuestión*. Caracas, Fundación Telefónica; 2009. <http://bit.ly/yFWa20>.
- S. Lyon, and C. Valdivia. *Towards the Effective Measurement of Child Domestic Workers: Building estimates using standard household survey instruments*. Working Paper. Rome, UCW; September 2010. [http://www.ucw-project.org/attachment/St\\_Measuring\\_Child\\_Domestic\\_Work20110517\\_125820.pdf](http://www.ucw-project.org/attachment/St_Measuring_Child_Domestic_Work20110517_125820.pdf).
- U.S. Embassy- Caracas. *reporting, February 1, 2013*.
- El Universal*. "Más de 200 mil niños trabajan en mafias delictivas en Venezuela." *El Universal*, Caracas, June 12, 2014. <http://www.eluniversal.com/sucesos/140612/mas-de-200-mil-ninos-trabajan-en-mafias-delictivas-en-venezuela>.
- Fernando Blanco, Henry Moncrieff. *Los niños recuperadores de basura en Cambalache* Centro de Investigación Social CISOR; 2012. [http://www.fundacion.telefonica.com.ve/publicaciones/ninos\\_recuperadores\\_basura\\_cambalache.pdf](http://www.fundacion.telefonica.com.ve/publicaciones/ninos_recuperadores_basura_cambalache.pdf).
- U.S. Department of State. "Venezuela," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210742.pdf>.
- Government of Venezuela. *Ley Orgánica del Trabajo, las Trabajadoras y los Trabajadores*, enacted April 30, 2012. [http://www.aporrea.org/media/2012/05/decreto\\_ley\\_organica\\_del\\_trabajo\\_enviada.pdf](http://www.aporrea.org/media/2012/05/decreto_ley_organica_del_trabajo_enviada.pdf).
- Government of Venezuela. *Ley Orgánica para la Protección de Niñas, Niños y Adolescentes*, enacted December 10, 2007. <http://www.defensoria.gob.ve/dpl/index.php/leyes-ninos-ninas-y-adolescentes/1347>.
- Government of Venezuela. *Reforma Parcial del Reglamento de las Condiciones de Higiene y Seguridad en el Trabajo, Decreto 1.564*, enacted December 31, 1973. [http://www.inpsasel.gob.ve/moo\\_doc/rchts.pdf](http://www.inpsasel.gob.ve/moo_doc/rchts.pdf).
- Government of Venezuela. *Constitución de la República Bolivariana de Venezuela*, enacted 2000. <http://www.tsj.gov.ve/legislacion/constitucion1999.htm>.
- Government of Venezuela. *Ley Orgánica Contra la Delincuencia Organizada y Financiamiento al Terrorismo*, Gaceta Oficial N° 39.912, enacted April 30, 2012. [http://www.casai.com.ve/chartisint/internet/VE/es/files/Ley-Organica-Contra-la-Delincuencia-Organizada-y-Financiamiento-al-Terrorismo\\_rcm1286-533853.pdf](http://www.casai.com.ve/chartisint/internet/VE/es/files/Ley-Organica-Contra-la-Delincuencia-Organizada-y-Financiamiento-al-Terrorismo_rcm1286-533853.pdf).
- Government of Venezuela. *Ley Orgánica Sobre el Derecho de las Mujeres a Una Vida Libre de Violencia*, No. 38.668, enacted April 23, 2007. [http://venezuela.unfpa.org/documentos/Ley\\_mujer.pdf](http://venezuela.unfpa.org/documentos/Ley_mujer.pdf).
- Government of Venezuela. *Ley Especial Contra los Delitos Informáticos*, enacted 2001. <http://www.tsj.gov.ve/legislacion/ledi.htm>.
- Government of Venezuela. *Ley Orgánica sobre Sustancias Estupefacientes y Psicotropicas*, enacted September 30, 1993. <http://www.contralorianaguanagua.gob.ve/LEYES/LeyesPenal/leysusest.pdf>.

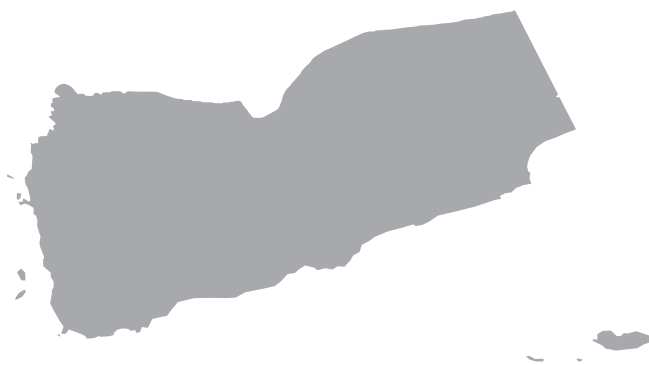
28. Government of Venezuela. *Ley Reforma Parcial de la Ley de Conscripción y Alistamiento Militar*, No. 39.553, enacted November 16, 2010. <http://www.jurislina.com.ve/data/docs/351.pdf>.
29. Government of Venezuela. *Ley Orgánica de Educación*, enacted August 13, 2009. [http://www.me.gob.ve/ley\\_organica.pdf](http://www.me.gob.ve/ley_organica.pdf).
30. ILO Committee of Experts. *Individual Observation Concerning Minimum Age Convention, 1973 (No. 138) Bolivarian Republic of Venezuela (ratification: 1987)* Published: 2012; accessed February 19, 2013; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO:20010::>.
31. ILO Committee of Experts. *Individual Observation Concerning Minimum Age Convention, 1973 (No. 138) Bolivarian Republic of Venezuela (ratification: 1987)* Published: 2014; accessed June 20, 2014; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO:20010::>.
32. Government of Venezuela. *Dirección General de Relaciones Laborales*, [previously online] [cited February 6, 2012]; [www.minpptrass.gob.ve/index.php?option=com\\_content&view=article&id=66&Itemid=106](http://www.minpptrass.gob.ve/index.php?option=com_content&view=article&id=66&Itemid=106) [source on file].
33. Instituto Nacional de Prevención Salud y Seguridad Laborales. Government of Venezuela, [online] [cited February 2, 2014]; [http://www.inpsasel.gob.ve/moo\\_medios/sec\\_inpsasel.html](http://www.inpsasel.gob.ve/moo_medios/sec_inpsasel.html).
34. U.S. Embassy- Caracas. *reporting, February 27, 2014*.
35. Defensoría del Pueblo. *Sistema de Protección Específico para Niños, Niñas y Adolescentes*. Caracas, Fundación Editorial El perro y la rana; 2010. <http://www.defensoria.gob.ve/dp/index.php/publicaciones/libros-de-derechos-humanos/1411-sistema-de-proteccion-especifico-para-ninos-ninas-y-adolescentes>.
36. Government of Venezuela. *Ley del Plan de la Patria 2013-2019: Segundo Plan Socialista de Desarrollo Económico y Social de la Nación*, No. 6.118 Extraordinario, enacted December 4, 2013. <http://albacidad.org/LeyPlanPatria/>.
37. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivarian Republic of Venezuela (ratification: 2005)* Published: 2011; accessed February 19, 2013; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO:20010::>.
38. International Labour Organization. *Tercer Programa de Trabajo Decente por País para Argentina, período 2012 a 2015*. Buenos Aires, ILO; 2013. [http://www.oit.org.ar/WDMS/bib/publ/documentos/ptdp\\_2012\\_2015\\_web.pdf](http://www.oit.org.ar/WDMS/bib/publ/documentos/ptdp_2012_2015_web.pdf).
39. MERCOSUR. *Segunda declaración presidencial sobre prevención y erradicación del trabajo infantil en el Mercosur*. Mendoza, Argentina: June 29, 2012 [http://www.mercosur.int/innovaportal/file/4506/1/segunda\\_declaracion\\_presidencial\\_sobre\\_prevenccion\\_trabajo\\_infantil.pdf](http://www.mercosur.int/innovaportal/file/4506/1/segunda_declaracion_presidencial_sobre_prevenccion_trabajo_infantil.pdf).
40. Niñ@Sur. *Quiénes Participan?*, Niñ@Sur, [previously online] [cited February 13, 2013]; [source on file].
41. CRIN. *¿Qué es MERCOSUR?*, CRIN, [previously online] [cited February 13, 2013]; <http://www.crin.org/espanol/RM/mercosur.asp> [source on file].
42. Niñ@Sur. *Trata, Tráfico y Venta*, Niñ@Sur, [previously online] [cited February 19, 2013]; [source on file].
43. United Nations News Centre. "At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour." October 15, 2014. <http://www.un.org/apps/news/story.asp?NewsID=49082#.VHYeYdLF98E>.
44. ILO. *18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour*, ILO, [online] [cited December 1, 2014]; [http://www.ilo.org/caribbean/WCMS\\_314428/lang-en/index.htm](http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm) [source on file].
45. Government of Venezuela. *Programa para la Dignificación de Niños, Niñas y Adolescentes Trabajadores (Prodinat)*, IDENA, [online] August 10, 2009 [cited February 5, 2014]; <http://www.idena.gob.ve/index.php/proyectos-y-programas/programa-para-la-dignificacion-prodinat>.
46. Government of Venezuela. *Misión Niños y Niñas del Barrio*, IDENA, [online] [cited February 5, 2014]; <http://www.idena.gob.ve/index.php/la-institucion/mision-ninos-y-ninas-del-barrio>.
47. Government of Venezuela. *Misión Negra Hipólita - Institución*, Misión Negra Hipólita, [online] [cited February 5, 2014]; <http://www.misionnegrahipolita.gob.ve>.
48. ILO Committee of Experts. *Individual Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivarian Republic of Venezuela (ratification: 2005)* Published: 2012; accessed February 19, 2013; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO:20010::>.
49. UN Committee on the Rights of the Child. *Consideration of Reports of States Parties Under Article 44 of the Convention: Second Periodic Report: Venezuela*. Geneva; March 30, 2010. Report No. CRC/C/SR.1274. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/442/79/PDF/G0744279.pdf?OpenElement>.
50. Instituto Autónomo Consejo Nacional de Derechos del Niño Niña y Adolescentes (IDENA). *Centros Comunales de Protección Integral*, [online] [cited March 11, 2014]; <http://www.idena.gob.ve/index.php/la-institucion/mision-ninos-y-ninas-del-barrio>.
51. Grupo de Acción Regional de las Américas. *Países Participantes, Quiénes somos*, Grupo de Acción Regional de las Américas, [previously online] 2010 [cited February 13, 2013]; [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=article&id=52%3Aquienes-somos&catid=38&Itemid=73&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=article&id=52%3Aquienes-somos&catid=38&Itemid=73&lang=es) [source on file].
52. Grupo de Acción Regional de las Américas. *Qué Hacemos*, Grupo de Acción Regional de las Américas, [previously online] [cited February 13 2013]; [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=frontpage&Itemid=1&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=frontpage&Itemid=1&lang=es) [source on file].
53. ILO-IPEC Geneva official. E-mail communication to USDOL official. April 4, 2014.



# Yemen

## MODERATE ADVANCEMENT

In 2014, Yemen made a moderate advancement in efforts to eliminate the worst forms of child labor. The Houthis captured Sana'a, the capital, in September and established de facto control over the ministries and army. Prior to this, the Government had launched an action plan to end and prevent the recruitment of children by the Yemeni Armed Forces and established a Joint Technical Committee to monitor the action plan's implementation. The Government also participated in programs that include the goal of eliminating or preventing child labor. However, children in Yemen are engaged in child labor, including in fishing, and in the worst forms of child labor, including in armed conflict. Gaps in laws, enforcement, policies, and programs to combat child labor remain. Non-state armed groups continue to use children in the country's internal conflicts. No evidence was found of Government efforts to provide demobilization and rehabilitation services to child soldiers who have been involved in combat.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Yemen are engaged in child labor, including in fishing. Children are also engaged in the worst forms of child labor, including in armed conflict. (1-6) Table 1 provides key indicators on children's work and education in Yemen.

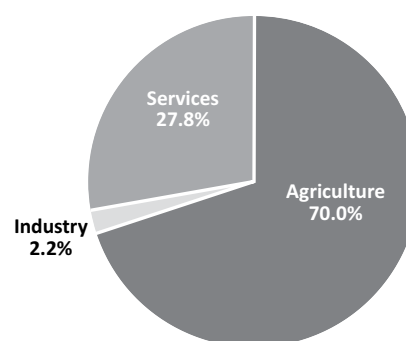
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	13.6 (834,866)
Attending School (%)	5-14 yrs.	68.0
Combining Work and School (%)	7-14 yrs.	10.3
Primary Completion Rate (%)		69.8

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labor Survey, 2010.(8)

**Figure 1. Working Children by Sector, Ages 7-14**



According to the 2010 National Child Labor Survey, the majority of working children were in the agricultural and domestic work sectors.(5) Based on data from 2013, the national average child labor rate was 23 percent, although there are significant variations across governorates.(9) It has likely increased since then as a result of continued political instability and an economic crisis.(6) Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of qat* (a mild narcotic legal in Yemen) (2, 4)
	Production of cereals,* fruits,* and vegetables* (4)
	Fishing, activities unknown (3, 5, 6, 10-12)
	Hunting,* activities unknown (5)
	Raising livestock*, including sheep,* goats,* cows,* and chickens* (4, 5)

**Table 2. Overview of Children's Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Working in rock quarries and mining (2, 5, 6)
	Construction,* activities unknown (2, 5)
	Working in auto shops,* washing cars* (6, 11)
	Working in welding,* glass shops,* and painting* (11)
Services	Street work, including begging (5, 6, 11, 13)
	Working in restaurants*† (2)
	Domestic work*† (2, 5)
	Waste collection* (6, 13)
	Selling goods in stores* (5, 14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (11, 15, 16)
	Used in illicit activities, including smuggling of drugs and alcohol* (2)
	Forced labor, begging, and smuggling of <i>qat</i> each as a result of trafficking* (11, 16)
	Forced domestic work* and forced labor in agriculture* (14, 16)
	Used in armed conflict and armed guarding at checkpoints (6, 17, 18)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

Yemen witnessed armed conflict in 2014. The Houthis, based in northwest Yemen captured Sana'a, the capital, in September, and established *de facto* control over the ministries and the military. Armed conflict involving Houthi and tribal forces persisted in western and central areas of Yemen and between Houthi forces and al-Qa'ida in the Arabian Peninsula in the south.(19, 20)

Children in Yemen are vulnerable to recruitment and use in ongoing armed conflicts.(6, 21) In 2014, 156 boys between the ages of 9 and 17 were recruited and used by the Houthis and other non-state armed groups.(18) While a 1991 law prohibits the use of child soldiers, the Houthis and other armed groups continue to have children in their ranks.(6, 22)

Determining precise ages of children recruited for military activity is a problem due to the low number of birth registrations.(14) However, limited evidence suggests that 12- to 15-year-old married boys in northern tribal regions are considered adults, and therefore obligated to show their allegiance to their tribe by participating in different activities in the internal conflict. Some reports indicate that boys under age 18 were tribal fighters in conflicts; however, other sources indicate that boys were used only as guards.(14)

Girls are trafficked within Yemen to hotels in Aden, Sana'a, Ta'iz, and other cities for commercial sexual exploitation. (16) Yemeni children are trafficked to Saudi Arabia for commercial sexual exploitation, forced labor, forced begging, and smuggling of *qat*.(15, 16, 23) There is evidence that tourists, including those from Saudi Arabia, have entered into temporary marriages with Yemeni girls as a form of commercial sexual exploitation. Saudi tourists at times take the girls with whom they entered into a temporary marriage back to Saudi Arabia where the girls are subjected to commercial sexual exploitation or abandoned.(15, 16)

Enrollment rates in schools have been seriously affected by Yemen's internal conflict, high levels of violence, and internally displaced persons in the north and south. There is some evidence that these problems have prematurely closed schools and that school buildings have been destroyed during periods of violence.(10, 24, 25) The use of schools by parties to the armed conflict and subsequent attacks on such schools by other parties further limited access to education.(22, 26) In 2011, it was reported that less than half of all boys and about one quarter of girls attend secondary school.(15)




# Yemen

## MODERATE ADVANCEMENT

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Yemen has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 5 of the Ministerial Decree No. 11 (27)
Minimum Age for Hazardous Work	Yes	18	Article 4 of Ministerial Decree No. 56 (28); Ministerial Decree No. 11 (29, 30)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Ministerial Decree No. 11 (29, 30)
Prohibition of Forced Labor	Yes		Article 28 of the Ministerial Decree No. 56 (28)
Prohibition of Child Trafficking	Yes		Article 248 of Penal Code (31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 163 of the Child Rights Act; Article 27 of the Ministerial Decree No. 56 (28)
Prohibition of Using Children in Illicit Activities	Yes		Article 26 of the Ministerial Decree No. 56 (28)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Child Rights Act; Ministerial Order No. 56 (15, 32)
Compulsory Education Age	Yes	15	Ministerial Decree No. 56 (28)
Free Public Education	Yes		General Education Law No. 45 (33)

\* No conscription.(32)

Because Article 3 of the Labor Code excludes certain type of work from the labor code's protections, including workers engaged in domestic work and certain categories of agricultural work, children working in those industries are not protected by the Labor Code's minimum age provisions.(34)

There is no criminal law that prohibits foreign tourists from sexually exploiting children in Yemen.(14) In September 2014, the Ministry of Human Rights, in cooperation with the ILO, held a 3-day national workshop to revise the current anti-trafficking draft law, in which representatives from the Government, academia, and civil society participated.(35)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Social Affairs and Labor's Child Labor Unit	Enforce child labor laws, conduct inspections, inform the Ministry of the Interior of any violations, and refer children found during inspections to appropriate social services.(30, 36) Receive complaints of child labor.(6)
Ministry of Interior	Enforce child labor laws. Police agencies within the Ministry handle trafficking investigations.(16, 30, 36)
Ministry of Justice	Enforce child labor laws and prosecute and adjudicate child labor cases.(36)
Ministry of Human Rights, Ministry of Justice, Ministry of Legal Affairs, Parliament, and the Social Fund for Development	Maintain supporting roles in combating child trafficking.(37)

Research found no evidence that law enforcement agencies took actions to combat child labor, including its worst forms.

### ***Labor Law Enforcement***

In 2014, the Ministry of Social Affairs and Labor's Child Labor Unit lost all funding and did not perform formal inspections. Complaints received were handled on an *ad hoc* basis by the Director of the Child Labor Unit personally or through her immediate staff.(6) Research did not find further information on the number of child labor law violations and possible citations or penalties.

### ***Criminal Law Enforcement***

In 2014, research found no information on the number of investigators, investigations, prosecutions, convictions, as well as on the implementation of penalties.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee to Combat Child Labor	Coordinate child labor issues in Yemen; consists of representatives from the Ministry of Social Affairs and Labor, the Higher Council for Motherhood and Childhood, the Chamber of Commerce, ILO-IPEC, and local NGOs.(37)
Technical Committee on Combating Trafficking in Persons	Develop a national strategy to combat human trafficking. Established in 2012, composed of government officials and representatives of the IOM, and meets on a weekly basis.(38)
National Network for Child Protection	Established by the Higher Council for Motherhood and Childhood. Its 2014 plan consists of establishing branches in Aden, Lahej, Taiz and Dhamar provinces; training programs and media awareness campaigns, and advocating children's issues.(9, 39)
Joint Technical Committee to prevent recruitment of children in Yemeni Armed Forces*	Implement and monitor the Action Plan to end and prevent the recruitment of children by the Yemeni Armed Forces. Composed of the Ministry of Defense, the Higher Council for Motherhood and Childhood, the Civil Status and Registration Authority, and UN representatives to.(40)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The Government of Yemen has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy for Combatting Trafficking in Persons	Drafted by the Ministry of Human Rights, includes raising awareness, increasing cooperation between Yemen and neighboring countries, training officials, and creating protection procedures for victims of human trafficking. The strategy has not been finalized.(16)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
Action Plan to end and prevent the recruitment of children by the Yemeni Armed Forces†	Signed in May 2014 by the Minister of Defense, the Action Plan is designed to ensure national laws comply with international standards, prohibit the recruitment and use of children in the armed forces, investigate allegations of violation, and facilitate UN access to monitor compliance.(41) Due to political instability, the Government could not implement the Action Plan.(6)

† Policy was approved during the reporting period.

In January 2014, most major Yemeni political factions approved the National Dialogue Conference outcomes, which included extensive new provisions for protecting children’s rights. However, the worsening political crisis during the reporting period prevented its implementation.(6)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Yemen participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Phase IV of the Social Fund for Development (SFD) (2011–2015)	\$154 million, Government of UK-funded, 5-year project implemented by the SFD to improve access to education and provide employment opportunities and reduce vulnerability for disadvantaged groups.(42) Special needs groups, including child laborers and street children, are targeted under the SFD for social protection and education programs in partnership with the Ministry of Education, the Ministry of Social Affairs and Labor, and the Ministry of Planning and International Cooperation. Includes improving centers for street children and developing safe child health and educational services.(43)
Social Welfare Fund Institutional Support Project* (2010–2017)	\$10 million, World Bank-funded, 7-year project, implemented by the Social Welfare Fund to provide low-income individuals with vocational skills and economic opportunities, including small- and micro-enterprise development, in order to eventually graduate from the cash transfer program.(44, 45)
Temporary classrooms in conflict-affected areas	Government of Japan-funded project to support construction of 25 new schools in areas affected by conflict in Aden, Lahj, Abyan, Al Dhale, and Shabwa Governorates.(46)
Middle East Partnership Initiative projects	Government participates in project run by the USDOS that offers business training for high school youth; may encourage decent work for youth and reduce their vulnerability to worst forms of child labor. One such project targets youth in Sana’a and Aden for training and internships.(47, 48)
The Child Protection Sub-Cluster (CPSC)*	Coordinated by UNICEF, the CPSC in 2014 monitored grave violations in Al-Dale’e Governorate, provided after-school safe spaces for children and trained new volunteers to work in the centers.(49) It also launched the Minimum Standards on Child Protection Intervention in Emergencies, guiding compliance with international standards in areas of injuries, sexual violence, and unaccompanied children.(50)
Campaign to register birth certificates	Civil Status and Registration Authority, working in cooperation with UNICEF to issue birth certificates for children who lack registration. In 2014, more than 30,000 children received birth certificates in Aden, Abyan, and Taiz.(22, 51)
Global Partnership for Education School Rehabilitation program	UNICEF, in cooperation with the Government, rehabilitates many affected schools and constructs temporary schools in conflict-ridden areas. In 2014, schools in Sada, Sana’a, Mareb, and Aden Governorates received furniture.(51, 52)

\*The impact of this program on child labor does not appear to have been studied.

Efforts to combat trafficking in persons in Yemen have been hampered by a lack of government funding and by weakened governance during the 3-year transitional Government.(53, 54) Research found no programs intended to remove and rehabilitate children recruited into the armed forces.(33) Although Yemen has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in fishing.(30)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Yemen (Table 9).



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2014
	Establish legal minimum age protections for children engaged in domestic and all agricultural work.	2014
	Ensure laws criminalize the sexual exploitation of children by foreign tourists.	2013 – 2014
Enforcement	Ensure there is sufficient funding for inspections to be carried out, and that inspections are targeted in the sectors in which the worst forms of child labor are prevalent.	2009 – 2014
	Track and make publicly available information on the enforcement of child labor laws, including its worst forms.	2010 – 2014
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as trafficking in persons.	2009 – 2014
	Implement the Action Plan to end the use of children in armed conflict.	2009 – 2014
Social Programs	Institute programs to improve children's access to education.	2013 – 2014
	Assess the impact that existing programs may have on child labor.	2011 – 2014
	Institute a demobilization and rehabilitation program for children recruited into armed conflict.	2011 – 2014
	Institute programs to address the worst forms of child labor, particularly in fishing.	2011 – 2014

## REFERENCES

- United Press International Inc. "HRW: Child Soldiers in Yemen." [http://www.upi.com/Top\\_News/Special/2011/04/15/HRW-Child-soldiers-in-Yemen/UPI-47071302890484/](http://www.upi.com/Top_News/Special/2011/04/15/HRW-Child-soldiers-in-Yemen/UPI-47071302890484/). [online] April 15, 2011 [cited March 8, 2014];
- Alaug, AK. *ACCESS-Plus Yemen Mid-term Evaluation*. Mid-Term Evaluation. Sana'a; 2011.
- Abdulwahid Al-Thabet, and Kunera Moore. *Child Labor in the Fishing Sector in Yemen*. Sana'a; January 2011.
- Rinehart, R. *Children and Youth Working on Small Family Farms in Yemen* Sana'a; September 10, 2011.
- ILO. *Working Children in the Republic of Yemen: The Results of the 2010 National Child Labour Survey*. Geneva; November 2012. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=21355>.
- U.S. Department of State official. Personal communication with USDOL official. March 19, 2015.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from National Child Labour Survey, 2010. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UNICEF. *Situation Analysis of Children in Yemen*; 2014. <http://www.unicef.org/mena/MENA-Situation-Analysis-report-English-Final.pdf>.
- Integrated Regional Information Networks. "Yemen: Political Upheaval Likely to Increase Child Labour." IRINnews.org [online] October 6, 2011 [cited April 1, 2014]; <http://www.irinnews.org/report.aspx?reportid=93901>.
- Alaug, AK. *ACCESS-Plus Yemen Mid-term Evaluation*. Mid-Term Evaluation. Sana'a; 2011.
- ILO Committee of Experts. *Individual Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Yemen (ratification 2000) Submitted: 2010*; accessed June 1, 2015; [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2310629](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2310629).
- Al-Duqaimi, A. "Child Labor in Yemen: Lost Childhood." Saba: Yemen News Agency, Sana'a, July 11, 2010. [www.sabanews.net/en/pring219408.htm](http://www.sabanews.net/en/pring219408.htm).
- U.S. Department of State. "Yemen," in *Country Reports on Human Rights Practices-2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Save the Children Sweden. *A Review of the Implementation of the UN Convention on the Rights of the Child: Country Profile of Yemen*. Review. Beirut; August 2011. <http://www.ibcr.org/edior/assets/Yemen%20Country%20Profile.pdf>.
- U.S. Department of State. "Yemen," in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>
- Al-Khayat, M. "Checkpoint Children: Armed Houthis Under 18." [yementimes.com](http://www.yementimes.com/en/1828/report/4489/Checkpoint-children-Armed-Houthis-under-18.htm) [online] October 28, 2014 [cited January 9, 2015];
- United National Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 – S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
- Aljazeera. "Yemen: Al-Qaeda 'in a war of attrition.'" [aljazeera.com](http://www.aljazeera.com/news/middleeast/2014/12/yemen-al-qaeda-war-attrition-2014122863330683250.html) [online] December 28, 2014 [cited March 3, 2015];
- Aljazeera. "'Dozens of Houthis killed' in central Yemen." [aljazeera.com](http://www.aljazeera.com/news/middleeast/2014/12/houthis-killed-central-yemen-20141221223329179385.html) [online] December 21, 2014 [cited March 3, 2015];
- UN Secretary-General. *Children and armed conflict: Report of the Secretary-General*; 2014 May 15, 2014 [http://www.un.org/ga/search/view\\_doc.asp?symbol=a/68/878](http://www.un.org/ga/search/view_doc.asp?symbol=a/68/878).
- UNICEF. *UNICEF Yemen Situation Report- November 2014*. Sana'a; 2014.
- Hu, H. "Whether Lured in, Kidnapped or Sold by Their Families, Modern Slavery Represents a Big, Old Problem in a New, Smaller World." *Diverse: Issues in Higher Education*, (2011); <http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=60613617&site=ehost-live&scope=site>.
- United Nations Security Council. *Report of the Secretary-General on children and armed conflict in Yemen*. Reporting New York, UN; June 28, 2013. <http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/2013/383&Lang=E&Area=UNDOC>.
- UNICEF. *UNICEF Yemen Situation Report - Reporting period: February 2014* Sana'a; 2014.

# Yemen

## MODERATE ADVANCEMENT

26. Al-Khameri, B. "Houthis Still Occupy Schools." *yementimes.com* [online] October 2, 2014 [cited January 12, 2015]; <http://www.yementimes.com/en/1821/news/4406/Houthis-still-occupy-schools.htm>.
27. ILO Committee of Experts. *Observation concerning Minimum Age Convention, 1973 (No. 138) Yemen (ratification: 2000) Published: 2014*; accessed April 3, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
28. Government of Yemen, Ministry of Social Affairs and Labor. *Ministerial Decree No. 56 on banned works for working children under 18*, enacted 2004.
29. ILO Committee of Experts. *Individual Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Yemen (ratification 2000) Submitted: 2012*; accessed January 2, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
30. U.S. Embassy- Sana'a. *reporting, January 29, 2014*.
31. Government of Yemen. *Penal Code Amended*, Law No. 12, enacted 1994.
32. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
33. U.S. Department of State official. Personal communication with USDOL official. May 12, 2014.
34. Government of Yemen. *Labor Code*, Law No. 5, enacted March 9, 1995.
35. ILO. *ILO and Yemeni Ministry of Human Rights discuss national legislation against human trafficking*. Press Release; 2014. [http://www.ilo.org/beirut/media-centre/news/WCMS\\_306021/lang-en/index.htm](http://www.ilo.org/beirut/media-centre/news/WCMS_306021/lang-en/index.htm).
36. U.S. Embassy- Sana'a. *reporting, February 27, 2011*.
37. U.S. Department of State official. Personal communication with June 30, 2015.
38. UNDP. "Violence against women is neither inevitable nor acceptable" *undp.org* [online] March 8, 2013 [cited January 8, 2014]; <http://www.undp.org/content/rbas/en/home/ourperspective/ourperspectivearticles/2013/03/08/violence-against-women-is-neither-inevitable-nor-acceptable.html>.
39. Al-Mohattwari. "New Branches For Children Advocacy Networks Around Yemen." *nationalyemen.com* [online] February 9, 2014 [cited January 12, 2015]; <http://nationalyemen.com/2014/02/09/new-branches-for-children-advocacy-networks-around-yemen/>.
40. UN Human Rights Council. *Situation of human rights in Yemen (A/HRC/27/44): Report of the United Nations High Commissioner for Human Rights*; August 27, 2014.
41. UN Office of the Special Representative to the Secretary-General on Children in Armed Conflict. *Children, Not Soldiers: Yemen Signs Action Plan to End Recruitment and Use of Children by Armed Forces*; May 14, 2014. <https://childrenandarmedconflict.un.org/press-release/yemen-signs-action-plan/>.
42. UK Department for International Development. *Annual Review: Social Fund for Development (Phase IV) November 2013 - January 2014*; 2014. <http://devtracker.dfid.gov.uk/projects/GB-1-201427/documents/>.
43. Social Fund for Development Yemen. *Social Fund for Development: Special Needs Groups*, Social Fund for Development Yemen [online] [cited March 3, 2015]; <http://www.sfd-yemen.org/category/11>.
44. World Bank. *Yemen: \$10 Million Grant to Support the Social Welfare Fund*. Press Release. Washington, DC; June 17, 2010. Report No. 2010/491/MENA. <http://www.worldbank.org/projects>.
45. World Bank. *Social Welfare Fund Institutional Support Project*; 2015. <http://www.worldbank.org/projects/P117608/social-welfare-fund-institutional-support-project?lang=en>.
46. UNICEF. *UNICEF Yemen Situation Report-March 2014* Sana'a; 2014.
47. Yemen Observer Staff. "Relief International Commences MEPI Activities in Yemen" *Yemen Observer*, Sana'a, October 30, 2011. [www.yobserver.com/reports/printer-10021573.html](http://www.yobserver.com/reports/printer-10021573.html).
48. Middle East Partnership Initiative. *MEPI in Yemen*, U.S. - Middle East Partnership Initiative, [online] [cited January 27, 2014]; <http://mepi.state.gov/where-we-work2/yemen.html>.
49. United Nations Office for the Coordination of Humanitarian Affairs. *Conflict, displacement in Al Dhal'e and Amran*. Situation Report No. 3; February 27, 2014.
50. UN Information Center. *Launch of 'The Minimum Standards on Child Protection Intervention in Emergencies'*. Press Release. Sana'a; June 3, 2014. <http://sanaa.sites.unicef.org/2014/06/04/press-release-launch-of-the-minimum-standards-on-child-protection-intervention-in-emergencies/>.
51. UNICEF. *UNICEF Yemen Situation Report- October 2014*. Sana'a; 2014.
52. UNICEF. *UNICEF Yemen Situation Report- September 2014*. Sana'a; 2014.
53. U.S. Embassy- Sana'a. *reporting, April 3, 2012*.
54. U.S. Department of State. "Yemen," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215650.htm>.

In 2014, Zambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government undertook a massive scale up of its Social Cash Transfer program, adding 125,000 additional households. The Government put into force the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order. In addition, the Government participates in social programs including two programs to eliminate child labor in tobacco production. However, children in Zambia continue to engage in child labor in agriculture and mining. Gaps remain in the current legal framework related to children; for instance, the Education Act does not include the specific age at which education is compulsory and the Government has not defined what the school-going age is as required in the law, which may leave children under the legal working age vulnerable to the worst forms of child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zambia are engaged in child labor, including in agriculture and mining. (1, 2) Table 1 provides key indicators on children's work and education in Zambia.

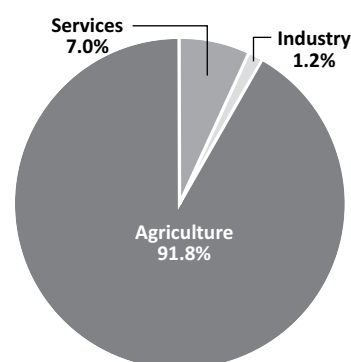
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	28.1 (992,722)
Attending School (%)	5-14 yrs.	65.2
Combining Work and School (%)	7-14 yrs.	27.6
Primary Completion Rate (%)		91.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the Labor Force Survey, 2008.(4)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of corn,* coffee,* and tea* (2)
	Production of cotton† and tobacco† including transplanting, watering, weeding, ridging, grading, stringing, reaping, and applying fertilizers (2, 5)
	Raising and herding† cattle (2, 5-8)
	Fishing,*† activities unknown (2)
	Producing charcoal*† (2)
Industry	Mining gems (2)
	Mining amethysts* and emeralds* (2)
	Mining lead,* zinc,* iron ore,* and copper* (2)
	Quarrying rock,* conducting rudimentary mine drilling†, and scavenging mine dump sites (1, 2)
	Crushing stones† (9, 10)
	Construction,* including transporting construction materials (1, 2, 8)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Domestic work (1, 2)
	Street work, including begging and vending (2, 8, 11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2, 11)
	Agriculture activities such as plowing, weeding, harvesting, and transporting water and supplies and domestic work as a result of human trafficking (2, 12)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.




Children who were trafficked in Zambia were primarily trafficked internally from rural to urban areas for domestic work and agriculture.(2, 12) Some children in Zambia are forced to load trucks with stolen copper ore by Jerabo gangs, which are illegal mining syndicates, in the Copperbelt Province.(11, 12) The Government has yet to release information on child labor from the 2008 Labor Force Survey, although the general Labor Force Survey results were released in 2011.(13, 14)

Large distances to schools and violence in and around schools create a barrier to education.(5) In addition, there are costs to basic education including fees for school supplies.(5)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Zambia has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

Zambia has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography, although commercial sexual exploitation of children continues to be a problem in Zambia.

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 24 of the Constitution; Article 12 of the Employment Act (15, 16)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Employment of Young Persons and Children Act; Article 3 of the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order (17, 18)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order (18)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 263 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008 (15, 19, 20)
Prohibition of Child Trafficking	Yes		Article 24 of the Constitution; Article 143 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008 (15, 19, 20)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 144 of the Penal Code; Article 2 of the Employment of Young Persons and Children Act (17, 20)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Employment of Young Persons and Children Act (17)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 14 of the Defence Act (21)
Compulsory Education Age	No		Article 16 of the Education Act, 2011 (22)
Free Public Education	Yes		Article 15 of the Education Act, 2011 (22)

\* No conscription (21)

At the end of the previous reporting period, the Government put into force the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order.(18) However, gaps continue to exist in the legal framework. Penalties for child prostitution violations in the Employment of Young Persons and Children Act are different from those in the Penal Code.(23) While the Penal Code treats child prostitution as a felony with a minimum 20-year jail sentence, the Employment of Young Persons and Children Act treats it as a civil penalty and imposes a fine of \$35–\$165. In practice, the Penal Code would be applied; however, research did not discover any such prosecutions in recent years.(24)

The Education Act requires the Government to provide free education up to the seventh grade, and stipulates that education is compulsory for children of “school-going age.”(2, 22, 25) However, the Act does not provide a specific age or definition of “school-going age,” which may allow children to leave school before they are legally able to work.(22) The lack of standards in this area may increase the risk of children’s involvement in the worst forms of child labor.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS) Child Labor Unit (CLU)	Implement and enforce child labor laws.(2, 8)
Ministry of Gender and Child Development’s (MGCD) Child Development Department (CDD)	Enforce the Affiliation and Maintenance of Children Act and the Legitimacy Act, which support child labor enforcement efforts and provide services for children withdrawn from child labor.(8)
Zambia Police Service Child Protection Unit (ZPS-CPU)	Work with MLSS and MGCD to identify and remove vulnerable children from the streets. Work with 72 District Street Children Committees to rescue street children from child labor, including the worst forms, and place them with families, in foster care, or in children’s homes.(13) Work with immigration officials to combat child trafficking, with local officials regarding crimes against children, and with schools to educate and sensitize children about abuse; collaborate with the Ministry of Justice to investigate and prosecute child labor cases.(13, 26)
ZPS Victim Support Unit	Handle the enforcement of laws against trafficking, commercial sexual exploitation, and/or use of children in illicit activities.(2, 8, 13)
Ministry of Justice	Investigate and prosecute child labor cases.(13, 26)

Law enforcement agencies in Zambia took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Security (MLSS) employed 58 labor officers who also served as labor inspectors, a significant decrease from the 108 labor inspectors employed during the previous reporting period. The MLSS believes that the number is inadequate to conduct inspections countrywide.(2, 8) The labor officers received basic training on child labor in 2014.



# Zambia

## MODERATE ADVANCEMENT

The Child Labor Unit (CLU) was allocated \$46,000 for 2014, which is a \$11,000 increase from the budget allocated for 2013. (8) The MLSS stated that the training, budget, and transportation were inadequate to conduct inspections. (8) Information was not available on the number, type, frequency, quality, or the geographic location of labor inspections. The MLSS conducts labor inspections in registered private institutions only; it does not conduct any in unregistered institutions, as allowed by law, where child labor is more likely to be found. (2, 27) While the number of child labor cases for the reporting period is unknown, no prosecutions were recorded in 2014. (8)

### *Criminal Law Enforcement*

In 2014, the Zambia Police Service Child Protection Unit (ZPS-CPU) employed seven investigators but training was inadequate. (8) The investigators uncovered 142 cases involving child trafficking, hazardous work, abuse, and labor were identified by the ZPS-CPU. Inspections were only carried out based on complaints and included site visits. (8) However, the overall quality of the investigations and the referral mechanisms were not known. Referral mechanisms exist but social service resources were reported to be limited. (8) Information related to prosecutions, convictions, and implementation of penalties for the cases identified above was not available. However, one child trafficking case was prosecuted and a conviction was secured, but no information was available on the implementation of penalties. (12)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
MLSS	Coordinate government efforts on issues of child labor, including its worst forms. (2)
MLSS-CLU	Coordinate with District Child Labor Committees (DCLCs) in 26 of Zambia's 102 districts to increase local awareness and mobilize communities against child labor, including its worst forms. (2, 8)
MGCD-CDD	Coordinate Ministry's legislation on child labor. (8)
ZPS-CPU	Coordinate with the Ministry of Community Development, Mother, and Child Health (MCDMCH) to protect children from general abuse, including the worst forms of child labor. (2)
District Child Labor Committees (DCLCs)	Respond to child labor complaints at the local level and file complaints to the MLSS. Composed of ZPS, MLSS, MCDMCH, and civil society stakeholders. (2)

The Government intends to establish District Child Labor Committees (DCLCs) in all districts but lacks the resources to do so. DCLCs serve as the main referral mechanism for social welfare services, and it is reported that these mechanisms have been improving. (2, 8) During the reporting period, the Government formed two new DCLCs in Kaoma and Nampudwe districts, and 19 DCLC members were trained on child labor, withdrawal, and rehabilitation. (8) Due to overlapping responsibilities and communication lapses, individual agency mandates may not be carried out effectively in some cases, and a lack of DCLCs may lead to inadequate referral mechanisms. (13)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Zambia has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Child Labor Policy	Establishes an action plan and designates responsible agencies to address child labor issues. (2, 25)
National Action Plan for the Elimination of the Worst Forms of Child Labor (2010–2015)	Identifies five specific priorities for the Government to focus on: (1) improve and enforce existing laws and policies on child labor, (2) protect all children from hazardous labor, (3) strengthen institutional capacity, (4) raise awareness, and (5) establish monitoring and evaluation systems. (2, 25)
Revised Sixth National Development Plan (2013–2016)	Includes the eradication of the worst forms of child labor as a goal, and places emphasis on early childhood education and a child's right to education. (2, 8, 28)
National Employment and Labor Market Policy	Includes the elimination of child labor as a goal. (13, 29)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
UNDAF for Zambia (2011–2015)	Includes the prevention, protection, and rehabilitation from the worst forms of child labor as a policy outcome, in accordance with the Sixth National Development Plan.(30)
Education Policy and Education Act of 2011*	Includes rights of children, including the right to free education, and provides for the reentry of teen mothers into school.(2)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Efforts to implement the National Child Labor Policy have been restricted due to inadequate funding.(25)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Zambia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Achieving Reduction of Child Labor in Support of Education (2012–2014)	Japan Tobacco International (JTI)–funded, 3-year project that provides strategies to reduce the worst forms of child labor in tobacco-growing communities.(31)
Program to Reduce the Worst Forms of Child Labor in Tobacco-Growing Communities in Zambia (2011–2015)	A \$4.5 million JTI-funded, 4-year project that reduces child labor in tobacco communities in Brazil, Malawi, and Zambia.(32)
Global Action Program on Child Labor Issues Project (2011–2016)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. In Zambia, the project aims to improve the evidence base on child labor through data collection and research.(33)
Social Cash Transfer Program*‡	Government program that provides funds on the condition that parents send their children to school rather than to work. In 2014, the Government undertook a massive scale-up of the program, by adding 125,000 additional households, and increased its contribution to the program.(8, 25, 34)
Government child labor sensitization efforts‡	Government programs and the national and district levels to sensitize the public on child labor through implementing partners.(2)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labour	Ireland-funded, five-country project that promotes social dialogue with the aim of reducing child labor.(35)
Decent Work Country Programme (2013–2016)	Government program emphasizes human development including social protection and addressing child labor, forced labor, and human trafficking.(36)
Protecting Migrant Children from Trafficking and Exploitation† (2013–2015)	A \$2.7 million European Union funded, 3-year program implemented by UNICEF, IOM, the UN Human High Commission for Refugees, and the Government to combat child trafficking.(8, 37)
Zambia National Service Skills Training Camps*‡	Government program that provides life skills training camps to at-risk youth, including to victims of the worst forms of child labor.(13, 25)
Youth Empowerment Fund*‡	Government program that provides startup capital for youth to start businesses based on their skills.(2)
School Feeding Program*‡	Government program that provides meals for children that attend school.(2, 38)

\* The impact of this program on child labor does not appear to have been studied.

† Program was approved during the reporting period.

‡ Program is funded by the Government of Zambia.

Although Zambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly for children working in agriculture and mining, and those working on the streets.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Zambia (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2014
	Harmonize legislation to ensure that penalties for child commercial sexual exploitation are consistent.	2009 – 2014
	Determine through statutory instrument the “school-going age” for compulsory education consistent with international law.	2012 – 2014
Enforcement	Ensure adequate funding, human resources, and training for law enforcement agencies.	2010 – 2014
	Make information publicly available on the number, type, frequency, quality, and location of inspections.	2014
	Ensure that inspections cover all areas where children work, including both registered and unregistered businesses.	2013 – 2014
	Make information publicly available on the training of investigators, the overall quality of investigations and referral mechanisms, and prosecutions, convictions, and implementation of penalties related to criminal law enforcement.	2014
Coordination	Establish DCLCs in remaining districts.	2011 – 2014
	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the Education Policy.	2013 – 2014
	Provide adequate funding to implement the National Child Labor Policy.	2012 – 2014
Social Programs	Publish the data on child labor from the 2008 Labor Force Survey.	2011 – 2014
	Provide free education as required by the Education Act of 2011 and address other barriers to education.	2012 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2013 – 2014
	Institute and implement programs to address the worst forms of child labor in Zambia, particularly for street children and those working in the agriculture and mining sectors.	2011 – 2014

## REFERENCES

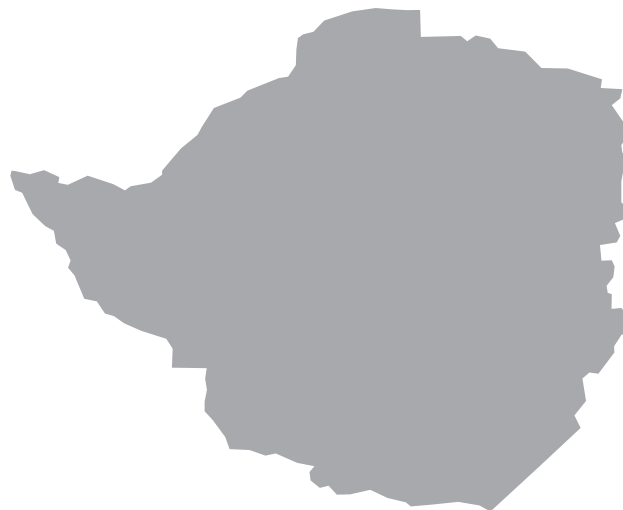
- U.S. Department of State. “Zambia,” in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/jl/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper->
- U.S. Embassy- Lusaka. *reporting, January 16, 2014*.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Labor Force Survey, 2008. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- ILO-IPEC. *A Rapid Assessment on child labour in tobacco-growing communities in Kaoma District, Zambia*. Geneva; 2014. [http://www.ilo.org/ipecl/Informationresources/WCMS\\_IPEC\\_PUB\\_24856/lang-en/index.htm](http://www.ilo.org/ipecl/Informationresources/WCMS_IPEC_PUB_24856/lang-en/index.htm).
- Siwawa, S. “Cattle Herding: Barrier to Early Education.” *Zambia Daily Mail*, Lusaka, December 19, 2013. [source on file].
- Kalunga, K. “Zambia: Cattle Herding Robs East Boy-Child Right to Education.” *Times of Zambia*, Ndola, June 18, 2012. <http://allafrica.com/stories/201206181013.html?viewall=1>.
- U.S. Embassy- Lusaka. *reporting, January 28, 2015*.
- Matenga, CR. *Final Report: Rapid Assessment of Child Labour in Non-Traditional Mining Sector in Zambia*. Geneva, ILO; 2008.
- ZKidsExtra. Child Labour - Stone Crushing [You tube]. Zambia: Zkidsextra; 2013, 1 min. 44 sec., December 23, 2014; <https://www.youtube.com/watch?v=UuQHYYDo3w-8>.
- U.S. Department of State. “Zambia,” in *Trafficking in Persons Report- 2014*. Washington, DC; June 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
- U.S. Embassy- Lusaka. *reporting, February 25, 2015*.
- U.S. Embassy- Lusaka. *reporting, January 30, 2012*.
- ILO-IPEC. *Support to the Development and Implementation of Timebound Measures Against the WFCL in Zambia*. Geneva; April 30, 2010. Report No. ZAM/06/P50/ USA.
- Government of Zambia. *Constitution of Zambia*, enacted August 24, 1991. <http://unpan1.un.org/intradoc/groups/public/documents/cafrad/unpan004847.pdf>.
- Government of Zambia. *Employment Act*, Chapter 268 of the Laws of Zambia, enacted 1956. <http://www.parliament.gov.zm/downloads/VOLUME%2015.pdf>.
- Government of Zambia. *Employment of Young Persons and Children Act (Amendment), 2004*, enacted September 8, 2004. <http://www.parliament.gov.zm/downloads/VOLUME%2015.pdf>.
- Government of Zambia. *Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order*, no. 121, enacted December 27, 2013. <http://www.ilo.org/dyn/natlex/docs/SERIAL/95833/113000/F-1150065941/ZMB95833.pdf>.
- Government of Zambia. *The Anti-Human Trafficking Bill, 2008*, enacted September 26, 2008. [http://www.parliament.gov.zm/index.php?option=com\\_docman&task=cat\\_view&gid=89&Itemid=113](http://www.parliament.gov.zm/index.php?option=com_docman&task=cat_view&gid=89&Itemid=113).

20. Government of Zambia. *Penal Code, as amended*, enacted 2005. [http://www.unodc.org/res/cld/document/zmb/1931/the\\_penal\\_code\\_act\\_html/Zambia\\_Penal\\_Code\\_Act\\_1930\\_as\\_amended\\_2005.pdf](http://www.unodc.org/res/cld/document/zmb/1931/the_penal_code_act_html/Zambia_Penal_Code_Act_1930_as_amended_2005.pdf).
21. Government of Zambia. *Defence Act*, enacted 1964. [source on file].
22. Government of Zambia. *Education Act of 2011*, enacted 2011. [source on file].
23. U.S. Embassy- Lusaka official. E-mail communication to USDOL official. March 7, 2012.
24. U.S. Embassy- Lusaka official. E-mail communication to USDOL official. May 15, 2014.
25. U.S. Embassy- Lusaka. *reporting, February 5, 2013*.
26. U.S. Department of State official. E-mail communication to USDOL official. May 31, 2013.
27. U.S. Embassy- Lusaka official. E-mail communication to USDOL official. April 17, 2015.
28. Government of Zambia. *Sixth National Development Plan 2011–2015*. Lusaka; January 2011. [http://siteresources.worldbank.org/INTZAMBIA/Resources/SNDP\\_Final\\_Draft\\_20\\_01\\_2011.pdf](http://siteresources.worldbank.org/INTZAMBIA/Resources/SNDP_Final_Draft_20_01_2011.pdf).
29. UCW. *Towards Ending Child Labour in Zambia*. Rome; September 2012. [http://www.ucw-project.org/Pages/bib\\_details.aspx?id=12301&Pag=0&Country=232](http://www.ucw-project.org/Pages/bib_details.aspx?id=12301&Pag=0&Country=232).
30. United Nations. *Development Assistance Framework 2011-2015*; 2011. <http://countryoffice.unfpa.org/zambia/drive/ZambiaUNDAF2011-2015.pdf>.
31. ILO. *ARISE-Achieving Reduction of child labour in Support of Education*, ILO, [online] [cited November 12, 2014]; [http://www.ilo.org/addisababa/countries-covered/zambia/WCMS\\_313401/lang--en/index.htm](http://www.ilo.org/addisababa/countries-covered/zambia/WCMS_313401/lang--en/index.htm).
32. ILO-IPEC. *Reducing the Worst Forms of Child Labour in Tobacco-Growing Communities in Brazil, Malawi and Zambia*; March 21, 2014. [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/publication/wcms\\_239413.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/publication/wcms_239413.pdf).
33. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2014.
34. UNICEF. *Social Protection Systems in Southern Africa Presentation*; 2015, [source on file].
35. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
36. ILO, Government of Zambia. *Zambia Decent Work Country Programme*. Lusaka. <http://www.ilo.org/public/english/bureau/program/dwcp/download/zambia.pdf>.
37. United Nations. *UN Joint Programme on Protecting Migrant Children from Trafficking and Exploitation Fact Sheet*. Lusaka; 2013. [http://www.zm.one.un.org/sites/default/files/united\\_nations\\_joint\\_programme\\_on\\_migration.pdf](http://www.zm.one.un.org/sites/default/files/united_nations_joint_programme_on_migration.pdf).
38. World Food Programme. *Zambia WFP Activities*, WFP, [online] 2014 [cited November 13, 2014]; <http://www.wfp.org/countries/zambia/operations>.

# Zimbabwe

## MINIMAL ADVANCEMENT

*In 2014, Zimbabwe made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Zimbabwe passed the Trafficking in Persons Act that criminalizes trafficking offenses related to child labor and child pornography. However, children in Zimbabwe continue to engage in child labor in agriculture and mining. Zimbabwe continues to lack specific social programs targeting sectors in which child labor is most prevalent. Gaps remain in the country's legal framework against child labor, such as the lack of prohibitions of hazardous activities for children, and education is not compulsory or free, which increases children's vulnerability.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zimbabwe are engaged in child labor, including in agriculture and mining. The Government's 2011 Child Labor Survey report, released in 2013, concluded that the worst forms of child labor are increasing and should be a cause for concern.(1-3) Data on key indicators on children's work and education are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	7-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2014.(4)

Data were unavailable from Understanding Children's Work Project's analysis, 2014.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of tea,* cotton,* tobacco,* and sugarcane* (3, 6-10)
	Fishing,* including casting nets,* hauling fish loads,* and sorting fish* (1, 6, 8)
	Forestry,* such as dragging logs from felling sites and loading logs for transport (3, 10)
	Cattle herding* (1, 3, 6)
Industry	Mining gold,* nickel,* chrome,* and tin,* and extracting material from underground passages and quarries*† (3, 6, 7, 11, 12)
Services	Street work,* including vending* and begging (3, 8-10, 13)
	Domestic work (3, 8, 10)
Categorical Worst Forms of Child Labor‡	Used in illicit activities, including drug trafficking* and gambling* (3, 6)
	Commercial sexual exploitation sometimes as a result of human trafficking* (6, 10, 13, 14)
	Working in agriculture and domestic work, each as a result of human trafficking* (6, 14)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.









The Government's 2011 Child Labor Survey found that of children 5 to 14 years of age engaged in economic activity, 96 percent worked in agriculture, forestry, and fishing; 95.9 percent of them were living in rural areas.(1) According to UNICEF, approximately 100,000 of Zimbabwe's 1.3 million orphans survive on their own in child-headed households.(15) This breakdown of the family unit, as well as poverty, are major factors in children's vulnerability to child labor.(1, 3, 6, 15) Many childbirths are unregistered in Zimbabwe due to poverty and lack of awareness of the requirements.(3, 6) Children are unable to sit for exams and move to secondary school without a birth registration, preventing them from obtaining an education and often leading them to enter the workforce at a young age.(3, 6) School fees are often prohibitively expensive and limit access to education.(1, 3, 8) The Government failed to meet its obligation of supporting secondary school students with school fees.(3, 6, 16, 17) The deterioration of Zimbabwe's economy and manufacturing sector has also led to a recent increase in child labor.(8)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Zimbabwe has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 11(3) of the Labor Relations Act (18)
Minimum Age for Hazardous Work	Yes	18	Section 11(4) of the Labor Relations Act (18)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Sections 54 and 55 of the Constitution; Section 4A of the Labor Relations Act (18, 19)
Prohibition of Child Trafficking	Yes		Section 3 of the Trafficking in Persons Act(10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 87 of the Criminal Law Act; Section 3 of the Sexual Offenses Act; Section 8(2) of the Children's Protection and Adoption Act; Section 3 of the Trafficking in Persons Act (6, 10, 20, 21)
Prohibition of Using Children in Illicit Activities	Yes		Section 156 of the Criminal Law Act; Section 10 of the Children's Protection and Adoption Act(6)
Minimum Age for Compulsory Military Recruitment	Yes	18	Section 9 of the National Service Act(22)
Minimum Age for Voluntary Military Service	Yes	16	Section 5 and 10 of the National Service Act(22)
Compulsory Education Age	No		
Free Public Education	No		

In June 2014, the Government passed a Trafficking in Persons Act that prohibits both trafficking for the purpose of illegal labor, such as child labor, and trafficking for pornography or prostitution.(10) In addition, the Act considers offenses carried out against children as "aggravating circumstances"; it also increases the minimum sentence for violations to 10 years in prison, and the maximum sentence to life imprisonment.(10) Section 11(1)(a) and (3)(b) of the Labor Relations Act, permits employment of

# Zimbabwe

## MINIMAL ADVANCEMENT

apprentices at the age of 13 and does not conform with ILO C. 138.(18, 23) In addition, Zimbabwean law does not provide free schooling or establish a compulsory age for children's education.(23) The lack of standardized education may increase the risk of children's involvement in child labor.(3, 6) Furthermore, Section 19 (2)(d) of the 2013 Constitution includes a right to a basic government-funded education but notes that the Government does not have to provide education if there is a lack of resources. (3, 6, 19) Section 19 (3)(a) – (b) of the Constitution addresses child labor by requiring legislation to protect children from exploitative labor practices and from work that is inappropriate for their age or could harm their well-being; education; physical or mental health; or spiritual, moral, or social development. Despite this, laws have not been passed or amended in accordance with these Constitutional provisions.(6, 19)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Public Service, Labor, and Social Welfare (MPSLW) and Department for Child Welfare and Probation Services	Enforce labor laws and investigate labor-related complaints, including complaints involving child labor. Responsible for child protection services, including investigating and intervening in cases of alleged abuse, providing case reports for courts, coordinating case management processes, and supporting community case workers.(6, 10)
Zimbabwe Republic Police (ZRP)	Share responsibility with the MPSLW and the Ministry of Justice and Home Affairs for enforcing laws against the worst forms of child labor of a criminal nature.(6) Address issues related to child labor through victim-friendly units in every district. Conduct transnational trafficking investigations through an anti-trafficking desk at the INTERPOL.(6)
Ministry of Justice and Legal Affairs	Oversee all courts, including labor courts. Address trafficking and child victim cases through victim-friendly courts.(6)

Law enforcement agencies in Zimbabwe took no actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Public Service, Labor, and Social Welfare (MPSLW) employed approximately 108 social workers to serve under the Department for Child Welfare and Probation Services, which was created in 2013. These social workers assist in the Government's efforts to develop a national child protection system by identifying children who are vulnerable to, or victims of, child labor.(10) However, information about the MPSLW funding level; the number of labor inspectors employed; the number and type of inspections conducted; and the number and type of child labor violations, citations, and penalties were not made publicly available.(10) Research indicates that the Government lacks sufficient resources, mainly finances, to adequately investigate and pursue violations of child labor laws. Inspectors received no training on the enforcement of child labor, including hazardous work for children.(10)

#### *Criminal Law Enforcement*

Research did not find information regarding the number and training of investigators; the number of investigations, arrests, or prosecutions; or the existence of referral mechanisms related to criminal laws on child labor, including its worst forms.(10)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee to Address the Worst Forms of Child Labor	Address the worst forms of child labor. Chaired by the MPSLW and includes several government ministries including the Ministries of Health and Child Care; of Primary and Secondary Education; and of Youth, Indigenization, and Economic Development. Also includes international organizations and civil society groups, such as worker and employer organizations.(17, 24)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Ministry-level Committee on Children's Issues	Coordinate government ministries' efforts related to children's issues, including child labor. Separate from the National Steering Committee, which includes the MPPLW and the Ministries of Education; Women's Affairs; and Youth, Indigenization, and Economic Development; meets on a quarterly basis. (6, 10, 17)
Anti-Trafficking Inter-Ministerial Committee	Create a national action plan on trafficking in persons (TIP). Mandated by the President's temporary TIP regulation.(25)
National Task Force on Street Children	Strategize discussed include feeding street children at drop-in centers, reuniting children with their families, and offering counseling sessions. Chaired by the MPPLW and includes NGOs that work on street children issues.(6, 17) Also includes the Ministry of Home Affairs, represented by the ZRP, which also sits on the Task Force; meetings are held quarterly. (6, 17)

The National Steering Committee did not meet during the reporting period, and research did not find evidence that the task forces listed in Table 6 were active during 2014.(10)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Zimbabwe has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Child Labor (NAP)	Strengthens the analysis of child labor issues and creates an entity to coordinate responses to the findings of this analysis. Consists of three focus areas including (1) education assistance, (2) poverty assistance through a cash transfer scheme, and (3) health assistance.(6)
UNDAF (2012–2015)	Outlines the key issues that the Government should address, including women's empowerment and gender equality; universal access to HIV/AIDS treatment; access to social protection services for vulnerable households; and access for all to basic social services including education. Zimbabwe UNDAF supports major data collection operations, including the Child Labor Survey the Government aims to utilize in development planning, implementation, and monitoring key issues. (26)

In 2014, the Government took no action to implement the National Action Plan to Combat Child Labor. In addition, research did not find that the results of the 2011 Child Labor Survey have been used to inform policies and programs in Zimbabwe.(10)

## VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2014, the Government of Zimbabwe funded and participated in programs that may have an impact on child labor (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Phase II of the National Action Plan for Orphans and Vulnerable Children (NAP OVC II) (2011-2015)* ‡	Government program with the support of the multidonor Child Protection Fund managed by UNICEF that includes a focus on equity and access to quality education for children. Aims to assist 80,000 people, including by providing protection services to 25,000 children. Provides a cash transfer program that encourages families to keep children in school.(13, 27, 28) With funding from the European Commission and the Governments of the Netherlands, Sweden, and the UK, provides food and health services to high-risk families, including child-headed households. Also provides protection services for child victims of abuse, violence, and exploitation. (13, 27, 28). During the year, the Government increased financial support by compensating officials that manage the program and by providing program oversight. (13, 27, 28).
Basic Education Assistance Module*‡	Government program, supported by the UK Department for International Development, which provides basic financial assistance to families for education costs such as tuition and examination fees. Aims to keep children in school and to enroll children who lack access to school as a result of economic hardship.(28-30)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Zimbabwe.

Research found no evidence of any programs with the goal of eliminating or preventing child labor, including its worst forms.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Zimbabwe (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the Labor Relations Act complies with the ILO C. 138 by raising the minimum age of employment for apprentices to at least 14.	2013 – 2014
	Ensure the law establishes free and compulsory education for children at age 15, consistently with Zimbabwe's minimum age for work.	2009 – 2014
	Pass or amend legislation to include the required constitutional provisions on child labor into law.	2013 – 2014
Enforcement	Ensure adequate funding, human resources and training for the labor law inspectorate to conduct child labor inspections.	2009 – 2014
	Collect, analyze, and publicly disseminate information on the enforcement of laws related to the worst forms of child labor.	2009 – 2014
Coordination	Ensure that the National Steering Committee and task forces coordinate to address the Worst Forms of Child Labor, including trafficking in persons.	2011 – 2014
Government Policies	Implement the NAP.	2010 – 2014
	Utilize the results of the Child Labor Survey Report to inform policies and programs.	2011 – 2014
Social Programs	Ensure that children are registered at birth to facilitate their entrance into secondary school.	2014
	Assess the impact that existing programs, such as those under the NAP OVC II, may have on the worst forms of child labor.	2011 – 2014
	Implement programs to address child labor.	2010 – 2014

### REFERENCES

- Government of Zimbabwe. *2011 Child Labour Survey Report*. Harare; 2012. <http://www.zimstat.co.zw/>.
- Integrated Regional Information Networks. "Zimbabwe: Child Labour on the Rise." IRINnews.org [online] February 24, 2012 [cited May 6, 2015]; <http://www.irinnews.org/report/94939/ZIMBABWE-Child-labour-on-the-rise>.
- U.S. Department of State. "Zimbabwe," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dclid=204183#wrapper>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 28, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Harare. *reporting, January 10, 2014*.
- Musandirire, S. *The Nature and Extent of Child Labour in Zimbabwe: A Case Study of Goromonzi District Farms in Zimbabwe* [Masters of Arts mini dissertation]: University of Fort Hare; March 2010.
- Integrated Regional Information Networks. "Zimbabwe's ailing economy fuelling child labour." IRINnews.org [online] January 9, 2014 [cited May 6, 2015]; <http://www.irinnews.org/report/99443/zimbabwe-s-ailing-economy-fuelling-child-labour>.
- "Zimbabwe NGO Tackles Rising Child Labor in Farming Communities." voazimbabwe.com [online] April 19, 2012 [cited May 6, 2015]; <http://www.voazimbabwe.com/content/local-project-rises-larger-question-of-rising-child-labor-in-zimbabwe--148149295/1469068.html>.
- U.S. Embassy- Harare. *reporting, January 15, 2015*.
- Integrated Regional Information Networks. "Zimbabwe: Mining Industry Attracts Child Labour as Economy Picks Up." IRINnews.org [online] October 14, 2010 [cited May 6, 2015]; <http://www.irinnews.org/report.aspx?reportid=90770>.
- International Trade Union Confederation (ITUC). *Internationally Recognised Core Labour Standards in Zimbabwe: Report for the WTO General Council Review of the Trade Policies of Zimbabwe*. Geneva; October 19-21, 2011. [http://www.ituc-csi.org/IMG/pdf/Zimbabwe\\_TPR\\_report-16\\_oct.pdf](http://www.ituc-csi.org/IMG/pdf/Zimbabwe_TPR_report-16_oct.pdf).
- Integrated Regional Information Networks. "Zimbabwe: Thousands of Girls Forced Out of Education." IRINnews.org [online] November 7, 2011 [cited May 6, 2015]; <http://www.irinnews.org/report.aspx?reportid=94157>.
- U.S. Embassy- Harare. *reporting, February 13, 2015*.
- Eastern and Southern Africa Feature Story for Zimbabwe*, UNICEF, [online] April 11, 2014 [cited May 23, 2012]; [http://www.unicef.org/har2010/index\\_zimbabwe\\_feature.html](http://www.unicef.org/har2010/index_zimbabwe_feature.html).
- "Zimbabwe Fails to Pay Fees for 750,000 Desperate Children." voazimbabwe.com [online] January 14, 2014 [cited May 6, 2015]; <http://www.voazimbabwe.com/content/zimbabwe-fees-basic-education-assistance-module-beam/1829782.html>.
- U.S. Embassy- Harare official. E-mail communication to USDOL official. April 14, 2015.
- Government of Zimbabwe. *Labour Relations Amendment Act*, Chapter 28:01 Part IV:11, enacted 2002.
- Government of Zimbabwe. *Constitution of Zimbabwe*, enacted May 6, 2015. [www.parlzim.gov.zw/.../56/constitution.pdf](http://www.parlzim.gov.zw/.../56/constitution.pdf).
- Government of Zimbabwe. *Sexual Offences Act*, Law 8, enacted 2001.
- ILO NATLEX National Labor Law Database. *Children's Protection and Adoption Amendment Act*; accessed December 15, 2014; [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home).
- International Humanitarian Law: National Implementation. *National Service Act: Acts 19/1979, 22/2001*; accessed April 11, 2014; <http://www.cicr.org/ihl-nat-nsf/WebALL?openview>.
- ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Zimbabwe (ratification: 2000) Published: 2014*; accessed April 11, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- U.S. Embassy- Harare. *reporting, February 12, 2013*.
- U.S. Embassy- Harare. *reporting, February 21, 2014*.

26. United Nations. *Development Assistance Framework 2012-2015*. Harare; 2011. <http://www.zw.one.un.org/togetherwedeliver/zimbabwe-united-nations-development-assistance-framework-2012-2015>.
27. Sandra Nyaira, Tatenda Gumbo, and Sithandekile Mhlanga. "Zimbabwe and Donors Launch Program to Relieve Vulnerable Children." voanews.com [online] May 23, 2011 [cited May 6, 2015]; <http://www.voanews.com/zimbabwe/news/Zimbabwean-Government-and-International-Partners-Launch-Massive-Effort-to-Support-Orphaned-and-Vulnerable-Children-130732143.html>.
28. UN News Centre. *Zimbabwe's Orphans to Benefit from UN-Backed Cash Grant Programme*. Press Release. New York; September 28, 2011. <http://www.un.org/apps/news/story.asp?NewsID=39869&Cr=zimbabwe&Cr1=>.
29. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Zimbabwe (ratification: 2000) Published: 2011*; accessed April 11, 2014; <http://www.ilo.org/ilolex/english/iloquery.htm>.
30. "DFID Pledges US\$10m to BEAM." herald.co.zw [online] March 5, 2014 [cited May 6, 2015]; <http://www.herald.co.zw/dfid-pledges-us10m-to-beam/>.



Young boy working in a fish market in Muttrah, Oman. © ILO/P. Deloche





Part

# 6

## Non-Independent Countries and Territories

A boy cleaning fish in Sucre, Venezuela, © Henry Moncrieff



## NON-INDEPENDENT COUNTRIES AND TERRITORIES

There is limited information regarding child labor and government efforts to combat it in non-independent countries and territories eligible for GSP benefits.<sup>1</sup> Obtaining data on the prevalence and distribution of the worst forms of child labor is difficult, and statistics on child work and school attendance are often not available from the sources used in this report. In some cases, there is no evidence to suggest that the worst forms of child labor exist in certain territories. In these cases, when laws appear to meet the guidelines called for in ILO C. 182 and embodied in the TDA, and the territory has a good enforcement framework, no suggested actions have been included.

In regard to ratification of key international conventions concerning child labor, these non-independent countries and territories generally are not eligible to become members of the ILO. Even though they are not members of the ILO, ILO C. 138 and ILO C. 182 may extend to some of them.<sup>2,3</sup> Similarly, ratification of other conventions, such as the UNCRC, may also apply to some of them.

Across non-independent countries and territories, research indicates a variety of legal structures that govern laws and regulations related to child labor, including its worst forms. Some territories are self-governing, except in the areas of foreign affairs and defense. Domestic laws in the Metropoli do not generally apply to these territories, unless explicitly extended. In other territories, certain domestic laws of the Metropoli apply, and in a few territories, all domestic laws in the Metropoli apply.

Research found some information on the efforts of non-independent countries and territories in the areas of enforcement, coordination, policies, and programs, but this information in many cases was limited.

### Assessments

Evidence suggests that the worst forms of child labor are an issue in some non-independent countries and territories. These entities are assessed in the same manner as all other countries included in this report. Other non-independent countries and territories do not appear to have a problem with the worst forms of child labor. These entities fall into three types.

The first type of non-independent country and territory is one in which the population of children is either non-existent or extremely small (under 50). For this reason, ILAB does not write profiles on these territories. The three territories that fit this category are Heard and McDonald Islands, the Pitcairn Islands, and the British Indian Ocean Territories/Chagos Archipelago. The Heard and McDonald Islands are uninhabited, and the population of the Pitcairn Islands is less than 50 people.<sup>4</sup> The British Indian Ocean Territories/Chagos Archipelago is inhabited by U.S. and U.K. military personnel.<sup>5</sup>

The second type of non-independent country and territory is one with no evidence of a worst form of child labor problem and with a good legal and enforcement framework. Given both the lack of a demonstrated problem and the presence of a preventive legal and enforcement framework, ILAB does not assess the efforts of or include suggested actions for these territories. Such entities will be marked “No Assessment.” Wallis and Futuna was the only territory not assessed in 2014.

The third type of non-independent country and territory is one in which there is no evidence of a worst forms of child labor problem, but that lacks a good legal and enforcement framework. The lack of such a framework is a gap in efforts to prevent the worst forms of child labor. For this reason, such non-independent countries and territories are assessed as “No Advancement.” For 2014, the British Virgin Islands; Christmas Island; Cocos (Keeling) Island; Falkland Islands; Montserrat; Norfolk Island; and Saint Helena, Ascension and Tristan da Cunha, fit this category.

<sup>1</sup> U.S. Government. Harmonized Tariff Schedule of the United States (Rev. 1); 2010. <http://www.usitc.gov/tata/hts/index.htm>.

<sup>2</sup> ILO. Constitution of the International Labour Organization; 1948. <http://www.ilo.org/ilolex/english/constq.htm>. Most of the areas covered in the summary report are considered non-metropolitan territories and are therefore ineligible to become members of ILO. While ILO still does not have an official definition for “non-metropolitan territory,” in earlier versions of the ILO Constitution, “colonies, protectorates and possessions which are not fully self governing” was used in place of this term. An ILO member can submit a declaration to ILO requesting that these conventions apply to their non-metropolitan areas. Please see the chart regarding ratifications of international conventions and selected non-independent country and territory laws at the end of this discussion.

<sup>3</sup> ILO official. E-mail communication USDOL official. May 8, 2014.

<sup>4</sup> Central Intelligence Agency. Pitcairn Islands, [online] [cited <https://www.cia.gov/library/publications/the-world-factbook/>].

<sup>5</sup> U.S. Embassy – London. E-mail communication USDOL official. April 1, 2011.



In 2014, Anguilla made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government participated in the Child Safeguarding in the Overseas Territories Regional Project, a project designed by the United Kingdom's Department for International Development and UNICEF to increase the Government's capacity to address child protection issues. The Government also signed the Inter-Agency Child Protection Protocol to facilitate interagency collaboration on child protection issues. However, although the problem does not appear to be widespread, children in Anguilla are engaged in the worst forms of child labor, specifically in commercial sexual exploitation. The law in Anguilla does not appear to prohibit children ages 14 to 18 from engaging in dangerous work or provide a comprehensive list of hazardous occupations prohibited to children. The Government also lacks a developed framework and targeted programs that address the commercial sexual exploitation of children.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children in Anguilla are engaged in the worst forms of child labor, specifically in commercial sexual exploitation.(1, 2) Table 1 provides key indicators on children's work and education in Anguilla. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		78.7

Source for primary completion rate: Data from 2008, published by UNESCO Institute for Statistics, 2015.(3)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (1, 2, 5, 6)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.




Some children reportedly perform sex acts in exchange for money and gifts. Evidence suggests that in some cases these transactions may occur with the knowledge, consent, or initiation of the child's parent.(5) Research has found no evidence that the Government of Anguilla collects or disseminates information regarding the prevalence and nature of the commercial sexual exploitation of children and other worst forms of child labor.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

British Overseas Territories (OTs) are territories under the jurisdiction and sovereignty of the United Kingdom (UK), but they do not form part of the UK. They are self-governing, except in the areas of foreign affairs and defense. Domestic UK law does not generally apply to OTs, unless explicitly extended.

The following convention has been extended to Anguilla (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Articles 1 and 3-4 of the Employment of Women, Young Persons and Children Act; Articles 1-2 of the Employment of Children (Restriction) Act (7, 8)
Minimum Age for Hazardous Work	Yes	14	Articles 1 and 3-4 of the Employment of Women, Young Persons and Children Act; Articles 1-2 of the Employment of Children (Restriction) Act (7, 8)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 4 of the Constitution (9)
Prohibition of Child Trafficking	Yes		Articles 147-148 and 152-153 of the Criminal Code (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 147-148 and 150 of the Criminal Code (10)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Combat: Yes	18	Article 328 UK Armed Forces Act 2006 (11)
	Non-Combat: Yes	16	
Compulsory Education Age	Yes	17	Article 117 of the Education Act (12)
Free Public Education	Yes		Article 106 of the Education Act (12)

\* No conscription.

Article 3 of the Employment of Women, Young Persons and Children Act prohibits children under age 14 from working in industrial undertakings such as mining, manufacturing, and construction. Article 2 of the Employment of Children (Restriction) Act prohibits children under age 14 from engaging in any occupation that is likely to be injurious to their health or safety.(7, 8) However, Anguillan law does not appear to provide protections against dangerous work for children ages 14 to 18. Research could also not determine whether Anguilla has a comprehensive list of hazardous occupations prohibited to children.

In 2012, the Government received UNICEF funding to begin drafting legislation that would strengthen protections against child abuse.(13) However, research indicates that this legislation has not yet been completed. In addition, research could not determine the extent to which it addresses the commercial sexual exploitation of children.(14, 15) Research could also not determine whether Anguillan law prohibits the use of children in illicit activities, such as drug trafficking.



The UK Government has introduced systems to track ages and locations of individual soldiers, with the aim of preventing under-18s from being deployed into hostilities. Deployment of members of the armed forces who have not yet reached 18 years is permitted when there is a genuine need and the situation is urgent.(11, 16-18)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor of the Ministry of Finance, Economic Development, Investments, and Tourism	Enforce child labor laws through the Labor Commissioner, pursuant to the Employment of Children (Restriction) Act.(7, 19)
Department of Social Development of the Ministry of Social Development	Safeguard the well-being of children and investigate reports of child abuse.(20, 21)
Royal Anguilla Police Force	Investigate child protection cases.(20, 21)

Research found no evidence that law enforcement agencies in Anguilla took actions to combat child labor, including its worst forms, during the reporting period.

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Ministry of Social Development	Implement child protection efforts and ensure Anguilla complies with the CRC.(22, 23)

The Government of Anguilla coordinates child protection issues through the Ministry of Social Development.(23) However, the extent to which the Ministry addressed the worst forms of child labor, and particularly the commercial sexual exploitation of children, during the reporting period is unclear.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Anguilla has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Child Protection National Action Plan*	Calls for the development of the Child Protection Protocols. Implemented by the Ministry of Social Development in consultation with UNICEF.(22, 24, 25)
Safeguarding and Child Protection Protocols and Procedures*	Provides guidance and support on identifying, reporting, investigating, managing, and prosecuting child abuse cases. Developed by the Ministry of Social Development in conjunction with UNICEF.(20, 21, 23) Aim to address legislative gaps in the protection of children.(24)
Inter-Agency Child Protection Protocol*†	Provides a framework for interagency collaboration on child protection issues. Signed by representatives of the Ministry of Social Development's Departments of Social Development, Education, and Probation, as well as by the Royal Anguilla Police Force and the Health Authority of Anguilla. Developed in consultation with UNICEF.(26)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

During the reporting period, representatives from the Departments of Social Development, Education, and Probation from the Ministry of Social Development, as well as from the Royal Anguilla Police Force and the Health Authority of Anguilla, signed the Inter-Agency Child Protection Protocol to facilitate interagency collaboration on child protection issues.(26)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Anguilla funded and participated in social programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Safeguarding Children in Anguilla Project*‡	Ministry of Social Development media campaign that engages civil society groups on child protection issues. (13, 23)
Department for Youth and Culture programming*‡	Department for Youth and Culture program that provides a range of cultural activities for children ages 11 to 18 during summer months; facilitates development of youth centers where young people can participate in educational activities.(23)
Child Safeguarding in the Overseas Territories Regional Project (2014 – 2016)†	\$1.2 million, 3-year project funded by the United Kingdom’s Department for International Development and implemented by UNICEF to increase the Government’s capacity to safeguard children in the Eastern Caribbean.(27)

\*The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Anguilla.

Research could not determine whether these initiatives have an impact on the commercial sexual exploitation of children. Research also found no evidence that the Government has carried out programs that specifically address the commercial sexual exploitation of children.

## VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in Anguilla (Table 9).

**Table 9. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law prohibits all children under age 18 from engaging in hazardous work.	2011 – 2014
	Clarify whether Anguilla has codified a comprehensive list of hazardous activities prohibited to children under age 18.	2011 – 2014
	Clarify whether Anguilla has drafted new legislation to protect children from commercial sexual exploitation.	2013 – 2014
	Ensure the law prohibits the use of children in illicit activities, such as drug trafficking.	2014
Enforcement	Collect, analyze, and disseminate information regarding the enforcement of relevant laws protecting children from commercial sexual exploitation.	2009 – 2014
Coordination	Ensure there is a coordinating mechanism to combat the commercial sexual exploitation of children.	2009 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into the Child Protection National Action Plan, the Safeguarding and Child Protection Protocols, and the Inter-Agency Child Protection Protocol.	2010 – 2014
Social Programs	Collect, analyze, and disseminate information regarding the prevalence and nature of the commercial sexual exploitation of children and other worst forms of child labor to guide the development of policies and programs to address the problem.	2009 – 2014
	Assess the impact of existing social programs on the commercial sexual exploitation of children and create programs to address and prevent this problem.	2010 – 2014

### REFERENCES

- U.S. Department of State. “United Kingdom,” in *Country Reports on Human Rights Practices- 2012*. Washington DC; April 19, 2013; <http://www.state.gov/documents/organization/204562.pdf>.
- U.S. Department of State. “Overseas Territories of the United Kingdom,” in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210742.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult

to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

5. UNICEF. *Child Sexual Abuse in the Eastern Caribbean: Perceptions of, Attitudes to, and Opinions on Child Sexual Abuse in the Eastern Caribbean*; 2010. [http://www.unicef.org/barbados/Child\\_Sexual\\_Abuse\\_Publication.pdf](http://www.unicef.org/barbados/Child_Sexual_Abuse_Publication.pdf).
6. U.S. Department of State. "United Kingdom," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220555.pdf>.
7. Government of Anguilla. *Employment of Children (Restriction) Act*, Revised Statues of Anguilla, Chapter E50, enacted 2000. [source on file].
8. Government of Anguilla. *Employment of Women, Young Persons and Children Act*, enacted December 15, 2000. [http://www.cavehill.uwi.edu/LAWLIBRARY/getattachment/47396d89-7882-4afa-b036-f21f568796bb/EMPLOYMENT-OF-WOMEN-YOUNG-PERSONS-AND-CHILDRE-\(1\).aspx](http://www.cavehill.uwi.edu/LAWLIBRARY/getattachment/47396d89-7882-4afa-b036-f21f568796bb/EMPLOYMENT-OF-WOMEN-YOUNG-PERSONS-AND-CHILDRE-(1).aspx).
9. Government of Anguilla. *The Anguilla Constitution Order 1982*, enacted April 1, 1982. <http://www.constitutionnet.org/vl/anguilla-constitution-1982>.
10. Government of Anguilla. *Anguilla Criminal Code*, c. 140, enacted December 15, 2000. <https://www.anguillalaws.com/Acts.asp>.
11. Government of the United Kingdom. *Armed Forces Act 2006, Chapter 52*, enacted 2006.
12. Government of Anguilla. *Education Act*, enacted 2012.
13. U.S. Embassy- London. *reporting, January 31, 2013*.
14. The Anguillian. "A Little Child Shall Lead Them." [online] November 28, 2014 [cited July 6, 2015]; <http://theanguillian.com/2014/11/a-little-child-shall-lead-them-2/>
15. The Anguillian. "Protecting Children's Rights in Anguilla." [online] November 28, 2014 [cited July 6, 2015]; <http://theanguillian.com/2014/11/protecting-childrens-rights-in-anguilla/>.
16. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; September 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
17. Owen, J. "One in six recruits to Army is aged 16 " The Independent, London, May 29, 2011; Home News. <http://www.independent.co.uk/news/uk/home-news/one-in-six-recruits-to-army-is-aged-16-2290403.html>.
18. United Kingdom Parliament Defence Committee. *Written Evidence from the Peace Pledge Union*. source on file 2013. <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmdfence/576/576vw06.htm>.
19. Government of Anguilla. *Department of Labour*, Government of Anguilla, [online] [cited April 9, 2014]; <http://www.gov.ai/departments.php?id=1&dept=11>.
20. Government of Anguilla. *Safeguarding Children in Anguilla, An Abbreviated Guide*. The Valley; 2011. <http://www.gov.ai/documents/Draft%20Child%20Protection%20Protocol%20Abbreviated%20Guide.pdf>.
21. Government of Anguilla- Ministry of Health and Social Development. *Safeguarding Children in Anguilla: A Policy Guideline*. The Valley; 2012. [source on file].
22. Anguilla Correspondent. *Focus on Child Protection Protocols – Phase Three*, Anguilla Guide, [previously online] [cited February 15, 2012]; <http://www.anguillaguide.com/article/articleview/7981/1/140/> [previously online].
23. Overseas Territories Joint Ministerial Council. *Progress made on the commitments in the 2012 Joint Ministerial Council communiqué - Anguilla*. The Valley; November 2013. [http://www.gov.ai/documents/FINAL\\_Anguilla\\_progress\\_report.pdf](http://www.gov.ai/documents/FINAL_Anguilla_progress_report.pdf).
24. The Anguillian. "Protecting Anguillian Children from Abuse." The Anguillian, The Valley, June 21, 2013; News. <http://theanguillian.com/2013/06/protecting-anguillian-children-from-abuse/>.
25. U.S. Embassy- London. *reporting, January 21, 2014*.
26. The Anguillian. "Signing of the Inter-Agency Child Protection Protocol." [online] March 30 2015 [cited July 6, 2015]; <http://theanguillian.com/2015/03/signing-of-the-interagency-child-protection-protocol/>.
27. UNICEF. *New DFID-UNICEF Project to Safeguard Children in the British Overseas Territories*; February 28, 2014. [http://www.unicef.org/easterncaribbean/ECAO\\_Monsterrat\\_launch.pdf](http://www.unicef.org/easterncaribbean/ECAO_Monsterrat_launch.pdf).

# British Virgin Islands

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

*In 2014, the British Virgin Islands made no advancement in efforts to prevent the worst forms of child labor. Although no information suggests that the worst forms of child labor are a problem, the Government appears to lack a complete preventive legal framework to protect all children. The Government has not developed a list of hazardous occupations prohibited for children.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor, including its worst forms, exists in the British Virgin Islands.(1)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

British Overseas Territories (OTs) are territories under the jurisdiction and sovereignty of the United Kingdom (UK), but they are not part of the UK. They are self-governing, except in the areas of foreign affairs and defense. Domestic UK law does not generally apply to OTs, unless explicitly extended.(2)

The following convention has been extended to the British Virgin Islands (Table 1).(2)

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations concerning child labor, including in its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 128 of the Labor Code of 2010 (3)
Minimum Age for Hazardous Work	Yes	18	Article 130 of the Labor Code of 2010 (3)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 14 of the Constitutional Order 2007; Article 130 of the Labor Code of 2010 (3, 4)
Prohibition of Child Trafficking	Yes		Section 201A of the Criminal Code, Article 130 of the Labor Code of 2010 (3, 5)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 284A of the Criminal Code; Article 130 of the Labor Code of 2010 (3, 5)
Prohibition of Using Children in Illicit Activities	Yes		Sections 201A, 284A of the Criminal Code; Article 130 of the Labor Code of 2010 (3, 5)
Minimum Age for Compulsory Military Recruitment	N/A*†		
Minimum Age for Voluntary Military Service	Combat: Yes	18	Section 328.2 of the UK Armed Forces Act 2006 (2, 6)
	Noncombat: Yes	16	
Compulsory Education Age	Yes	16	Section 1 of the Education Act 2004 (7)

**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Free Public Education	Yes		Article 22 of the Constitutional Order of 2007; Section 17 of the Education Act 2004 (4, 7)

\* No standing military (2)

† No conscription (2)

The British Virgin Islands has no standing military or defense force, but citizens may join the UK military.(2) The UK Government has introduced systems to track the ages and locations of individual soldiers, to prevent those under age 18 from being deployed into hostilities. Deployment of members of the armed forces who have not yet reached 18 years is permitted when there is a genuine need and the situation is urgent.(8-11)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established an institutional mechanism for the enforcement of labor laws for the British Virgin Islands (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor	Enforce labor laws and collect data and statistics on violations of the Labor Code.(3)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for coordinating mechanisms to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

### VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2014, the Government of the British Virgin Islands participated in a program that may have an impact on child labor (Table 4).

**Table 4. Social Programs to Address Child Labor**

Program	Description
Child Safeguarding in the Overseas Territories Regional Project, 2014–2016	A \$1.2 million, 3-year project funded by the Department for International Development and implemented by UNICEF to increase the Governments' capacity to safeguard children in the Eastern Caribbean.(12)

### VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the British Virgin Islands (Table 5).

**Table 5. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Develop a list of hazardous occupations prohibited for children under age 18.	2012 – 2014



# British Virgin Islands

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

## REFERENCES

1. U.S. Embassy London official. Cable to USDOL official. January 21, 2014.
2. U.S. Embassy London official. E-mail communication to USDOL official. May 8, 2014.
3. Government of the British Virgin Islands. *Labour Code*, 4, enacted 2010. [http://www.bvigazette.org/extrfile/G00307\\_Labour%20Code%20Act,%202010.pdf](http://www.bvigazette.org/extrfile/G00307_Labour%20Code%20Act,%202010.pdf).
4. Government of the British Virgin Islands. *The Virgin Islands Constitution Order 2007*, 1678, enacted June 15, 2007. <http://www.bvi.org.uk/files/constitution2007.pdf>.
5. Government of the British Virgin Islands. *Criminal Code (Amendment) Act, 2007*, 3, enacted February 8, 2007. [http://www.bvigazette.org/extrfile/G00029\\_Criminal%20Code%20\(Amendment\)%20Act,%202007.pdf](http://www.bvigazette.org/extrfile/G00029_Criminal%20Code%20(Amendment)%20Act,%202007.pdf).
6. Government of the United Kingdom of Great Britain and Northern Ireland. *Armed Forces Act 2006*, enacted 2006. <http://www.legislation.gov.uk/ukpga/2006/52/contents>.
7. Government of the British Virgin Islands. *Education Act*, 10, enacted 2004.
8. Government of the United Kingdom of Great Britain and Northern Ireland. *United Kingdom Armed Forces Act*, Chapter 52, enacted November 2006. [http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga\\_20060052\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga_20060052_en.pdf).
9. U.S. Embassy official. E-mail communication to USDOL official. May 9, 2014.
10. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
11. Owen, J. "One in Six Recruits to Army is Aged 16." *The Independent*, London, May 29, 2011. <http://www.independent.co.uk/news/uk/home-news/one-in-six-recruits-to-army-is-aged-16-2290403.html>.
12. UNICEF. *New DFID-UNICEF Project to Safeguard Children in the British Overseas Territories*; February 28, 2014. [http://www.unicef.org/easterncaribbean/ECAO\\_Monstserrat\\_launch.pdf](http://www.unicef.org/easterncaribbean/ECAO_Monstserrat_launch.pdf).

*In 2014, Christmas Island made no advancement in efforts to prevent the worst forms of child labor. Although research found no evidence that child labor, including its worst forms, exists in Christmas Island, gaps exist in the legal framework to prevent children from involvement in the worst forms of child labor, including the lack of hazardous work prohibitions and a minimum age for hazardous work.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor, including its worst forms exists on Christmas Island.(1)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Acts Interpretation Act 1901 provides that Christmas Island is included as part of the territory of Australia, as denoted by law. Accordingly, all legislation of the federal parliament applies to these territories unless specifically excluded, including Australia’s ratification of conventions.(2)

Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to Christmas Island (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

Christmas Island is subject to the child labor laws of the state of Western Australia.(1, 3) The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 190 of the Western Australia Children and Community Services Act 2004 (4)
Minimum Age for Hazardous Work	No		Western Australia Children and Community Services Act 2004 (4)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 270.6 and 270.7 of the Commonwealth Criminal Code Act 1995 of Australia; Crimes Legislation Amendment Act 2013 (5, 6)
Prohibition of Child Trafficking	Yes		Sections 271.2 through 271.7 of the Commonwealth Criminal Code Act 1995 of Australia; Crimes Legislation Amendment Act 2013 (5, 6)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 16 of the Western Australia Prostitution Act of 2000; the Western Australia Children and Community Services Act; Sections 271.2 through 271.7 of the federally enacted Commonwealth Criminal Code Act 1995 of Australia; Crimes Legislation Amendment Act 2013 (4-9)
Prohibition of Using Children in Illicit Activities	Yes		Sections 309 and 310 of the Commonwealth Criminal Code Act 1995 of Australia; Crimes Legislation Amendment Act 2013 (5)

**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service*	Combat: Yes	18	Canberra Act (10)
	Non-Combat: Yes	17	
Compulsory Education Age	Yes	17	Sections 6 and 7 of the Western Australia School Education Act 1999 (3, 11)
Free Public Education	Yes		Section 98 of the Western Australia School Education Act 1999 (11)

\* No conscription (10)

Research found that Christmas Island does not have a minimum age for hazardous work or a list of hazardous activities, which leaves children vulnerable to the worst forms of child labor.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of Australia has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms, which apply to Christmas Island (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Australian Federal Police, the Department of Immigration, and the Department of Regional Development	Enforce criminal laws related to the worst forms of child labor. Issue orders for a child to stop working if there is risk of harm.(8, 12)
Australian Federal Police	Investigate the commercial sexual exploitation of children, including pornography.(8)
Australian Federal Police: Human Trafficking Teams	Investigate human trafficking for the purpose of transnational sexual and labor exploitation.(9, 12)
Australian Federal Police: Child Protection Operations Team	Coordinate and investigate online and multijurisdictional online child sex exploitation issues, including child pornography.(8, 9, 12)
Department of Child Protection	Issue orders to stop a child from working if there is a risk of harm. (1, 5)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

### VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

### VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in Christmas Island (Table 4).

**Table 4. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify whether Christmas Island has codified a list of hazardous activities prohibited for children under age 18.	2013 – 2014
	Clarify whether Christmas Island has established a minimum age for hazardous work.	2013 – 2014

## REFERENCES

1. U.S. Embassy- Canberra. *reporting, January 13, 2015.*
2. Government of Australia, Australian Law Reform Commission. *Legal Risks in International Transactions (Section 10: External Territories)*. Sydney; July 19, 2012. <http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories>.
3. U.S. Embassy- Canberra. *reporting, January 31, 2013.*
4. Government of Western Australia. *Children and Community Services Act 2004*, enacted October 20, 2004. [http://www.austlii.edu.au/au/legis/wa/consol\\_act/cacsa2004318/](http://www.austlii.edu.au/au/legis/wa/consol_act/cacsa2004318/).
5. Government of Western Australia. *The Criminal Code Act 1995*, enacted 1995. [http://www.austlii.edu.au/au/legis/cth/consol\\_act/cca1995115/sch1.html](http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/sch1.html).
6. Government of Australia. *Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013*, enacted March 8, 2013.
7. Government of Western Australia. *Prostitution Act 2000*, enacted July 29, 2000. [http://www.austlii.edu.au/au/legis/wa/consol\\_act/pa2000205/](http://www.austlii.edu.au/au/legis/wa/consol_act/pa2000205/).
8. U.S. Embassy- Canberra. *reporting, February 11, 2011.*
9. Government of Australia. *Initial Report under the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*. Canberra; December 2008. [http://www.ncylc.org.au/Croc/First+Australian+Report+under+OPCR\(C.S.C\)+-+Proofread+Version+-+May+2009.pdf](http://www.ncylc.org.au/Croc/First+Australian+Report+under+OPCR(C.S.C)+-+Proofread+Version+-+May+2009.pdf).
10. Government of Australia. *Canberra Act 2600*, enacted April 22, 2008.
11. *Western Australia School Education Act 1999*, enacted 1999. [http://www.austlii.edu.au/au/legis/wa/consol\\_act/sea1999170/s6.html](http://www.austlii.edu.au/au/legis/wa/consol_act/sea1999170/s6.html).
12. U.S. Embassy- Canberra. *reporting, January 19, 2012.*

# Cocos (Keeling) Islands

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

*In 2014, the Cocos (Keeling) Islands made no advancement in efforts to prevent the worst forms of child labor. Although research found no evidence that child labor, including its worst forms, exists in the Cocos (Keeling) Islands, gaps exist in the legal framework to prevent children from involvement in the worst forms of child labor, including the lack of hazardous work prohibitions and a minimum age for hazardous work.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor, including its worst forms, exists in the Cocos (Keeling) Islands.(1)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Acts Interpretation Act 1901 provides that the Cocos (Keeling) Islands are included as part of Australia as denoted by law. Accordingly, all legislation of the federal parliament, including Australia's ratification of conventions, applies to these territories unless specifically excluded.(2)

Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to the Cocos (Keeling) Islands (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Cocos (Keeling) Islands are subject to the child labor laws of the state of Western Australia.(1, 3) The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 190 of the Western Australia Children and Community Services Act 2004 (4)
Minimum Age for Hazardous Work	No		Western Australia Children and Community Services Act 2004 (4)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 270.6 and 270.7 of the Commonwealth Criminal Code Act 1995; Crimes Legislation Amendment Act 2013 (5, 6)
Prohibition of Child Trafficking	Yes		Sections 271.2 through 271.7 of the Commonwealth Criminal Code Act 1995; Crimes Legislation Amendment Act 2013 (5, 6)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 16 of the Western Australia Prostitution Act of 2000; Western Australia Children and Community Services Act 2004; and Sections 271.2 through 271.7 of the federally enacted Commonwealth Criminal Code Act 1995 of Australia; Crimes Legislation Amendment Act 2013 (4-9)
Prohibition of Using Children in Illicit Activities	Yes		Commonwealth Criminal Code Act 1995; Crimes Legislation Amendment Act 2013 (5)



**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service*	Combat: Yes	18	Canberra Act (10)
	Non-Combat: Yes	17	
Compulsory Education Age	Yes	17	Sections 6 and 7 of the Western Australia School Education Act 1999 (11)
Free Public Education	Yes		Section 98 of the Western Australia School Education Act 1999 (11)

\* No conscription (10)

Research found that Cocos (Keeling) Islands do not have a minimum age for hazardous work, or a list of hazardous activities, which leaves children vulnerable to the worst forms of child labor.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of Australia has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms, which apply to the Cocos (Keeling) Islands (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Australian Federal Police, the Department of Immigration, and the Department of Regional Development	Enforce criminal laws related to the worst forms of child labor.(9, 12)
Australian Federal Police	Investigate the commercial sexual exploitation of children, including pornography.(9)
Australian Federal Police: Human Trafficking Team	Maintain jurisdiction in trafficking matters and investigate human trafficking for the purpose of transnational sexual and labor exploitation.(7)
Australian Federal Police: Child Protection Operations Team	Coordinate and investigate online and multijurisdictional online child sexual exploitation.(7, 12)
Department of Child Protection	Issue orders to stop a child from working if there is a risk of harm.(1, 12)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

### VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

### VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the Cocos (Keeling) Islands (Table 4).

**Table 4. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify whether the Cocos (Keeling) Islands have codified a list of hazardous activities prohibited for children under age 18.	2013 – 2014
	Clarify whether the Cocos (Keeling) Islands have established a minimum age for hazardous work.	2013 – 2014

# Cocos (Keeling) Islands

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

## REFERENCES

1. U.S. Embassy- Canberra. *reporting, January 13, 2015.*
2. Government of Australia, ALR Commission. *Legal Risk in International Transactions (Section 10: External Territories)*. Sydney; 2012. <http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories>.
3. U.S. Embassy- Canberra. *reporting, January 31, 2013.*
4. Government of Western Australia. *Children and Community Services Act 2004*, enacted October 20, 2004. [http://www.austlii.edu.au/au/legis/wa/consol\\_act/cacsa2004318/](http://www.austlii.edu.au/au/legis/wa/consol_act/cacsa2004318/).
5. Government of Western Australia. *The Criminal Code Act 1995*, enacted 1995. [http://www.austlii.edu.au/au/legis/cth/consol\\_act/cca1995115/sch1.html](http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/sch1.html).
6. Government of Australia. *Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013*, enacted March 8, 2013
7. Government of Australia. *Initial Report under the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*. Canberra; December 2008. [http://www.ncylc.org.au/Croc/First+Australian+Report+under+OPCRC\(SC\)+-+Proofread+Version+-+May+2009.pdf](http://www.ncylc.org.au/Croc/First+Australian+Report+under+OPCRC(SC)+-+Proofread+Version+-+May+2009.pdf).
8. Government of Western Australia. *Prostitution Act 2000*, enacted July 29, 2000. [http://www.austlii.edu.au/au/legis/wa/consol\\_act/pa2000205/](http://www.austlii.edu.au/au/legis/wa/consol_act/pa2000205/).
9. U.S. Embassy- Canberra. *reporting, February 11, 2011.*
10. Government of Western Australia. *Canberra Act 2600*, , enacted April 22, 2008. [source on file].
11. Government of Western Australia. *School Education Act 1999*, enacted January 1, 2001. [http://www.austlii.edu.au/au/legis/wa/consol\\_act/sea1999170/](http://www.austlii.edu.au/au/legis/wa/consol_act/sea1999170/).
12. U.S. Embassy- Canberra. *reporting, January 19, 2012.*

In 2014, the Cook Islands made a minimal advancement in efforts to prevent the worst forms of child labor. The Government participated in UNDAF Pacific, which includes youth initiatives related to access to education and security in the Cook Islands. Also, the Government began a baseline study on youth participation in the workforce, which will result in a Youth Monograph. Although research found no evidence that child labor, including its worst forms, exists in the Cook Islands, the Government's legal framework is insufficient to prevent children from engaging in prostitution and pornography, and research could not determine whether laws prohibit internal trafficking in persons or use of children in illicit activities.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in the Cook Islands.(1)




## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Cook Islands is a self-governing territory of New Zealand. The territory follows a combination of its own laws and some of the laws of New Zealand and the United Kingdom that were enacted prior to self-government in 1965.(2, 3) There are no armed forces in the Cook Islands.(3, 4) New Zealand is responsible for the Cook Islands' defense at its request and in consultation with the Cook Islands.(3)

Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to the Cook Islands, unless New Zealand acted expressly on behalf of the Cook Islands.(5)

The Cook Islands has ratified one key international convention concerning child labor (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	13	Article 30 of the Employment Relations Act 2012 (6)
Minimum Age for Hazardous Work	Yes	18	Article 73.2 of the Employment Relations Act 2012 (6)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 73 of the Employment Relations Act 2012 (6)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced and Compulsory Labor Ordinance 1960 (7)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act 2004 (8)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		

**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	17	Government of New Zealand’s general army requirement at Article 33 of the Defense Act 1990 (9)
Compulsory Education Age	Yes	16	Article 23.1 of the Education Act 2012 (10)
Free Public Education	Yes		Article 22.2 of the Education Act 2012 (10)

\* No conscription (11)

In 2012, the Cook Islands enacted the Employment Relations Act, which prohibits children younger than 13 years of age from being employed.(6, 12) The Act also prohibits a school-aged person, defined as 13 to 16 years old, from working during normal school hours, working for more than 10 hours a week outside of school hours, or doing work that is not considered light work. (6) Light work is defined in the Act as “work that does not threaten the child’s health and safety, or hinder the child’s education or vocational orientation and training.”(6) Under the Act, children under 18 years old are prohibited from working in hazardous occupations.(6)

Under the Crimes Amendment Act, trafficking in persons across borders is illegal; however, it is not clear whether internal trafficking in persons is addressed in the Act.(8, 13)

The Crimes Act and the 2004 Amendment prohibit prostitution but do not address child commercial sexual exploitation or child pornography.(8, 13, 14) In 2010, the Government of the Cook Islands began a comprehensive review of the Crimes Act to amend provisions of the Act to include criminalizing child prostitution and child pornography.(14-16) To date, the Act has not yet been modified.(1, 14, 16) Additionally, a draft Family Law Bill, which will include legislation on child protection, has been pending through 2014.(1)

Research could not determine whether laws prohibiting the use of children for illicit activities exist.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established institutional mechanisms to monitor the implementation of child labor laws in the Cook Islands (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
The Labor and Consumer Affairs Division of the Government	Implement child labor laws in the Cook Islands.(17)
Ministry of Internal Affairs and Social Services’ Employment and Labor Relations Office	Provide child services.(1)
Cook Islands Police Service	Enforce child labor laws.(1)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established institutional mechanisms to address children’s rights and protection (Table 4).

**Table 4. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Minister of Health	Coordinate national efforts to comply with the provisions of the United Nations’ Convention on the Rights of the Child and its two Optional Protocols.(1)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of the Cook Islands has established policies related to child labor, including its worst forms (Table 5).

**Table 5. Policies Related to Child Labor**

Program	Description
United Nations Development Assistance Framework for the Pacific (2013-2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(18) In the Cook Islands, includes different youth initiatives related to access to education, and safety.(18, 19)

In 2014, the Cook Islands began a baseline study of youth participation in the workforce, which will result in a Youth Monograph expected to be published in 2015.(20-22) The Youth Monograph is part of a new youth policy, but the policy has not yet been finalized.(21)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the Cook Islands (Table 6).

**Table 6. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify whether the prohibitions in the Cook Islands Crimes Amendment Act 2004 extend to internal trafficking in persons.	2011 – 2014
	Amend the Crimes Act to address and criminalize child prostitution and child pornography.	2012 – 2014
	Ensure the Family Law Bill meets international standards for child protection and applies to children working in domestic service.	2014
	Clarify whether a law exists that prohibits the use of children in illicit activities.	2011 – 2014

## REFERENCES

- U.S. Embassy - Wellington. *reporting, February 3, 2015.*
- Government of the Cook Islands. *The Cook Islands*, Government of the Cook Islands, [online] [cited February 22, 2013]; <http://www.cook-islands.gov.ck>.
- Central Intelligence Agency. *The World Factbook: The Cook Islands*, CIA, [online] August 9, 2013 [cited 2013]; <https://www.cia.gov/library/publications/the-world-factbook/geos/cw.html>.
- Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; September 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- U.S. Embassy- Wellington official. E-mail communication to USDOL official. May 16, 2014.
- Government of Cook Islands. *Employment Relations Act 2012*, enacted 2012.
- Government of Cook Islands. *Prohibition of Forced or Compulsory Labour Ordinance 1960*, No. 2 of 1960, enacted 1960. [http://www.paclii.org/ck/legis/num\\_act/pofoclo1960503/](http://www.paclii.org/ck/legis/num_act/pofoclo1960503/).
- Government of Cook Islands. *Crimes Amendment Act 2004*, No. 5 of 2004, enacted June 1, 2004. [www.paclii.org/ck/legis/num\\_act/caa2004162/](http://www.paclii.org/ck/legis/num_act/caa2004162/).
- Government of New Zealand. *Defence Act 1990*, 1990 No 28, enacted April 1, 1990. <http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>
- Government of Cook Islands. *Education Act 2012*, 18 of 2012, enacted December 12, 2012. <http://www.education.gov.ck/attachments/article/785/Education%20Act%202012.pdf>.
- Government of New Zealand. *Declaration to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*; November 12, 2001. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>.
- Public Services International. *Cook Islands workers celebrate new labour legislation*. Ferney-Voltaire Cedex, France; January 2, 2013. <http://www.world-psi.org/en/cook-islands-workers-celebrate-new-labour-legislation>.
- Government of Cook Islands. *Crimes Act 1969*, enacted January 27, 1970. [http://www.paclii.org/ck/legis/num\\_act/ca196982/](http://www.paclii.org/ck/legis/num_act/ca196982/).
- Reeves, R. *Cook Islands Seeks to Modernize 1969 Crimes Act*. Rarotonga, Pacific Islands Development Program/East-West Center; February 13, 2012. <http://pidp.eastwestcenter.org/pireport/2012/February/02-16-19.htm>.
- Punanga Tauturu Incorporated. *Cook Islands NGO Parallel Report to the Convention on the Rights of the Child*. Rarotonga, Cook Islands; September 29, 2011. <http://www.crin.org/resources/infodetail.asp?id=26495>.
- U.S. Embassy- Wellington. *reporting, January 22, 2014.*
- Government of Cook Islands. *Cook Islands Response to 2011 TDA Appendix* Submitted in response to U.S. Department of Labor Request for Information on 2011 TDA Appendix. Wellington; 2013.
- United Nations Development Assistance Framework. *United Nations Development Assistance Framework (UNDAF) for the Pacific Region 2013 - 2017*; 2013. [http://pacific.one.un.org/images/stories/2013/UNDAF\\_Summary\\_Report.pdf](http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf).
- United Nations Development Assistance Framework. *Cook Islands NSDP 2011 - 2015/UNDAF Results Matrix 2013 - 2017*; 2012. [http://www.mfem.gov.ck/docs/AMD/Development%20Partners/UN/Result%20Matrix-Master-%20Cook%20Islands\\_230812.pdf](http://www.mfem.gov.ck/docs/AMD/Development%20Partners/UN/Result%20Matrix-Master-%20Cook%20Islands_230812.pdf).
- Ministry of Internal Affairs. *Cook Islands baseline data on labour force and youth has commenced*, Government of Cook Islands, [Media Release] October 1, 2014 [cited December 31 2014]; <http://www.intaff.gov.ck/?feed=rss2>.
- U.S. Embassy - Wellington official. E-mail communication to USDOL official. March 11, 2015.
- U.S. Embassy- Wellington official. E-mail communication to USDOL official. March 12, 2015.



# Falkland Islands (Islas Malvinas)

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

*In 2014, the Falkland Islands made no advancement in efforts to prevent the worst forms of child labor. Although no information suggests that the worst forms of child labor are a problem, the Government appears to lack a complete preventive legal framework to protect all children from trafficking for the purposes of labor exploitation. It also is unclear whether the Falkland Islands have established a more comprehensive list of hazardous work prohibited to children, and whether the use of children in illicit activities is prohibited. This leaves children vulnerable to the worst forms of child labor.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor, including its worst forms, exists in the Falkland Islands.(1, 2)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

British Overseas Territories (BOTs) are territories under the jurisdiction and sovereignty of the United Kingdom (UK), but they are not part of the UK. They are self-governing, except in the areas of foreign affairs and defense.(3) Domestic UK law does not generally apply to OTs, unless explicitly extended, and conventions ratified under UK law need to be officially extended to BOTs.(3)

The following conventions have been extended to the Falkland Islands (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Section 4 of the United Kingdom Employment of Women, Young Persons, and Children Ordinance of 1968 and 2006; Section 18 of the Children and Young Persons Act of 1933 (4-6)
Minimum Age for Hazardous Work	Yes	15	Section 4A of the United Kingdom Employment of Women, Young Persons, and Children Ordinance of 1968 and 2006; Section 18 of the Children and Young Persons Act of 1933 (4-6)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section 3 of the Employment of Children Ordinance of 1968 (as Amended in 2006) (4, 5)
Prohibition of Forced Labor	Yes		Chapter 1 Section 1 of the Falkland Islands Constitution Order 2008(7)
Prohibition of Child Trafficking	Yes		Part 1 of the Sexual Offenses Act
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part 1 of the Sexual Offenses Act (8)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		

**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Combat: No Non-Combat: Yes	18 16	Chapter 18, Section 4 of the Armed Forces Enlistment Regulations; Part 14, Section 328 of the UK Armed Forces Act 2006 (9)
Compulsory Education Age	Yes	16	Education Amendment Ordinance of 2008; Chapter 1, Section 12 of Falkland Islands Constitution Order of 2008 (7, 10, 11)
Free Public Education	Yes		Education Amendment Ordinance of 2008 (10, 11)

\*No conscription or no standing military (12, 13)

The *Employment of Women, Young Persons, and Children Ordinance of 1968* (as amended in 2006) (the EWYPC Ordinance) and the Child and Young Persons Act extend to the Falkland Islands.(4) The EWYPC defines “child” as any person who is younger than age 14, while the definition of “young person” applies to ages 14 through 17. While the Child and Young Persons Act both prohibit the full time employment of children under 15, it includes an exception allowing the employment of children older than 14 in light work.(6) The EWYPC Ordinance makes it illegal to employ children under age 14 in work that exposes them to physical, psychological, or sexual abuse.(11) The EWYPC Ordinance protects children from work that is underground, underwater, at dangerous heights, in confined spaces, as well as from work that requires using dangerous machinery, equipment, or tools without training and supervision; it also prohibits work at night in any industry.(4, 5) No information was found on whether the Government has developed a more comprehensive list of hazardous occupations and activities prohibited for children through age 17, or if the law prohibits the use of children in illicit activities.(4, 5)

Although child trafficking has not been identified as having occurred in the Falkland Islands, the UK legal system and Falkland Island Ordinances do not appear to protect children, specifically young persons older than age 16, from internal and cross-border trafficking for the purposes of labor exploitation.(5, 7, 8)

The UK Government has introduced systems to track the ages and locations of individual soldiers, with the aim of preventing children under age 18 from being deployed into hostilities. Deployment of members of the armed forces who have not yet reached age 18 is permitted when there is a genuine need and the situation is urgent(12, 14, 15).

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms.

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate addressing child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

### VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the Falkland Islands (Table 3).

# Falkland Islands (Islas Malvinas)

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

**Table 3. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the list of hazardous occupations and activities prohibited for children is comprehensive.	2012 – 2014
	Ensure that the law prohibits the use of children in illicit activities.	2013 – 2014
	Clarify whether the law protects all children under age 18 from being trafficked for any purpose, including labor exploitation.	2012 – 2014

## REFERENCES

- U.S. Embassy London. *reporting, January 21, 2014*.
- U.S. Embassy London. *reporting, January 15, 2015*. [on File with USDOL].
- U.S. Embassy Official. e-mail May 9th, 2014.
- ILO Committee of Experts, C. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Falkland Islands (Islas Malvinas)* 2012. [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:2700646,103639,Falkland%20Islands%20\(Malvinas\),2011](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:2700646,103639,Falkland%20Islands%20(Malvinas),2011) [source on file]
- ILO Committee of Experts (CEACR). *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Falkland Islands (Islas Malvinas)* International Labor Organisation; 2014 [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3145578](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3145578) [source on file with United States Department of Labor].
- Kingdom, U. *Children and Young Persons Act 1933*. 1933 amended 1992. <http://www.legislation.gov.uk/ukpga/Geo5/23-24/12> [on file with U.S. Department of Labor].
- Government of the United Kingdom of Great Britain and Northern Ireland. *South Atlantic Territories: The Falkland Islands Constitution Order 2008*, enacted November 5, 2008. [http://www.legislation.gov.uk/uksi/2008/2846/pdfs/uksi\\_20082846\\_en.pdf](http://www.legislation.gov.uk/uksi/2008/2846/pdfs/uksi_20082846_en.pdf).
- Kingdom, U. *UK Sexual Offences Act*. 2003. [source on file].
- United Kingdom. *Armed Forces Enlistment Regulations* Defense UKMo, 2009. 1-18-4. <http://www.legislation.gov.uk/uksi/2009/2057/regulation/4/made> [Source on File].
- Government of the Falkland Islands. *Education*, [previously online] [cited February 13, 2012]; <http://www.falklands.gov.fk/Education.html> [source on file].
- UN Committee on the Rights of the Child. *Implementation of the Convention on the Rights of the Child: Overseas Territories and the Isle of Man: Responses to the list of issues raised in connection with the consideration of the third and fourth periodic report of the United Kingdom of Great Britain and Northern Ireland*. Geneva; 2008. Report No. CRC/C/GBR/4. <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.GBR.Q.4.Add.2.doc>.
- Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; September 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562) [source on file].
- United Kingdom. *United Kingdom Armed Forces Act*. 2006. 186. [http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga\\_20060052\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga_20060052_en.pdf) [source on file].
- Jonathan Owen. *One in Six Recruits to Army is Aged 16*. The Independent. London: [Accessed: March 2014] 2011. <http://www.independent.co.uk/news/uk/home-news/one-in-six-recruits-to-army-is-aged-16-2290403.html> [Source on File]
- United Kingdom Parliament Defence Committee. *Written Evidence from the Peace Pledge Union*. (Publications and Records); 2013. <http://www.publications.parliament.uk/pa/cm/cm201314/cmselect/cmdfence/576/576vw06.htm> [source on file].

*In 2014, Montserrat made no advancement in efforts to prevent the worst forms of child labor. Although no information suggest that the worst forms of child labor are a problem, gaps exist in the legal framework to prevent children from being involved in the worst forms of child labor. And although the Montserrat Labor Code protects children from performing hazardous work, it is unclear whether the Government has established a comprehensive list of hazardous activities. It also is unclear whether the law prohibits the use of children in illicit activities such as drug trafficking, begging, and theft or burglary. These gaps in legislation leave children vulnerable to the worst forms of child labor.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor, including its worst forms, exists in Montserrat.(1-4)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

British Overseas Territories (OTs) are territories under the jurisdiction and sovereignty of the United Kingdom (UK), but they do not form part of the UK. They are self-governing, except in the areas of foreign affairs and defense. Domestic UK law does not generally apply to OTs, unless explicitly extended.(2, 5, 6)

The following convention has been extended to Montserrat (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Part 9 of the Montserrat Labor Code 2012 (7)
Minimum Age for Hazardous Work	Yes	18	Parts 9 and 10 of the Montserrat Labor Code (7)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Schedule II, No. 55 of the Constitution of Montserrat, and Part 138A of the Montserrat Penal Code (7, 8)
Prohibition of Child Trafficking	Yes		Part XIV of the Montserrat Penal Code 2010 (8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Parts VIII-A and XIV-A of the Montserrat Penal Code 2010 (8)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Combat: No Non-Combat: Yes	18 16	Part 14, Section 328 in the UK Armed Forces Act 2006 (9-11)
Compulsory Education Age	Yes	16	Chapter II, Part 3 in the Montserrat Education Act of 2008 (12)
Free Public Education	Yes		Chapter II, Part 1 in the Montserrat Education Act of 2008 (12)

\* No conscription (9, 13, 14)

While the Montserrat Labor Code prohibits the employment of children under age 16, it includes an exception allowing the employment of children older than age 14 in light work. In addition, children under age 18 may not be employed at night or in occupations designated as hazardous.(7){International Labor Organisation, 2012 #17;, #2} The Minister of Labor for Montserrat is entrusted with the responsibility of deciding what constitutes light work and what constitutes hazardous work, but research found no comprehensive list of hazardous work for all children up to age 18.(6) In addition, research did not find any law or regulation prohibiting the use of children in illicit activities.

The UK Government has introduced systems to track the ages and locations of individual soldiers, with the aim of preventing children under age 18 from being deployed into hostilities. Deployment of members of the armed forces who have not yet reached age 18 is permitted when there is a genuine need and the situation is urgent.(3, 7, 10, 13)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Royal Montserrat Police Service	Enforce laws involving children.(15)
Department of Social Services	Employ social workers to work on child protection issues.(15)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

The Government of Montserrat participated in programs that may include the goal of preventing child labor, including its worst forms (Table 4).

**Table 4. Social Programs to Address Child Labor**

Program	Description
UNICEF Program On Children's Rights, Policies, and Education, "Multi-country 2012–2016"	UNICEF program to address children's rights in the Eastern Caribbean. Ensures the Government complies with convention reporting requirements on children's rights, and assists the Government with developing policies and laws to protect all children, especially vulnerable children.(16) Also includes preschool and other educational opportunities for vulnerable children.(16)

\* As there is no evidence of a child labor problem, the impact of this program on child labor does not appear to have been studied.

### VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Montserrat. (Table 5).

**Table 5. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a list of hazardous work and activities for which children under age 18 may not be employed.	2011 – 2014
	Establish laws regarding the use of children for drug trafficking or other illicit activities.	2011 – 2014



## REFERENCES

1. U.S. Embassy- London. *reporting, January 19, 2012.*
2. U.S. Embassy- London. *reporting, January 31, 2013.*
3. U.S. Embassy Official. e-mail May 9th, 2014.
4. U.S. Embassy London. *reporting, January 15, 2015.* [Source on File with U.S. Department of Labor].
5. U.S. Embassy London. *reporting, January 15, 2015.* [Source on File with U.S. Department of Labor].
6. International Labor Organisation. *Fundamental principles and rights at work: From commitment to action*; 2012. [http://www.ilo.org/washington/resources/selected-ilo-publications/WCMS\\_176149/lang-en/index.htm](http://www.ilo.org/washington/resources/selected-ilo-publications/WCMS_176149/lang-en/index.htm) [source on file]
7. Government of Montserrat. *Labor Code.* 2012. <http://www.gov.ms/wp-content/uploads/2012/06/Labour-Code-2012.pdf> [source on file]
8. Government of Montserrat. *Penal Code (Amendment) Act 2010.* 2010. [http://agc.gov.ms/wp-content/uploads/2010/02/penal\\_code.pdf](http://agc.gov.ms/wp-content/uploads/2010/02/penal_code.pdf) [source on file].
9. United Kingdom. *United Kingdom Armed Forces Act.* 2006. Pg. 186. [http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga\\_20060052\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga_20060052_en.pdf) [Source on File].
10. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers.* London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562)
11. United Kingdom, MoD. *UK Armed Forces Terms and Conditions of Enlistment and Service.* 2009. 1-18-4. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/43291/Ch18.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/43291/Ch18.pdf) [source on file with the United States Department of Labor].
12. Government of Montserrat. *Education Act.* 2008. 24-29. <http://agc.gov.ms/wp-content/uploads/2011/10/Education-Act.pdf> [source on file].
13. Owen, J. "One in Six Recruits to Army is Aged 16." *The Independent,* London, May 29, 2011; Home News. <http://www.independent.co.uk/news/uk/home-news/one-in-six-recruits-to-army-is-aged-16-2290403.html>
14. Child Soldiers International. *Louder than Words: An Agenda for Action to End State Use of Child Soldiers.* London; 2012 September. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562) [source on file].
15. U.S. Embassy- London official. E-mail communication to USDOL official. March 30, 2012.
16. UNICEF East Caribbean. *UNICEF Programme on Children's Rights, Policies, and Education: Multi-Country* [cited January 21st, 2015 <http://www.unicef.org/easterncaribbean/overview.html>] [source on file].

*In 2014, Niue made a minimal advancement in efforts to prevent the worst forms of child labor. The Government participated in UNDAF Pacific, which includes youth initiatives related to livelihood opportunities and food security in Niue. While there is no evidence of a child labor problem, the Government has not established adequate legal protection to prevent the worst forms of child labor. Niue’s Terrorism Suppression and Transnational Crimes Act of 2006 specifically address trafficking in children. There is no law addressing other forms of commercial sexual exploitation of children, nor is there a law prohibiting hazardous work or activities for children. There is no established minimum age for labor, and research has not identified any laws that prohibit the use of children for drug trafficking or other illicit activities.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in Niue.(1)




## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Niue is a self-governing territory of New Zealand and does not follow New Zealand laws. There are no armed forces in Niue, as New Zealand is responsible for Niue’s defense.(2, 3)

Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to Niue, unless it was done expressly on behalf of Niue.(4)

Niue has ratified one key international convention concerning child labor (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	Yes		Article 37 of the Terrorism Suppression and Transnational Crimes Act 2006 (5)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	17	Government of New Zealand’s general army requirement at Article 33 of the Defense Act 1990 (6)

**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Compulsory Education Age	Yes	16	Article 2 and 24 of the Education Act 1989 (7)
Free Public Education	Yes		Article 19 of the Education Act 1989 (7)

\* No conscription (8)

In Niue, children under age 16 are prohibited from working in the public sector.(9) The Niue Public Service Regulations prohibit the appointment of permanent employment of any person under age 18.(10) However, children who are not in a permanent employment in public service are vulnerable to child labor, including its worst forms. There are no labor laws and no established minimum age for labor.(1, 9) There also is no law prohibiting hazardous work or activities for children.(1, 9)

The Terrorism Suppression and Transnational Crimes Act makes it an offense to traffic children, and any person convicted of this offense may be imprisoned for a term not to exceed 20 years.(5) Research, however, has not identified whether there are laws that specifically address child prostitution and other forms of commercial sexual exploitation of children, such as pornography. Research also has not identified whether laws exist regarding the use of children for drug trafficking or other illicit activities.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established institutional mechanisms to monitor the implementation of child labor laws in Niue (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Niue Police Department	Enforce laws.(1)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established institutional mechanisms to address children's rights and protection (Table 4).

**Table 4. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role and Description
The National Coordinating Committee for the Convention on the Rights of the Child	Coordinate and monitor implementation of national policies related to children's rights and protections. Chaired by the Minister of Health and includes representatives from the Departments of Education, Crown Law, Community Affairs, Justice, Statistics, and Environment.(1, 9)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of Niue has established policies related to child labor, including its worst forms (Table 5).

**Table 5. Policies Related to Child Labor**

Program	Description
United Nations Development Assistance Framework for the UNDAF Pacific (2013–2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Nauru, Niue, Palau, Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(11) In Niue, includes different youth initiatives related to livelihood opportunities and food security.(12)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem there appears to be no need for programs to address child labor, including its worst forms.

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Niue (Table 6).

**Table 6. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Enact a labor law to include a minimum age for labor and ensure legal protection for working children.	2013 – 2014
	Enact new legislation prohibiting hazardous occupations or activities for children under age 18.	2013 – 2014
	Enact new legislation to protect children from commercial sexual exploitation, drug trafficking, and illicit activities.	2013 – 2014

## REFERENCES

- U.S. Embassy - Wellington. *reporting*, February 3, 2015.
- Minimum Entry Requirements- Army Generic Requirements for New Zealand*, Government of New Zealand, [online] [cited August 8, 2013]; <http://www.defencecareers.mil.nz/army/joining-up/am-i-eligible/minimum-entry-requirements>.
- Central Intelligence Agency. *The World Fact Book: Niue*, Central Intelligence Agency, [online] [cited April 11, 2014]; <https://www.cia.gov/library/publications/the-world-factbook/geos/ne.html>.
- U.S. Embassy - Wellington official. *E-mail communication to USDOL official* April 27, 2014.
- Government of Niue. *Terrorism Suppression and Transnational Crimes Act 2006*. 2006. [http://www.paclii.org/nu/legis/consol\\_act/tsatca2006529/](http://www.paclii.org/nu/legis/consol_act/tsatca2006529/).
- Government of New Zealand. *Defence Act of 1990*, 1990 No 28, enacted April 1, 1990. <http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>
- Government of Niue. *Education Act 1989*. 1989.
- Government of New Zealand. *Declaration to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*; November 12, 2001. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>.
- UN Committee on the Rights of the Child. *Concluding observations on the initial report of Niue, adopted by the Committee at its sixty-second session*. 2013.
- Government of Niue. *Public Service Regulations 2004*, enacted July 15, 2004. [http://www.paclii.org/nu/legis/consol\\_sub/psr2004261/](http://www.paclii.org/nu/legis/consol_sub/psr2004261/).
- United Nations Development Assistance Framework. *United Nations Development Assistance Framework (UNDAF) for the Pacific Region 2013 - 2017*; 2013. [http://pacific.one.un.org/images/stories/2013/UNDAF\\_Summary\\_Report.pdf](http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf).
- United Nations Development Assistance Framework. *Niue: UNDAF Results Matrix 2013 - 2017*; March 26, 2014. <http://www.pacific.one.un.org/images/stories/undaf%20matrix%20niue%20mar%202014%20draft%20v%206.pdf>.

*In 2014, Norfolk Island made no advancement in efforts to prevent the worst forms of child labor. Although research found no evidence that child labor, including its worst forms, exists in Norfolk Island, gaps exist in the legal framework to prevent children from involvement in the worst forms of child labor. Legislation fails to prescribe a minimum age for employment, prohibit hazardous work for children, and fully protect minors under 18 from exploitation in prostitution, which leaves children vulnerable to the worst forms of child labor.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor, including its worst forms exists on Norfolk Island.(1)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

According to the Government of Australia, the extent to which legislation, including laws implementing Australia’s treaty obligations, applies to the external territories varies. In relation to Norfolk Island, legislation of the Federal Parliament applies only if it is clearly stated to do so or if it is obvious from the legislation in question that it was intended to do so. The territory follows a combination of its own laws and some of the laws of Australia.(2)

Evidence suggests that Australia’s ratification of conventions applies to Norfolk Island (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

Norfolk Island is a self-governing territory of Australia.(1, 3) The Norfolk Island Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	No		Norfolk Island Employment Act 1988 (4)
Minimum Age for Hazardous Work	No		Norfolk Island Employment Act 1988 (4)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 270.6 and 270.7 of the Commonwealth Criminal Code Act 1995 of Australia, (applies to Norfolk Island); Crimes Legislation Amendment Act 2013 (5, 6)
Prohibition of Child Trafficking	Yes		Sections 271.2 through 271.7 of Australia’s Commonwealth Criminal Code Act of 1995 (applies to Norfolk Island); Crimes Legislation Amendment Act 2013 (5, 6)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 270.6 of Australia’s Commonwealth Criminal Code Act of 1995 (applies to Norfolk Island); Section 93N of the Criminal Code Amendment Act of 1993; Crimes Legislation Amendment Act 2013; and Part 3.10 of The Norfolk Island Criminal Code Act 2007 (5-8)
Prohibition of Using Children in Illicit Activities	Yes		Section 305 of The Norfolk Island Criminal Code Act 2007 (7)



**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service*	Combat:	18	Canberra Act (9)
	Yes		
	Non-combat: Yes	17	
Compulsory Education Age	Yes	15	Section 16 (1) of the Norfolk Island Education Act (10)
Free Public Education	Yes		Section 14 (1) of the Norfolk Island Education Act (10)

\* No conscription(9)

There is no minimum age for employment on Norfolk Island. Children younger than age 15, however, are subject to limitations under the Norfolk Island Employment Act of 1988.(4) Children younger than age 15 may not work more than 20 hours a week, at night, or during school hours.(4) Parental consent and written agreement are required to employ persons younger than age 18.(11) Information is limited, but it does not appear that Norfolk Island has restrictions on hazardous child labor, and the Government has not developed a list of hazardous occupations prohibited to children. However, employers have a duty to provide a safe working environment as well as the required safety equipment and clothing, without any charge to their employees.(12)

Section 93N of the Criminal Law Amendment Act of 1993 makes it illegal to employ a person younger than age 16 for the purposes of prostitution.(8) Therefore, the criminal laws fail to fully protect children ages 16 to 18 from prostitution. The Child Welfare Act of 2009, however, protects children under the age of 18 from sexual and financial exploitation by allowing officials to take children at risk of harm or injury into safe custody.(13-15)

In 2014, ministerial approval was received and draft legislation was being developed to introduce a number of child protection changes related to establishing a legal minimum age for employment, prohibiting children under age 18 from engaging in hazardous work, and protecting all children younger than age 18 from prostitution. This legislation is expected to be introduced to the Legislative Assembly in 2015.(1) Research indicates that such amendments have not yet been passed or implemented.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Employment inspectors and child welfare officers	Monitor the employment of young workers and take action with regard to their protection, including the production of child pornography.(12)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor.(11)
Australian Federal Police: Human Trafficking Teams	Investigate human trafficking for the purpose of transnational sexual and labor exploitation.(12)
Australian Federal Police: Child Protection Operations Team	Perform investigations and coordination role for multi-jurisdictional and international child sexual exploitation online, child sex tourism, and child pornography.(11, 16)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although there is no evidence of a problem, Norfolk Island is included in Australia’s Interdepartmental Committee on Human Trafficking to address child labor, including its worst forms (Table 4).

**Table 4. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Interdepartmental Committee on Human Trafficking	Chaired by the Attorney General’s Department, deals with child labor issues from a trafficking perspective and consists of 10 government agencies including the Australian Federal Police, the Office for Women, the Department of Immigration and Border Protection, the Australian Crime Commission, the Department of Foreign Affairs and Trade, Fair Work Ombudsman, Fair Work Building and Construction, the Department of the Prime Minister and Cabinet, the Department of Education, and the Department of Employment.(3, 17)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

## VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

## VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in Norfolk Island (Table 5).

**Table 5. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a legal minimum age for employment.	2010 – 2014
	Establish laws to prohibit children under age 18 from engaging in hazardous work.	2010 – 2014
	Amend the Criminal Law Amendment Act 1993 to protect all children younger than age 18 from prostitution.	2010 – 2014

### REFERENCES

- U.S. Embassy- Canberra. *reporting, January 13, 2015.*
- Government of Australia. *Legal Risk in International Transaction: Section 10: External Territories.* Canberra; 2012. <http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories> [source on file].
- U.S. Embassy- Canberra. *reporting, January 17, 2014.*
- Norfolk Island. *Norfolk Island Employment Act 1988*, enacted 1988. <http://norfolkisland.gov.nf/legislation/ConsolidatedActs/EmploymentAct1988.pdf>.
- Government of Australia. *Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013*, enacted March 8, 2013.
- Government of Western Australia. *The Criminal Code Act 1995*, enacted 1995. [http://www.austlii.edu.au/au/legis/cth/consol\\_act/cca1995115/sch1.html](http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/sch1.html).
- Government of Norfolk Island. *Norfolk Island Criminal Code*, enacted 2007. <http://www.info.gov.nf/legislation/NumberedActs/2007/>.
- Government of Norfolk Island. *Criminal Code Amendment Act 1993*, enacted September 27, 1993. <http://norfolkisland.gov.nf/legislation/Norfolk%20Island%20Legislation%20Pre%2017%20June%202015/NumberedActs/1993/>.
- Government of Australia. *Canberra Act 2600*, enacted April 22, 2008. [source on file].
- Norfolk Island Education Act 1931*, enacted 1931. [https://www.google.com/?gws\\_rd=ssl#q=Norfolk+Island+education+Act+1931](https://www.google.com/?gws_rd=ssl#q=Norfolk+Island+education+Act+1931).
- U.S. Embassy- Canberra. *reporting, February 11, 2011.*
- U.S. Embassy- Canberra. *reporting, January 19, 2012.*
- U.S. Embassy- Canberra official. E-mail communication to USDOL official. May 22, 2013.
- Government of Norfolk Islands. *Norfolk Island Government Gazette.* Kingston; July 6, 2012. [www.info.gov.nf/gazette/2012/2012\\_07\\_06\\_Gazette%20No%2029.doc](http://www.info.gov.nf/gazette/2012/2012_07_06_Gazette%20No%2029.doc)
- Government of Norfolk Island. *Child Welfare Act 2009*, enacted January 17, 2010. <http://norfolkisland.gov.nf/legislation/Norfolk%20Island%20Legislation%20Pre%2017%20June%202015/NumberedActs/2009/>.
- Commonwealth of Australia. *AFP Child Protection Operations-Online Child Sex Exploitation*, Commonwealth of Australia, [online] March 6, 2014 [cited 2014]; <http://www.afp.gov.au/policing/child-protection-operations/online-exploitation.aspx>.
- Commonwealth of Australia: Department of Social Services. *Australia's Anti-Human Trafficking Strategy*, [online] [cited March 6, 2014]; <http://www.dss.gov.au/our-responsibilities/women/programs-services/reducing-violence/anti-human-trafficking-strategy>.

# Saint Helena, Ascensión, and Tristán da Cunha

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

(formerly called Saint Helena)

*In 2014, Saint Helena, Ascensión, and Tristán de Cunha made no advancement in efforts to prevent the worst forms of child labor. Although no information suggests that the worst forms of child labor are a problem, gaps exist in the legal framework to prevent children from involvement in the worst forms of child labor. The Government lacks legislation prescribing a minimum age for work, and it is unclear whether a list of hazardous occupations exists for children. There are legislative gaps in the prohibition of trafficking of children for labor exploitation and the use of children for commercial sexual exploitation. These gaps make children vulnerable to the worst forms of child labor.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor, including its worst forms, exists in Saint Helena, Ascensión, and Tristán da Cunha.(1)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

British Overseas Territories (OTs) are territories under the jurisdiction and sovereignty of the United Kingdom (UK), but they do not form part of the UK. They are self-governing, except in the areas of foreign affairs and defense. Domestic UK Law does not generally apply to OTs, unless explicitly extended.(2)

The following conventions have been extended to Saint Helena, Ascensión, and Tristán da Cunha (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	Yes	18	Section 158 of Welfare of Children Ordinance (1, 3)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		St. Helena – Section 8, Ascensión – Section 125, Tristán da Cunha – Section 190, Constitution Order 2009 (4)
Prohibition of Child Trafficking	Yes		Articles 57-60 of U.K. Sexual Offences Act 2003 (5)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 47-51 of U.K. Sexual Offences Act 2003 (5)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*†		

(formerly called Saint Helena)

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Combat: No	18	Section 328, UK Armed Forces Act 2006 (2, 6, 7)
	Non-combat: Yes	16	
Compulsory Education Age	Yes	15 16	Saint Helena, Tristán da Cunha – Section 34 of the Education Ordinance (8) Ascensión – Ascensión Island Education Policy (9)
Free Public Education	Yes		Saint Helena – Section 16, Ascensión – Section 132, Tristán da Cunha – Section 198, Constitution Order 2009 (4, 8, 9) Saint Helena – Section 43, Education Ordinance(8) Ascensión – Education Policy 2010(9)

\* No conscription (2)

† No standing military (2)

The Government has no legal framework establishing a minimum age for work.(10) The Education Ordinance prohibits children of compulsory school age from working during school hours.(8) No information was found on whether the Government has developed a list of hazardous occupations prohibited to children. The compulsory education age is ambiguous, particularly for Ascensión, where the Ascensión Island Education Policy notes that education is compulsory from age five until a child takes their General Certificate of Secondary Education (GCSE) exams.(9)

The UK Sexual Offences Act of 2003, which is applicable to Saint Helena, prohibits trafficking for sexual exploitation, but does not address trafficking of children for labor exploitation.(11) The Saint Helena Welfare of Children Ordinance Act of 2008 prohibits the exploitation of children for Commercial Sexual Exploitation (CSEC), by, for example, a brothel owner, but does not prohibit the use (by a client) of a child for CSEC. The ILO CEACR has requested that the Government of Saint Helena take corrective measures in both cases.(11)

The UK Government has introduced systems to track ages and locations of individual soldiers, with the aim of preventing soldiers under age 18 from being deployed into hostilities. Deployment of members of the armed forces who have not yet reached age 18 is permitted when there is a genuine need and the situation is urgent.(2, 6, 7, 12)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms.

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for coordinating mechanisms to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address the worst forms of child labor in Saint Helena, Ascensión, and Tristán da Cunha.

### VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

# Saint Helena, Ascension, and Tristán da Cunha

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

(formerly called Saint Helena)

## VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in Saint Helena, Ascension, and Tristán da Cunha (Table 3).

**Table 3. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a legal minimum age for work.	2012 – 2014
	Clarify whether the Government has developed a list of hazardous occupations prohibited to children.	2013 – 2014
	Establish laws to prohibit trafficking of children for labor exploitation.	2014
	Establish laws to prohibit the use of children who are engaged in commercial sexual exploitation.	2014

### REFERENCES

1. U.S. Embassy- London. *reporting, January 31, 2013.*
2. U.S. Embassy- London. E-mail communication to USDOL official. May 8, 2014.
3. Government of Saint Helena. *Welfare of Children Ordinance*, 14 of 2008, enacted March 1, 2010. <http://www.sainthelena.gov.sh/wp-content/uploads/2013/01/Welfare-of-Children-Ord-310712.pdf>
4. Government of the United Kingdom of Great Britain and Northern Ireland. *The Saint Helena, Ascension and Tristan da Cunha Constitution Order 2009*, enacted September 1, 2009. <http://www.legislation.gov.uk/uksi/2009/1751/made/data.pdf>
5. United Kingdom. *Sexual Offences Act 2003*, enacted 2003. [http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga\\_20030042\\_en.pdf](http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga_20030042_en.pdf)
6. United Kingdom. *Armed Forces Act 2006*, enacted 2006. <http://www.legislation.gov.uk/ukpga/2006/52/contents>
7. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; September 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
8. Government of Saint Helena. *Education Ordinance*, 8 of 2008, enacted August 30, 2008. <http://www.sainthelena.gov.sh/data/files/resources/559/Education-Ordinance.pdf>
9. Government of Ascension Island. *Ascension Island Education Policy*, enacted October 2010. [http://www.twoboatsschool.org/images/Ascension\\_Island\\_Education\\_Policy\\_Oct\\_2010.pdf](http://www.twoboatsschool.org/images/Ascension_Island_Education_Policy_Oct_2010.pdf)
10. U.S. Embassy- London. *reporting, January 21, 2014.*
11. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) St. Helena (ratification: 2009) Published: 2014* accessed October 25, 2014; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>
12. Owen, J. "One in Six Recruits to Army is Aged 16." *The Independent*, London, May 29, 2011. <http://www.independent.co.uk/news/uk/home-news/one-in-six-recruits-to-army-is-aged-16-2290403.html>



In 2014, Tokelau made a minimal advancement in efforts to prevent the worst forms of child labor. The Government participated in the UNDAF for the Pacific Sub-Region Projects, which includes social development and education projects in Tokelau. While there is no evidence of a problem, it is unclear whether the Government has laws prohibiting the worst forms of child labor.




## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in Tokelau.(1) However, in 2006, the Government of Tokelau carried out a study with support from UNICEF on the situation of women and children on the island, which indicated that 16-year-old males may work in hazardous conditions in construction.(1, 2) However, no recent data are available on the prevalence of child labor nor hazardous child labor in Tokelau.(1, 2)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tokelau is a dependent territory of New Zealand; however, international treaties are applied only with the consent of the Government of Tokelau.(3) New Zealand's ratification of conventions does not apply automatically to Tokelau (Table 1).(2, 3) It is unknown which international treaties Tokelau has consented to.

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

New Zealand's laws apply to Tokelau. However, they are implemented complementary to Tokelauan domestic law, which applies to the local level.(4) Research did not find whether domestic laws ensure that children under 18 are protected from child labor and its worst forms. There are no armed forces in Tokelau, as New Zealand is responsible for Tokelau's defense (Table 2).(5)

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Unknown		
Minimum Age for Hazardous Work	No		
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Unknown		
Prohibition of Child Trafficking	Unknown		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 25 of the Tokelau Crimes, Procedures, and Evidence Rules Act of 2003 (6)
Prohibition of Using Children in Illicit Activities	Yes		Article 49 and 50 of the Tokelau Crimes, Procedures, and Evidence Rules Act of 2003 (6)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	17	Government of New Zealand's general army requirement at Article 33 of the Defense Act of 1990 (7)

**Table 2. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Compulsory Education Age	Yes	16	Article 63 of the Tokelau Crimes, Procedures, and Evidence Rules Act of 2003 (6, 8)
Free Public Education	Yes		<i>Legislation title unknown</i> (8, 9)

\* No conscription (10)

Rules 52 and 53 of the Schedule of Transtok Tokelau Corporation Rules 1997 states that children under age 16 are prohibited from working on ships. However, it is unclear whether there is a minimum age for work outside work on ships.(6, 11) There is also a lack of hazardous work prohibitions outside of working on ships.(1, 3, 11)

The Tokelau Crimes, Procedures, and Evidence Rules Act prohibits prostitution.(6) It is unknown whether children are protected from use in illicit activities or protected from all forms of commercial sexual exploitation.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of New Zealand has established institutional mechanisms to address complaints related to child labor in Tokelau (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
New Zealand Ombudsmen	Address complaints related to child labor and support Tokelau.(1, 12)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Although there is no evidence of a problem, the Government of Tokelau has established policies related to child labor, including its worst forms (Table 4).

**Table 4. Policies Related to Child Labor**

Policy	Description
Tokelau National Strategic Plan (2010 – 2015)	Implements the UNDAF Results Framework for the Pacific Sub-Region Projects 2013 – 2017, which includes national development strategies and priorities.(13)
UNDAF Pacific (2013 – 2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island countries and territories: Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(13) In Tokelau, includes different youth education initiatives related to environmental, health, and food issues.(14)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

### VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Tokelau (Table 5).

**Table 5. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify whether Tokelau has applicable laws to protect children under 18 against the worst forms of child labor.	2013 – 2014
	Determine hazardous occupations and/or activities prohibited for children in consultation with employers' and workers' organizations.	2014
Social Programs	Conduct a comprehensive study on children's activities to determine whether they are engaged in or at risk for involvement in child labor.	2014

## REFERENCES

- U.S. Embassy- Wellington. *reporting*, January 29, 2015.
- Government of Tokelau and UNICEF. *A Situation Analysis of Children, Women & Youth*; 2006. [http://www.unicef.org/pacificislands/Tokelau\\_Sitan\\_Part\\_1.pdf](http://www.unicef.org/pacificislands/Tokelau_Sitan_Part_1.pdf).
- U.S. Embassy- Wellington official. E-mail communication to USDOL official. May 16, 2014.
- Angelo, AH. *The Constitution of Tokelau*, Université de la Polynésie Française - Tahiti, [online] [cited March 24, 2014]; <http://www.upf.pf/IMG/pdf/13-RJP15-The-Constitution-of-Tokelau.pdf>.
- Central Intelligence Agency (CIA). *The World Factbook: Territory of New Zealand: Tokelau*, [online] [cited June 24, 2014]; <https://www.cia.gov/library/publications/the-world-factbook/geos/tl.html>.
- Government of Tokelau. *Tokelau Crimes, Procedures, and Evidence Rules 2003*, enacted 2003. [http://www.pacii.org/tk/legis/num\\_act/cpaer2003302/](http://www.pacii.org/tk/legis/num_act/cpaer2003302/).
- Government of New Zealand. *Defence Act 1990*, 1990 No 28, enacted April 1, 1990. <http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>
- Government of Tokelau. *Education*, [online] [cited February 4, 2014]; <http://www.mfat.govt.nz/Countries/Pacific/Tokelau.php>.
- UNESCO. "Table 4: Access to Primary Education," in *EFA Global Monitoring Report: Youth and Skills- Putting Education to Work*. Paris; October 16, 2012; <http://www.ibe.unesco.org/en/services/online-materials/world-data-on-education/seventh-edition-2010-11.html>.
- Government of New Zealand. *Declaration to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*; November 12, 2001. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>.
- U.S. Embassy- Wellington official. E-mail communication to USDOL official. April 2, 2015.
- Government of New Zealand. *Report of the Ombudsmen* Wellington 2008. [http://www.ombudsman.parliament.nz/system/paperclip/document\\_files/document\\_files/370/original/ar\\_2007-08.pdf?1348524064](http://www.ombudsman.parliament.nz/system/paperclip/document_files/document_files/370/original/ar_2007-08.pdf?1348524064).
- United National Development Assistance Framework (UNDAF). *United Nations Development Assistance Framework (UNDAF) for the Pacific Region 2013-2017*; 2013. [http://pacific.one.un.org/images/stories/2013/UNDAF\\_Summary\\_Report.pdf](http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf).
- United National Development Assistance Framework (UNDAF). *Tokelau UNDAF Results Matrix 2013-2017* 2013. <http://www.pacific.one.un.org/images/stories/undaf%20results%20matrix%2017%2001%2013%20for%20unctokelau.pdf>.

# Wallis and Futuna

NO ASSESSMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

*For the 2014 reporting period, no assessment has been made regarding Wallis and Futuna's efforts to advance the prevention of the worst forms of child labor, because there is no evidence of a worst forms of child labor problem and the country has a good legal and enforcement framework on child labor.*




## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in Wallis and Futuna. Wallis and Futuna has a total population of 12,200 inhabitants, 3,430 of whom are children.(1) The population has decreased by 18 percent since 2003.(1)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Wallis and Futuna is considered a French "Overseas Collectivity." As such, Wallis and Futuna cannot ratify international conventions; however, France's ratification of such conventions applies to Wallis and Futuna.(2) France has ratified all key international conventions concerning child labor (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

French law applies in Wallis and Futuna.(1, 3) The Government of France has established laws and regulations related to child labor, including its worst forms. These laws and regulations apply to Wallis and Futuna (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Articles L4153-1 of the Labor Code (4-6)
Minimum Age for Hazardous Work	Yes	18	Article R234-6 of the Labor Code (6)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article R234-6 of the Labor Code; Decree No. 2013-915, Relative to Work That Is Prohibited and Regulated for Young People Less Than 18 Years (6, 7)
Prohibition of Forced Labor	Yes		Article 431-1 of the Penal Code (8)
Prohibition of Child Trafficking	Yes		Articles 225-4-1 to 225-4-2- 5 and Article 225-4-2-6 of the Penal Code (5, 8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 225-7, Article 225-7-1, and Article 225-8, Article 225-9, Article 225-10, Article 225-10-1 of the Penal Code (8)
Prohibition of Using Children in Illicit Activities	Yes		Article 227-18 of the Penal Code (8)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Combat: Yes	18	Article L121-1 and Book II, Article L5 of Law on National Service Reform (9)
	Non-combat: Yes	17	
Compulsory Education Age	Yes	16	Articles L131-1 to L131-12 of the Education Code (10)
Free Public Education	Yes		Articles L132-1 to L132-2 of the Education Code (10)

\* No conscription (11, 12)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of France has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Service of Labor and Social Affairs Inspection of Wallis and Futuna	Enforce labor laws and report violations involving children to local social assistance personnel.(1)
Defender of Rights	Promote children's rights, including through the prohibition of child labor.(4)
French National Police	Oversee the health and safety of children.(1)

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms.

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for social programs to address child labor, including its worst forms.

#### REFERENCES

- U.S. Embassy- Paris. *reporting, February 3, 2015.*
- U.S. Embassy- Paris official. E-mail communication to USDOL official April 14, 2014.
- Government of France. *Loi n° 61-814 du 29 juillet 1961 Conférant aux Iles Wallis et Futuna le Statut de Territoire d'Outre-Mer*, enacted 1961; Updated May 1, 2012. <http://www.wallis-et-futuna.pref.gouv.fr/Nos-publications/Publications-Institutionnelles/Statut-1961>.
- U.S. Embassy- Paris. *reporting, January 17, 2014.*
- Library of Congress. *Children's Rights: France*, Library of Congress, [online] [cited March 5, 2013]; <http://www.loc.gov/law/help/child-rights/france.php>.
- Government of France. *Code du Travail*, enacted May 2008. [http://www.legifrance.gouv.fr/affichCode.do;jsessionid=5915BE44CD095CAE70B4622FFF096FF.tpdjo03v\\_3?cidTexte=LEGITEXT000006072050&dateTexte=20100928http://www.legifrance.gouv.fr/affichCodeArticle.do?idTexte=LEGITEXT000006072050&idArticle=LEGIARTI000018511175&dateTexte=20110524](http://www.legifrance.gouv.fr/affichCode.do;jsessionid=5915BE44CD095CAE70B4622FFF096FF.tpdjo03v_3?cidTexte=LEGITEXT000006072050&dateTexte=20100928http://www.legifrance.gouv.fr/affichCodeArticle.do?idTexte=LEGITEXT000006072050&idArticle=LEGIARTI000018511175&dateTexte=20110524).
- Government of France. *Décret n° 2013-915 du 11 Octobre 2013 Relatif aux Travaux Interdits et Réglementés pour les Jeunes Agés de Moins de Dix-Huit Ans* enacted October 11, 2013. <http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000028057273&dateTexte=&categorieLien=id>.
- Government of France. *Code Penal*, enacted June 1998. [http://www.legifrance.gouv.fr/affichCode.do;jsessionid=5915BE44CD095CAE70B4622FFF096FF.tpdjo03v\\_3?cidTexte=LEGITEXT000006070719&dateTexte=20100929](http://www.legifrance.gouv.fr/affichCode.do;jsessionid=5915BE44CD095CAE70B4622FFF096FF.tpdjo03v_3?cidTexte=LEGITEXT000006070719&dateTexte=20100929).
- Government of France. *Law on National Service Reform* enacted October 1997. <http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000368950&dateTexte=19971108>.
- Government of France. *Code de l'Éducation*, enacted 2014. [http://www.legifrance.gouv.fr/initRechCodeArticle.do;jsessionid=173B8CB01370804704F3991CB71FDC9B.tpdjo03v\\_3](http://www.legifrance.gouv.fr/initRechCodeArticle.do;jsessionid=173B8CB01370804704F3991CB71FDC9B.tpdjo03v_3).
- Child Soldiers International. "Wallis and Futuna," in *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London; 2012; [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
- UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Wallis and Futuna*. Geneva; October 15, 2007. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/445/51/PDF/G0744551.pdf?OpenElement>.



# West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

*In 2014, the Palestinian Authority (PA) made a minimal advancement in efforts to eliminate the worst forms of child labor in the areas of the West Bank under its control. The PA acceded to the UN CRC and the UN CRC Optional Protocol on Armed Conflict. However, children in the West Bank and the Gaza Strip are engaged in child labor, including in agriculture and in work on the street. The PA's legal framework does not include prohibitions against forced labor or human trafficking. The PA also lacks programs to prevent or eliminate the worst forms of child labor.*

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the West Bank and the Gaza Strip are engaged in child labor, including in agriculture and in work on the street.(1-3) Table 1 provides key indicators on children's work and education in the West Bank and the Gaza Strip. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		90.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)

Data were unavailable from Understanding Children's Work Project's analysis, 2014.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Cultivating asparagus,* dates,* eggplants,* onions,* sweet peppers,* tomatoes,* and marijuana* (6-9)
	Fishing,* activities unknown (1, 7, 10)
	Raising livestock, including poultry,* goats,* and sheep* (1, 7, 11)
Industry	Construction,† including demolishing buildings and collecting pebbles and gravel for construction purposes (1, 2, 7, 10-17)
	Manufacturing, activities unknown (1, 2, 13, 14, 16, 17)
	Blacksmithing* (1)
	Street vending and trading (1, 2, 13, 15, 17)
Services	Portering (1, 7, 13)
	Working in auto body shops and metal workshops (1, 7, 12, 13, 16)
	Working in shops, restaurants, or hotels (1, 2, 17)
	Transportation* (17)
	Collecting scrap metal and solid waste† (1, 2, 10, 14, 16, 17)
Categorical Worst Forms of Child Labor‡	Scavenging garbage* (18)
	Used in illicit activities, including smuggling drugs* (7, 19)
	Smuggling food and other goods (9, 13)
	Used in armed conflict* in Gaza (20)
	Work in agriculture and begging each as a result of human trafficking (19, 21-23)
Commercial sexual exploitation as a result of human trafficking (19, 23, 24)	

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

# West Bank and the Gaza Strip

According to the Ministry of Labor (MOL), there were approximately 104,000 children working in the West Bank and Gaza. Based on a labor survey conducted by various NGOs and financed by the EU, the three sectors in which most children worked were commerce (24.3%), agriculture (22.1%), and street vending (16.8%).(3)

Children are vulnerable to child labor in the agricultural sector partly due to the inability of the Palestinian Authority (PA) to enforce the law in Area C agricultural fields and settlements in the West Bank. There are reports of child labor in Israeli agricultural settlements in the Jordan Valley where children work in excessive heat and are exposed to dangerous pesticides.(8, 9)

Although in the past children were paid to smuggle goods through Gaza’s tunnels, in 2014 most smuggling tunnels were closed.(2, 25-27) The Ministry of Social Affairs (MOSA) reported that in 2014 children were used to smuggle items such as drugs from the West Bank into Israel.(9) Reports point to military training of children as young as age 12 by Hamas and at least one case in which a child was used as a human shield and informant by Israeli forces in 2014.(28-30) There are reports of child trafficking from the West Bank and Gaza into Israel as well as within the West Bank.(19, 24) Children were trafficked from the West Bank into Israel for begging.(3)




The West Bank and the Gaza Strip lack a sufficient number of schools to serve all children. Children often travel long and dangerous distances to attend schools, in some instances, because of Israeli restrictions on access and movement.(31, 32) Conflict hinders children’s access to schools. Some schools are physically used by military forces, which places children at risk.(20, 33)

According to the UN, in the summer of 2014, approximately 262 schools were damaged in the Gaza Strip, including 83 schools operated by the United Nations Relief and Works Agency for Palestine Refugees (UNRWA).(20) Schools are also poorly equipped, and at times unhygienic or susceptible to weather conditions.(31, 32, 34) Violence and discrimination by teachers, as well as the cost of transportation, contribute to the high school drop-out rate of 16 percent.(35, 36) The 2013 statistics of the Palestinian Central Bureau of Statistics found that approximately 80 percent of children ages 10–17 who worked did not attend school.(3)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The PA has Non-Member Observer status at the UN.(37) In April 2014, PA officials presented letters of accession to 15 UN treaties to UN officials.(38) The PA acceded to the United Nations Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	N/A
	ILO C. 182, Worst Forms of Child Labor	N/A
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	N/A
	Palermo Protocol on Trafficking in Persons	N/A

The PA has established laws and regulations related to child labor, including its worst forms (Table 4).

# West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 93 of the Labor Law for the West Bank and Gaza (39); Article 14 of the Palestinian Child Law for the West Bank and Gaza (40)
Minimum Age for Hazardous Work	Yes	18	Article 95 of the Labor Law for the West Bank and Gaza (39)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 1 of Minister of Labor Decision on hazardous work for the West Bank and Gaza (41)
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 36 of the Palestinian Child Law for the West Bank and Gaza (40); Articles 306, 310, 311, 315, and 319 of the Jordanian Penal Code for the West Bank (42); Articles 159 and 165 of the Palestinian Penal Code for Gaza (43)
Prohibition of Using Children in Illicit Activities	Yes		Articles 27 and 44 of the Palestinian Child Law for the West Bank and Gaza (44)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes†	18	Article 46 of the Palestinian Child Law for the West Bank and Gaza (40)
Compulsory Education Age	Yes	16	Articles 3, 15, and 18 of the Palestinian Education Act for the West Bank and Gaza (45)
Free Public Education	Yes		Article 37 of the Palestinian Child Law for the West Bank and Gaza (40)

\* No conscription in the West Bank and Gaza.(9)

† No standing military in the West Bank.(9)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The PA has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor's (MOL) Labor Inspection Office	Enforce labor laws, including those on child labor.(3)
Ministry of Social Affairs (MOSA) Child Protection Department	Protect children's rights, including through the provision of services to children found in the worst forms of child labor.(23)
Police	Investigate violations of criminal laws, including provisions against commercial sexual exploitation of children.(23)
Office of the Attorney General	Prosecute cases of child exploitation, including child labor.(23)
MOSA Child Protection Networks	Coordinate to protect vulnerable children, including those in child labor, including the referral system between service providers, law enforcement, and the Attorney General. Operate at a district level.(23, 46) MOSA, the police, the Attorney General, UNICEF, and NGOs make up the Child Protection Networks, which have specific annual plans that guide their work with children affected by or at risk of exploitation and violence. The role of some agencies is to provide services to vulnerable children, while others ensure crimes against children are prosecuted in accordance with the law.(23, 46)

PA law enforcement agencies took actions to combat child labor, including its worst forms in the West Bank. In the West Bank, under the terms of the Oslo-era agreements between the Palestine Liberation Organization and the Israeli Government, the PA has civil law jurisdiction in the areas of the West Bank designated Area A and Area B, which represent approximately 39 percent of the West Bank's land area and contain approximately 96 percent of the Palestinian population. The Israeli Government has control over the city of Jerusalem as well as Area C; the latter represents 61 percent of the West Bank's land area and contains approximately 4 percent of the Palestinian population as well as the vast majority of the West Bank's agricultural areas.(3, 47) Since the 2007 takeover in Gaza by Hamas, the PA has not had enforcement capabilities in the Gaza Strip despite the creation of the PA interim consensus government in 2014.(3, 47)

## *Labor Law Enforcement*

In 2014, MOL employed 42 labor inspectors, 12 of whom are trained on child labor issues. Government officials describe MOL as understaffed and in need of at least 300 labor inspectors in order to effectively enforce labor laws, including those on child labor.(3) MOL officials stated that they are not sufficiently funded and are lacking in professional training for their employees.(3)

In 2014, MOL employees carried out 6,500 workplace inspections of registered businesses, although by law they are required to inspect 100,000 annually.(3) MOL staff, in each directorate (local PA ministry field offices), only had access to one car for 1 day a week, while some employees reported using public transportation at their own expenses to perform inspections.(3) During site visits, MOL inspectors raised awareness among business owners that labor by children under the age of 15 was illegal under Palestinian law. They also worked with factory owners to keep children away from dangerous machinery.(3)

PA officials reported that numerous individuals have been fined following child labor inspections, but no specific statistics were available.(3) Similarly, research did not find information regarding the type of inspections and whether inspections included unannounced visits.

## *Criminal Law Enforcement*

In 2014, child protection officers of MOSA, in charge of provision of services to children engaged in the worst forms of child labor, stated that they were unable to manage their large caseloads effectively.(3) As of December 2014, MOSA had fewer than 13 child protection officers in the West Bank. MOSA has no plans to increase staffing.(9) Similarly to MOL inspectors, MOSA protection officers stated that they need additional training and funding to carry out their responsibilities. Child protection officers in each directorate had access to one car for 1 day a week, which they shared with MOL inspectors and employees of other ministries.(3) Research did not find information on the number of investigations completed in 2014.

In 2014, MOSA referred 101 cases to the Attorney General for violating child labor laws, compared with 162 cases in 2013.(3) Research did not find information on the number of convictions and implementation of penalties. An unspecified number of specially trained labor judges were appointed during the reporting period, which reduced the wait for cases, referred to the Attorney General.(3)

Child Protection Networks served to coordinate between relevant actors how to best use all available resources and information. MOL and MOSA confirmed that the Child Protection Networks at the district level have successfully provided more rapid responses to child labor issues by cutting down unnecessary bureaucratic steps among multiple ministries that share legal authority on children's rights issues.(3)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The PA has established mechanisms to coordinate its efforts to address child labor, including its worst forms, in the West Bank (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee on Child Labor	Create national policy on child labor. Led by MOL, and includes representatives from MOSA and from the Ministries of Education; Health; and Justice; as well as from the ILO, UNICEF, and Save the Children.(17)

Due to a lack of resources, MOL and MOSA state that MOSA Child Protection Networks are more effective in coordinating efforts of Ministries and service organizations related to child labor.(3)

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

The PA has established policies related to child labor, including its worst forms, in the West Bank (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Policy of Nonviolence and Discipline in Schools*	Aims to reduce violence and improve discipline in schools.(36, 48)

# West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Although the National Committee on Child Labor was established in 2013 to develop a national child labor policy, no national child labor policy was adopted during the reporting period.(3)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the PA funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
MOSA Social Protection Programs‡	MOSA programs in the West Bank that provide cash assistance, health insurance, and free education.(46) Families are assessed for eligibility; one of the goals is to prevent families from resorting to child labor. MOSA and the Ministry of Education also make efforts to ensure that children who have dropped out are sent back to school.(46)
MOSA Vocational Centers*‡	MOSA program in the West Bank that operates 13 vocational centers for children who have dropped out of school.(23)
Palestinian Child Protection Helpline 121*	Save the Children Sweden-funded program in the West Bank and the Gaza Strip implemented by Sawa, a civil society organization that supports Child Protection Helpline 121.(49, 50) Provides free support and counseling to children and adolescents to protect them from abuse, neglect, violence, and exploitation. PA officials work with the Helpline to provide services to victims.(49, 50)
Programs of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*	Supports education for children and youth in refugee camps, and provide microfinance and other forms of support to families in the West Bank and the Gaza Strip.(51)
Water, Sanitation and Hygiene (WASH) in Schools (2013–2014)*	UNICEF-supported project in the West Bank and the Gaza Strip that aims to improve water, sanitation, and health facilities in schools in the West Bank.(52)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is partially funded by the PA.

MOSA continued encouraging families of child workers to send their children to school and provided stipends to families on the condition their children attended school, but it reported the programs were limited in scope and had limited success. MOSA continued to insist that expanded educational programs were essential to stopping the cycle of child labor, but officials stated that they lacked sufficient funding.(3)

Despite the above efforts, there are no programs in the West Bank and the Gaza Strip to address child labor in agriculture and street work.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the West Bank and the Gaza Strip (Table 9).



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the laws expressly prohibit forced and compulsory labor as well as human trafficking.	2009 – 2014
Enforcement	Ensure that laws are enforced in Gaza and provide sufficient resources and staff to MOL and MOSA to conduct inspections.	2010 – 2014
	Collect and make publicly available more complete data on the enforcement of laws related to child labor, including its worst forms.	2010 – 2014
Government Policies	Adopt a national policy to address child labor.	2012 – 2014
	Integrate child labor elimination and prevention strategies into the Policy of Nonviolence and Discipline in Schools.	2014
Social Programs	Institute programs to improve access to education.	2011 – 2014
Social Programs	Assess the impact that existing programs may have on child labor.	2012 – 2014
	Institute programs to combat child labor in agriculture and street work.	2010 – 2014

**REFERENCES**

1. Terre des hommes and Democracy and Workers' Rights Center in Palestine. *Baseline study on "Determinants and Consequences of Child Labor and Worst Forms of Child Labor in the Gaza Strip" (Empirical study)*; May 2013.
2. U.S. Department of State. "Israel and the Occupied Territories," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
3. U.S. Consulate- Jerusalem. *reporting January 20, 2015*.
4. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
5. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received February 13, 2014. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
6. Alenat, S. *Working for Survival: Labor Conditions of Palestinians Working in Settlements*, Kav La Oved, [online] December 15, 2010 [cited Jan 31, 2014]; <http://palestinakomitee.no/working-for-survival-labor-conditions-of-palestinians-working-in-settlements/>.
7. ILO. *Child Labor and Protection in the Occupied Palestinian Territory*. Policy Brief; 2014. [http://www.ilo.org/beirut/information-resources/factsheets/WCMS\\_236940/lang-en/index.htm](http://www.ilo.org/beirut/information-resources/factsheets/WCMS_236940/lang-en/index.htm).
8. Human Rights Watch. *Ripe for Abuse: Palestinian Child Labor in Israeli Agricultural Settlements in the West Bank*; April 13, 2015. <http://www.hrw.org/reports/2015/04/13/ripe-abuse>.
9. U.S. Consulate- Jerusalem official. E-mail communication to USDOL official. May 8, 2015.
10. UN Special Representative of the Secretary-General on Children in Armed Conflict. *Children and Armed Conflict: Report of the Secretary-General*. New York, UN Security Council; April 26, 2012. Report No. S/2012/261. <http://www.un.org/en/sc/documents/sreports/2012.shtml>.
11. Defense for Children International. *Urgent Appeal*. Previously online; 2010. [source on file].
12. Najjar, N. "Gaza Children Labour to Help Families." *gulfnews.com* [online] December 19, 2010 [cited June 5, 2012]; <http://gulfnews.com/news/region/palestinian-territories/gaza-children-labour-to-help-families-1.732196>
13. ILO-IPEC. *The Worst Forms of Child Labour in Conflict and Post Conflict Settings: Results from a Research Project*. Turin, Italy; 2010. <http://www.itcilo.org/en/community/news/download-child-labour-2>.
14. Save the Children Sweden. *Children's Rights Violations Caused by Armed Conflict in Gaza – March 2011 to June 2011*. Stockholm; 2011. <http://sca.savethechildren.se/PageFiles/3667/Fact%20Sheet%20IV%20Gaza.pdf>.
15. Shamalakh, S. "Gaza Children Go to Work to Help Families." *xinhua.net* [online] November 2, 2010 [cited July 31, 2014]; <http://www.alarcheef.com/articles/details.asp?articleID=14754&word=>.
16. Save the Children, DWRC, and Terre des hommes. *International Day Against Child Labor: Release of Baseline Study Findings on Child Labor in the West Bank*. previously online. Fairfield, CT; June 12, 2013. [source on file].
17. U.S. Consulate- Jerusalem. *reporting February 6, 2014*.
18. Othman, M. "Gaza's poor rummage through garbage for food." *al-monitor.com* [online] June 18, 2014 [cited December 19, 2014]; <http://www.al-monitor.com/pulse/originals/2014/06/gaza-poor-dumpster-diving-food.html>.
19. Al-Mezan Center for Human Rights. *Alternative Report for Consideration Regarding Israel's Second Periodic Report to the UN Committee on the Rights of the Child*; July 16, 2012. [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=ISR&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=ISR&Lang=EN).
20. United National Security Council. *Report of the Secretary-General on Children and Armed Conflict (A/69/926 – S/2015/409)*; June 5, 2015. [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC).
21. U.S. Consulate- Jerusalem. *reporting, February 8, 2013*.
22. Protection Project. *A Human Rights Report on Trafficking in Persons, Especially Women and Children: The Occupied Palestinian Territory, West Bank and Gaza Strip*; 2012. <http://www.protectionproject.org/wp-content/uploads/2010/09/Palestine-FINAL-2012.pdf>
23. Palestinian National Authority. *The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory*. London, The Palestinian Central Bureau of Statistics and Save the Children UK.; December 2010. [source on file].
24. SIDA. *Country Profile of the Occupied Palestinian Territory: A Review of the Implementation of the UN Convention on the Rights of the Child*. Beirut; 2011. <http://www.ibcr.org/editor/assets/Country%20report%20OPT%20web.pdf>.
25. U.S. Consulate- Jerusalem. E-mail communication to USDOL official. May 27, 2014.
26. Rudoren, J. "Tunnels Lead Right to the Heart of Israeli Fear." *The New York Times*, New York, July 28, 2014; World. [http://www.nytimes.com/2014/07/29/world/middleeast/tunnels-lead-right-to-heart-of-israeli-fear.html?\\_r=0](http://www.nytimes.com/2014/07/29/world/middleeast/tunnels-lead-right-to-heart-of-israeli-fear.html?_r=0).
27. Saleh, Y. "Court bans activities of Islamist Hamas in Egypt." *reuters.com* [online] March 4, 2014 [cited December 15, 2014]; <http://www.reuters.com/article/2014/03/04/us-egypt-hamas-idUSBREA230F520140304>.

# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

## NON-INDEPENDENT COUNTRIES AND TERRITORIES

28. Azzam, Z. "Where is accountability for Gaza's children?" *aljazeera.com* [online] September 13, 2014 [cited December 18, 2014]; <http://www.aljazeera.com/indepth/features/2014/09/where-accountability-gaza-children-20149973438619725.html>.
29. Defense for Children International. *Israeli forces use Palestinian child as human shield in Gaza*; 2014 August 21,. <http://www.dci-palestine.org/documents/israeli-forces-use-palestinian-child-human-shield-gaza>.
30. Balousha, H. "Hamas summer camps for kids include military training." *al-monitor* [online] June 19, 2014 [cited December 18, 2014]; <http://www.al-monitor.com/pulse/originals/2014/06/palestine-hamas-summer-camps-ideology.html>.
31. UNICEF. "Palestinian Children Deprived of Basic Rights to Education." September 15, 2010 [cited June 9, 2015]; [http://www.unicef.org/media/media\\_56025.html](http://www.unicef.org/media/media_56025.html).
32. MA'AN Development Center. *Parallel Realities: Israeli Settlements and Palestinian Communities in the Jordan Valley*. Jerusalem; 2012. <http://www.maan-ctr.org/pdfs/FSReport/Settlement/content.pdf>.
33. HRW. "Israel and Palestine," in *World Report 2014*. New York; 2014; <http://www.hrw.org/world-report/2014/country-chapters/israel-and-palestine>.
34. Abou Jalal, R. "Gaza war leaves students with ruined classrooms." *al-monitor.com* [online] November 22, 2014 [cited December 19, 2014]; <http://www.al-monitor.com/pulse/originals/2014/12/gaza-war-israel-shelling-schools.html>.
35. UNICEF. *Effects of the Palestinian National Cash Transfer Programme on children and adolescents: A mixed methods analysis*; April 2014. [http://www.unicef.org/oPt/ODI\\_and\\_UNICEF\\_Palestinian\\_Cash\\_Transfer\\_Study.pdf](http://www.unicef.org/oPt/ODI_and_UNICEF_Palestinian_Cash_Transfer_Study.pdf).
36. UNICEF. *Palestinian children and women in Jordan, Lebanon, the Syrian Arab Republic and the State of Palestine- Area programme document 2015-2016*; 2014. [http://www.unicef.org/about/execboard/files/2014-PL7\\_Palestinian\\_children\\_and\\_women\\_APD-Final\\_approved-EN.pdf](http://www.unicef.org/about/execboard/files/2014-PL7_Palestinian_children_and_women_APD-Final_approved-EN.pdf).
37. UN. *Permanent Observers: Non-member States*, UN, [online] [cited December 19, 2014]; <http://www.un.org/en/members/nonmembers.shtml>.
38. UN News Center. "UN confirms receipt of Palestinian applications to join global conventions, treaties." *un.org* [online] April 2, 2014 [cited December 19, 2014]; <http://www.un.org/apps/news/story.asp?NewsID=47490#.VJS2CsAKA>.
39. Palestinian National Authority. *Labor Law No. (7) of 2000*, enacted 2000.
40. Palestinian National Authority. *Palestinian Child Law No. 7 of 2004 as amended*, enacted 2012.
41. Palestinian National Authority. *Minister of Labor Decision No. 1 of 2004 on works and industries hazardous or harmful to the health*, enacted 2004.
42. Government of Jordan. *Penal Code, Law No 16 of 1960*, enacted 1960.
43. High Commissioner for Palestine (British Mandate). *Penal Code No. 74 of 1936*, enacted 1936.
44. Law Library of Congress. *West Bank and Gaza: Child Labor Laws*. Washington, DC, The Law Library of Congress; May 2010. Report No. 2010-003857.
45. Palestinian National Authority. *Education Act No. 1 of 2013*, enacted February 10, 2013.
46. U.S. Consulate- Jerusalem. E-mail communication to USDOL official. July 9, 2013.
47. U.S. Department of State. "Israel and the Occupied Territories," in *Country Reports on Human Rights Practices- 2014*. Washington, DC; June 25, 2015; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236604>.
48. Wattan News Agency. "Ministry of Education launches project to reduce violence in schools and promote discipline." September 12, 2013 [cited June 9, 2015]; <https://www.youtube.com/watch?v=FyQIPjy5EiQ#t=118>.
49. Save the Children Sweden. *SAWA's Child Helpline Service 121: Expanding Outreach to Vulnerable Children in OPT*. Stockholm; February 2010. <http://sca.savethechildren.se/Global/scs/MENA/Resources/SAWA%20Fact%20Sheet%20-%20%20Final.pdf>.
50. SAWA. *About SAWA*, SAWA, [online] [cited May 06, 2013]; <http://www.sawa.ps/en/Views/PageView.aspx?pid=593>.
51. UNRWA. *Where we work*; 2014. <http://www.unrwa.org/where-we-work>.
52. UNICEF. *UNICEF State of Palestine- News Update: Protecting children from unsafe water and inadequate sanitation*. Geneva; December 2013. [http://www.unicef.org/oPt/UNICEF\\_State\\_of\\_Palestine\\_-\\_WASH\\_News\\_update\\_-\\_December\\_2013.pdf](http://www.unicef.org/oPt/UNICEF_State_of_Palestine_-_WASH_News_update_-_December_2013.pdf).

*In 2014, Morocco, which currently controls most of the territory of Western Sahara, made a moderate advancement in efforts to eliminate the worst forms of child labor in Western Sahara. The Ministry of Employment and Social Affairs established a mechanism to coordinate efforts to address child labor. However, the Government of Morocco does not conduct research on the extent or nature of child labor in Western Sahara or provide specific information on actions carried out in the territory to combat child labor. Evidence suggests that children engage in child labor.*




## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children are engaged in child labor in Western Sahara including in the agricultural sector.(1) In general, research has not been conducted on the extent of child labor in Western Sahara, nor has there been research about education levels. Data on key indicators on children’s work and education are not available from the sources used in this report.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The territory of Western Sahara is currently subject to Moroccan laws.(2-5) The Popular Front for the Liberation of the Saguia el-Hamra and Río de Oro (Polisario Front), a Sahrawi national liberation movement, controls 15 percent of the territory, and information on the laws applicable in this area is unavailable.(1, 4, 6) Morocco has ratified all key international conventions concerning child labor, and those conventions extend to the areas in Western Sahara administered by the Government of Morocco (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government of Morocco has established laws and regulations related to child labor that extend to Western Sahara (Table 2).

**Table 2. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 143 of The New Labor Code of 2004 (7)
Minimum Age for Hazardous Work	Yes	18	Article 147 of The New Labor Code of 2004 (7)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Hazardous Child Labor List; Decree no. 2-10-183 (8)
Prohibition of Forced Labor	Yes		Article 467 of The New Labor Code of 2004 (7)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 503 of the Penal Code (9)
Prohibition of Using Children in Illicit Activities	Yes		Hazardous Child Labor List; Decree no. 2-10-183 (8)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Royal Decree of 9 June 1996 (10)
Compulsory Education Age	Yes	15	Law No. 04-00 (11)
Free Public Education	Yes		Law No. 04-00 (11)

\* No conscription (10)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment and Social Affairs (MOESA) Child Labor Task Force	Enforce child labor laws and oversee programs on child labor. Employ labor inspectors in 51 sectors across Morocco; one inspector in each sector dedicated to child labor.(12-15)
The Ministry of the Interior (MOI)	Enforce prohibitions on prostitution and other exploitive crimes involving minors as established in the Penal Code. (15)
Ministry of Justice (MOJ)	Prosecute criminal offenses against children, such as commercial sexual exploitation and child trafficking.(15)
MOJ's Child Labor Units	Process cases involving women and children within the court system.(2)

Information available on law enforcement activities carried out during the reporting period does not specify the region in which actions took place. Therefore it cannot be determined which actions took place in Western Sahara.

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 4).

**Table 4. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
MOESA, Office for the Fight against Child Labor*	Coordinate policies and efforts to combat child labor.(13, 16) Provide guidance and limited funding to NGOs working against child labor.(2) Provided \$166,000 to NGOs in 2014.(13)
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Coordinate the implementation of the National Plan of Action for Children (PANE) (2006–2015). Coordinate the Integrated Public Policy on the Protection of Children.(17) Establish continuity of child protection efforts, increase access to education, and eliminate child labor.(12, 15)
The National Observatory for Children's Rights	Register complaints related to child welfare and refer them to labor inspectorate units and law enforcement officials. Operate a toll-free hotline available to child victims of violence, including commercial sexual exploitation.(2) Operate 84 Child Reception Centers that provide services to child victims of violence, sexual abuse or neglect.(2) Operate 75 Child Reception Centers that provide services to child victims of violence, sexual abuse, or neglect.(15)
Inter-Ministerial Delegation for Human Rights	Establish policies that promote child protection policies.(13)
Ministry for Moroccans Resident Abroad and Migration Affairs	Coordinate efforts to reduce migrant vulnerability to child labor. Promote access to public education facilities for migrant children, decreasing their vulnerability to child labor and human trafficking.(13)

\*Mechanism to coordinate efforts to address child labor was created during the reporting period.

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established policies related to child labor, including its worst forms (Table 5).

**Table 5. Policies Related to Child Labor**

Policy	Description
MSWFSD's National Plan of Action for Children (PANE) (2006–2015)*	Establishes policies that promote children's health, protection, civic participation, and education. Supported by UNICEF.(12, 13)
MSWFSD's Integrated Public Policy on the Protection of Children	Promotes an interdisciplinary approach to analyze the scope of services that prohibit, prevent, and respond to abuse, exploitation, and violence against children. Designates MOESA as the coordinating body for the fight against child labor. (13)
National Strategy on Migration*	Establishes policies that promote human rights-based approach to migration. Facilitates integration of legal immigrants. Provides services including expanding access to public education facilities for migrant children, decreasing their vulnerability to child labor and human trafficking.(2, 13)

**Table 5. Policies Related to Child Labor (cont)**

Policy	Description
UNDAF (2012–2016)*	Promotes education, health, and socioeconomic development in an effort to alleviate poverty. Focuses on equal access to education for vulnerable children.(17, 18)

\*Child labor elimination and prevention strategies to not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Morocco funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms, that extended to Western Sahara (Table 6).

**Table 6. Social Programs to Address Child Labor**

Program	Description
Social Protection Program*	National Union of Sahrawi Women program that organizes home schools, clinics, and community centers.(5)
Anti-Trafficking in Persons Advocacy†	USDOS-funded, Government of Morocco and United Nations Office of Drugs and Crime initiative that provided support for anti-human trafficking efforts. Led workshops to support anti-trafficking in persons legislation, including the prohibition on trafficking children. (13) Provided training to the MOI and MOJ on legal frameworks, identification and assistance to victims and investigative techniques. (13)
National Initiative for Human Development Support Project Phase II (INDH2)*	\$2 billion World Bank-funded, government program that increases access to basic services, such as schools; provides enhanced income-earning opportunities, such as micro-credit for women; and supports improved civic participation, to assure sustainability.(13, 19, 20) Western Sahara receives more funding per capita under the INHD program than does Morocco proper.(21, 22)
Tayssir Conditional Cash Transfer Program*‡	2014-2015 budget of \$235 million, MONEVT program that provides direct cash transfers, between \$7 and \$16 a month, to qualifying families if the children meet school attendance criteria. Provides transportation and student housing through a program with Entraide Nationale. (13) Aims to increase school enrollment and reduce dropout rates, particularly in rural areas.(15, 23-25)
Social Welfare Program*	UNDAF program that addresses education, including equal access to education, especially for vulnerable children. Also addresses health and socioeconomic development of children.(2)
Rural Social Service Support*	Royal family funded-Mohammed V Foundation for Solidarity program to provide funding to NGOs that improve living conditions for very low income populations.(13)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Morocco.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Western Sahara (Table 7).

**Table 7. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit child trafficking.	2014
Enforcement	Disaggregate enforcement data for Western Sahara and publish information on the number of investigations and prosecutions and the amount of penalties imposed for violations of child labor and child exploitation laws.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into policies.	2014
Social Programs	Assess the impact that existing programs may have on child labor.	2014
	Conduct a comprehensive study of children's activities to determine whether they are engaged in or at risk for involvement in child labor.	2013 – 2014



# Western Sahara

MODERATE ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

## REFERENCES

1. U.S. Department of State. "Western Sahara," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; <http://www.state.gov/documents/organization/220593.pdf>.
2. U.S. Embassy- Morocco. *reporting, January 16, 2014*.
3. Human Rights Watch. "Morocco/Western Sahara," in *World Report 2014*. New York; 2014; <http://www.hrw.org/world-report/2014/country-chapters/morocco-western-sahara>.
4. Álvaro Longoria. "Sons of the Clouds, The Last Colony," 2012; Documentary;
5. Sharif Abdel Kouddous. "Letter From Western Sahara, a Land Under Occupation." *The Nation*, (2013); <http://www.thenation.com/article/176968/letter-western-sahara-land-under-occupation#>.
6. Central Intelligence Agency. *The World Factbook: Western Sahara*, CIA, May 2, 2013 [cited 2014]; <https://www.cia.gov/library/publications/the-world-factbook/geos/wi.html>.
7. Government of Morocco. *Le nouveau code de travail*, enacted 2004. <http://www.maroc.ma/NR/rdonlyres/9A951844-BCA6-4468-9EFD-7460E229E00F/0/cod-edetravail.pdf>.
8. Morocco. *List of Hazardous Occupations Prohibited for Children*, Decree no. 2-10-183 enacted November 16, 2010.
9. Government of Morocco. *Code Penal*, enacted 1962. [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=190447](http://www.wipo.int/wipolex/en/text.jsp?file_id=190447).
10. Coalition to Stop the Use of Child Soldiers. "Morocco and Western Sahara," in *Child Soldiers Global Report 2008*. London; 2008; [http://www.childsoldiersglobal-report.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobal-report.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).
11. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 4, 2013]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
12. Embassy of the Kingdom of Morocco. *Submission to 2013 TDA*; 2014.
13. U.S. Consulate- Casablanca. *reporting, January 15, 2015*.
14. U.S. Consulate- Casablanca. *reporting, January 19, 2012*.
15. U.S. Consulate- Casablanca. *reporting, January 30, 2013*.
16. U.S. Consulate- Casablanca. *reporting, December 4th, 2014*.
17. U.S. Consulate Morocco official. E-mail communication to USDOL official. February 18, 2015.
18. UNDAF. *Plan Cadre des Nations Unis pour Aide au Developpement UNDAF 2012-2016*. Action Plan. Rabat; 2011. [http://www.un.org.ma/IMG/pdf/UN-DAF\\_2012-2016.pdf](http://www.un.org.ma/IMG/pdf/UN-DAF_2012-2016.pdf).
19. World Bank. *MA-National Initiative for Human Development 2*. Washington, DC; 2012. <http://www.worldbank.org/projects/P116201/ma-national-initiative-human-development-2?lang=en>.
20. Save the Children Sweden. *Country Profile of Morocco: A Review of the Implementation of the UN Convention on the Rights of the Child*. Beirut; August 2011. <http://www.ibcr.org/editor/assets/Morocco%20Country%20Profile.pdf>.
21. Moroccan American Center for Policy, Government of Morocco. *Morocco's Commitment to the Economic and Social Development of the Sahara*. Rabat; 2012. [source on file].
22. U.S. Consulate- Casablanca. E-mail communication to USDOL official. March 20, 2013.
23. Siham, A. "Education Assistance Pays off in Morocco." *magharebia.com* [online] October 31, 2012 [cited July 15, 2013]; [http://magharebia.com/cocoon/awi/xhtml1/en\\_GB/features/awi/features/2012/10/31/feature-04](http://magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2012/10/31/feature-04).
24. Embassy of the Kingdom of Morocco Washington DC official. Fax communication to USDOL official. February 3, 2012.
25. ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Morocco (ratification: 2001) Published: 2013*; accessed December 1, 2013; <http://www.ilo.org/ilolex/english/iloquery.htm>.

Part **7** Appendices



A girl packaging corn in Brazil. © Cleber Gellio



# Appendix I

## COUNTRY ASSESSMENTS *By Assessment*

COUNTRY	REGION	ASSESSMENT
<b>SIGNIFICANT ADVANCEMENT</b>		
Brazil	LAC	Significant Advancement
Chile	LAC	Significant Advancement
Colombia	LAC	Significant Advancement
Côte d'Ivoire	AF	Significant Advancement
Ecuador	LAC	Significant Advancement
El Salvador	LAC	Significant Advancement
Madagascar	AF	Significant Advancement
Paraguay	LAC	Significant Advancement
Peru	LAC	Significant Advancement
Philippines	AP	Significant Advancement
South Africa	AF	Significant Advancement
Thailand	AP	Significant Advancement
Uganda	AF	Significant Advancement
<b>MODERATE ADVANCEMENT</b>		
Afghanistan	AP	Moderate Advancement
Albania	EUR	Moderate Advancement
Angola	AF	Moderate Advancement
Argentina	LAC	Moderate Advancement
Azerbaijan	EUR	Moderate Advancement
Bangladesh	AP	Moderate Advancement
Benin	AF	Moderate Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement
Burkina Faso	AF	Moderate Advancement
Cabo Verde	AF	Moderate Advancement
Cambodia	AP	Moderate Advancement
Cameroon	AF	Moderate Advancement
Chad	AF	Moderate Advancement
Comoros	AF	Moderate Advancement
Congo, Democratic Republic of	AF	Moderate Advancement
Congo, Republic of	AF	Moderate Advancement
Costa Rica	LAC	Moderate Advancement
Egypt	MENA	Moderate Advancement
Ethiopia	AF	Moderate Advancement
Fiji	AP	Moderate Advancement
Gabon	AF	Moderate Advancement
Ghana	AF	Moderate Advancement
Grenada	LAC	Moderate Advancement
Guatemala	LAC	Moderate Advancement
Guinea	AF	Moderate Advancement
Guyana	AF	Moderate Advancement
Haiti	LAC	Moderate Advancement
Honduras	LAC	Moderate Advancement
India	AP	Moderate Advancement
Indonesia	AP	Moderate Advancement

COUNTRY	REGION	ASSESSMENT
<b>MODERATE ADVANCEMENT</b>		
Jamaica	LAC	Moderate Advancement
Jordan	MENA	Moderate Advancement
Kenya	AF	Moderate Advancement
Kosovo	EUR	Moderate Advancement
Lebanon	MENA	Moderate Advancement
Lesotho	AF	Moderate Advancement
Mali	AF	Moderate Advancement
Mauritania	AF	Moderate Advancement
Moldova	EUR	Moderate Advancement
Mongolia	AP	Moderate Advancement
Montenegro	EUR	Moderate Advancement
Morocco	MENA	Moderate Advancement
Mozambique	AF	Moderate Advancement
Nepal	AP	Moderate Advancement
Nicaragua	LAC	Moderate Advancement
Niger	AF	Moderate Advancement
Nigeria	AF	Moderate Advancement
Oman	MENA	Moderate Advancement
Pakistan	AP	Moderate Advancement
Panama	LAC	Moderate Advancement
Papua New Guinea	AP	Moderate Advancement
Rwanda	AF	Moderate Advancement
Saint Lucia	LAC	Moderate Advancement
Serbia	EUR	Moderate Advancement
Seychelles	AF	Moderate Advancement
Sierra Leone	AF	Moderate Advancement
Solomon Islands	AP	Moderate Advancement
Somalia	AF	Moderate Advancement
Sri Lanka	AP	Moderate Advancement
Timor-Leste	AP	Moderate Advancement
Togo	AF	Moderate Advancement
Trinidad and Tobago	LAC	Moderate Advancement
Tunisia	MENA	Moderate Advancement
Turkey	EUR	Moderate Advancement
Ukraine	EUR	Moderate Advancement
Uruguay	LAC	Moderate Advancement
Western Sahara	MENA	Moderate Advancement
Yemen	MENA	Moderate Advancement
Zambia	AF	Moderate Advancement
<b>MINIMAL ADVANCEMENT</b>		
Algeria	MENA	Minimal Advancement
Anguilla	EUR	Minimal Advancement
Armenia	EUR	Minimal Advancement
Bahrain	MENA	Minimal Advancement

COUNTRY	REGION	ASSESSMENT
<b>MINIMAL ADVANCEMENT</b>		
Barbados	LAC	Minimal Advancement
Belize	LAC	Minimal Advancement
Bhutan	AP	Minimal Advancement
Bolivia	LAC	Minimal Advancement
Botswana	AF	Minimal Advancement
Burundi	AF	Minimal Advancement
Central African Republic	AF	Minimal Advancement
Cook Islands	AP	Minimal Advancement
Djibouti	AF	Minimal Advancement
Dominica	LAC	Minimal Advancement
Dominican Republic	LAC	Minimal Advancement
Gambia, The	AF	Minimal Advancement
Georgia	EUR	Minimal Advancement
Guinea-Bissau	AF	Minimal Advancement
Iraq	MENA	Minimal Advancement
Kazakhstan	AP	Minimal Advancement
Kiribati	AP	Minimal Advancement
Kyrgyz Republic	AP	Minimal Advancement
Liberia	AF	Minimal Advancement
Macedonia	EUR	Minimal Advancement
Malawi	AF	Minimal Advancement
Maldives	AP	Minimal Advancement
Mauritius	AF	Minimal Advancement
Namibia	AF	Minimal Advancement
Niue	AP	Minimal Advancement
Russia	EUR	Minimal Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement
Samoa	AP	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement
Senegal	AF	Minimal Advancement
Suriname	LAC	Minimal Advancement
Swaziland	AF	Minimal Advancement
Tanzania	AF	Minimal Advancement
Tokelau	AP	Minimal Advancement
Tonga	AP	Minimal Advancement
Tuvalu	AP	Minimal Advancement
Venezuela	LAC	Minimal Advancement
West Bank and the Gaza Strip	MENA	Minimal Advancement
Zimbabwe	AF	Minimal Advancement
<b>NO ADVANCEMENT</b>		
British Virgin Islands	EUR	No Advancement
Christmas Island	AP	No Advancement
Cocos (Keeling) Island	AP	No Advancement

COUNTRY	REGION	ASSESSMENT
Falkland Islands (Isla Malvinas)	EUR	No Advancement
Montserrat	EUR	No Advancement
Norfolk Island	AP	No Advancement
Saint Helena, Ascension and Tristán da Cunha	EUR	No Advancement
Vanuatu	AP	No Advancement
<b>NO ADVANCEMENT – Efforts Made But Complicit</b>		
Eritrea	AF	No Advancement – Efforts Made But Complicit
South Sudan	AF	No Advancement – Efforts Made But Complicit
Uzbekistan	AP	No Advancement – Efforts Made But Complicit
<b>NO ASSESSMENT</b>		
British Indian Ocean Territories	EUR	No Assessment
Heard and McDonald Islands	AP	No Assessment
Pitcairn Islands	EUR	No Assessment
Wallis and Futuna	AP	No Assessment

**KEY:**

**AF:** Africa (Sub-Saharan)

**AP:** Asia & the Pacific

**EUR:** Europe & Eurasia

**MENA:** Middle East & North Africa

**LAC:** Latin America & the Caribbean

**Source:** U.S. Department of Labor

# Appendix I

## COUNTRY ASSESSMENTS *By Country*

COUNTRY	REGION	ASSESSMENT
Afghanistan	AP	Moderate Advancement
Albania	EUR	Moderate Advancement
Algeria	MENA	Minimal Advancement
Angola	AF	Moderate Advancement
Anguilla	EUR	Minimal Advancement
Argentina	LAC	Moderate Advancement
Armenia	EUR	Minimal Advancement
Azerbaijan	EUR	Moderate Advancement
Bahrain	MENA	Minimal Advancement
Bangladesh	AP	Moderate Advancement
Barbados	LAC	Minimal Advancement
Belize	LAC	Minimal Advancement
Benin	AF	Moderate Advancement
Bhutan	AP	Minimal Advancement
Bolivia	LAC	Minimal Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement
Botswana	AF	Minimal Advancement
Brazil	LAC	Significant Advancement
British Indian Ocean Territories	EUR	No Assessment
British Virgin Islands	EUR	No Advancement
Burkina Faso	AF	Moderate Advancement
Burundi	AF	Minimal Advancement
Cabo Verde	AF	Moderate Advancement
Cambodia	AP	Moderate Advancement
Cameroon	AF	Moderate Advancement
Central African Republic	AF	Minimal Advancement
Chad	AF	Moderate Advancement
Chile	LAC	Significant Advancement
Christmas Island	AP	No Advancement
Cocos (Keeling) Island	AP	No Advancement
Colombia	LAC	Significant Advancement
Comoros	AF	Moderate Advancement
Congo, Democratic Republic of	AF	Moderate Advancement
Congo, Republic of	AF	Moderate Advancement
Cook Islands	AP	Minimal Advancement
Costa Rica	LAC	Moderate Advancement
Côte d'Ivoire	AF	Significant Advancement
Djibouti	AF	Minimal Advancement
Dominica	LAC	Minimal Advancement

COUNTRY	REGION	ASSESSMENT
Dominican Republic	LAC	Minimal Advancement
Ecuador	LAC	Significant Advancement
Egypt	MENA	Moderate Advancement
El Salvador	LAC	Significant Advancement
Eritrea	AF	No Advancement – Efforts Made But Complicit
Ethiopia	AF	Moderate Advancement
Falkland Islands (Isla Malvinas)	EUR	No Advancement
Fiji	AP	Moderate Advancement
Gabon	AF	Moderate Advancement
Gambia, The	AF	Minimal Advancement
Georgia	EUR	Minimal Advancement
Ghana	AF	Moderate Advancement
Grenada	LAC	Moderate Advancement
Guatemala	LAC	Moderate Advancement
Guinea	AF	Moderate Advancement
Guinea-Bissau	AF	Minimal Advancement
Guyana	AF	Moderate Advancement
Haiti	LAC	Moderate Advancement
Heard and McDonald Islands	AP	No Assessment
Honduras	LAC	Moderate Advancement
India	AP	Moderate Advancement
Indonesia	AP	Moderate Advancement
Iraq	MENA	Minimal Advancement
Jamaica	LAC	Moderate Advancement
Jordan	MENA	Moderate Advancement
Kazakhstan	AP	Minimal Advancement
Kenya	AF	Moderate Advancement
Kiribati	AP	Minimal Advancement
Kosovo	EUR	Moderate Advancement
Kyrgyz Republic	AP	Minimal Advancement
Lebanon	MENA	Moderate Advancement
Lesotho	AF	Moderate Advancement
Liberia	AF	Minimal Advancement
Macedonia	EUR	Minimal Advancement
Madagascar	AF	Significant Advancement
Malawi	AF	Minimal Advancement
Maldives	AP	Minimal Advancement
Mali	AF	Moderate Advancement
Mauritania	AF	Moderate Advancement
Mauritius	AF	Minimal Advancement



COUNTRY	REGION	ASSESSMENT
Moldova	EUR	Moderate Advancement
Mongolia	AP	Moderate Advancement
Montenegro	EUR	Moderate Advancement
Montserrat	EUR	No Advancement
Morocco	MENA	Moderate Advancement
Mozambique	AF	Moderate Advancement
Namibia	AF	Minimal Advancement
Nepal	AP	Moderate Advancement
Nicaragua	LAC	Moderate Advancement
Niger	AF	Moderate Advancement
Nigeria	AF	Moderate Advancement
Niue	AP	Minimal Advancement
Norfolk Island	AP	No Advancement
Oman	MENA	Moderate Advancement
Pakistan	AP	Moderate Advancement
Panama	LAC	Moderate Advancement
Papua New Guinea	AP	Moderate Advancement
Paraguay	LAC	Significant Advancement
Peru	LAC	Significant Advancement
Philippines	AP	Significant Advancement
Pitcairn Islands	EUR	No Assessment
Russia	EUR	Minimal Advancement
Rwanda	AF	Moderate Advancement
Saint Helena, Ascension and Tristán da Cunha	EUR	No Advancement
Saint Lucia	LAC	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement
Samoa	AP	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement
Senegal	AF	Minimal Advancement
Serbia	EUR	Moderate Advancement
Seychelles	AF	Moderate Advancement
Sierra Leone	AF	Moderate Advancement
Solomon Islands	AP	Moderate Advancement
Somalia	AF	Moderate Advancement
South Africa	AF	Significant Advancement
South Sudan	AF	No Advancement – Efforts Made But Complicit
Sri Lanka	AP	Moderate Advancement
Suriname	LAC	Minimal Advancement
Swaziland	AF	Minimal Advancement

COUNTRY	REGION	ASSESSMENT
Tanzania	AF	Minimal Advancement
Thailand	AP	Significant Advancement
Timor-Leste	AP	Moderate Advancement
Togo	AF	Moderate Advancement
Tokelau	AP	Minimal Advancement
Tonga	AP	Minimal Advancement
Trinidad and Tobago	LAC	Moderate Advancement
Tunisia	MENA	Moderate Advancement
Turkey	EUR	Moderate Advancement
Tuvalu	AP	Minimal Advancement
Uganda	AF	Significant Advancement
Ukraine	EUR	Moderate Advancement
Uruguay	LAC	Moderate Advancement
Uzbekistan	AP	No Advancement – Efforts Made But Complicit
Vanuatu	AP	No Advancement
Venezuela	LAC	Minimal Advancement
Wallis and Futuna	AP	No Assessment
West Bank and the Gaza Strip	MENA	Minimal Advancement
Western Sahara	MENA	Moderate Advancement
Yemen	MENA	Moderate Advancement
Zambia	AF	Moderate Advancement
Zimbabwe	AF	Minimal Advancement

**KEY:**

**AF:** Africa (Sub-Saharan)

**AP:** Asia & the Pacific

**EUR:** Europe & Eurasia

**MENA:** Middle East & North Africa

**LAC:** Latin America & the Caribbean

**Source:** U.S. Department of Labor

# Appendix I

## CHANGE IN ASSESSMENTS FROM 2013 TO 2014, *By Country*

COUNTRY	REGION	2013 ASSESSMENT	2014 ASSESSMENT
Afghanistan	AP	Moderate Advancement	Moderate Advancement
Albania	EUR	Significant Advancement	Moderate Advancement
Algeria	MENA	Minimal Advancement	Minimal Advancement
Angola	AF	Moderate Advancement	Moderate Advancement
Anguilla	EUR	Minimal Advancement	Minimal Advancement
Argentina	LAC	Moderate Advancement	Moderate Advancement
Armenia	EUR	Moderate Advancement	Minimal Advancement
Azerbaijan	EUR	Moderate Advancement	Moderate Advancement
Bahrain	MENA	Minimal Advancement	Minimal Advancement
Bangladesh	AP	Moderate Advancement	Moderate Advancement
Barbados	LAC	Minimal Advancement	Minimal Advancement
Belize	LAC	Moderate Advancement	Minimal Advancement
Benin	AF	Moderate Advancement	Moderate Advancement
Bhutan	AP	Minimal Advancement	Minimal Advancement
Bolivia	LAC	Moderate Advancement	Minimal Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement	Moderate Advancement
Botswana	AF	Minimal Advancement	Minimal Advancement
Brazil	LAC	Significant Advancement	Significant Advancement
British Indian Ocean Territory	EUR	No Assessment	No Assessment
British Virgin Islands	EUR	No Advancement	No Advancement
Burkina Faso	AF	Moderate Advancement	Moderate Advancement
Burundi	AF	Moderate Advancement	Minimal Advancement
Cabo Verde	AF	Minimal Advancement	Moderate Advancement
Cambodia	AP	Moderate Advancement	Moderate Advancement
Cameroon	AF	Moderate Advancement	Moderate Advancement
Central African Republic	AF	No Advancement	Minimal Advancement
Chad	AF	Moderate Advancement	Moderate Advancement
Chile	LAC	Significant Advancement	Significant Advancement
Christmas Island	AP	No Assessment	No Advancement
Cocos (Keeling) Island	AP	No Assessment	No Advancement
Colombia	LAC	Significant Advancement	Significant Advancement
Comoros	AF	Minimal Advancement	Moderate Advancement
Congo, Democratic Republic of	AF	No Advancement	Moderate Advancement
Congo, Republic of	AF	Minimal Advancement	Moderate Advancement
Cook Islands	AP	No Advancement	Minimal Advancement
Costa Rica	LAC	Significant Advancement	Moderate Advancement
Côte d'Ivoire	AF	Significant Advancement	Significant Advancement
Djibouti	AF	Minimal Advancement	Minimal Advancement
Dominica	LAC	Minimal Advancement	Minimal Advancement
Dominican Republic	LAC	Minimal Advancement	Minimal Advancement
Ecuador	LAC	Significant Advancement	Significant Advancement

# Appendix I

## CHANGE IN ASSESSMENTS FROM 2013 TO 2014, *By Country*

COUNTRY	REGION	2013 ASSESSMENT	2014 ASSESSMENT
Egypt	MENA	Moderate Advancement	Moderate Advancement
El Salvador	LAC	Significant Advancement	Significant Advancement
Eritrea	AF	No Advancement	No Advancement – Efforts Made But Complicit
Ethiopia	AF	Moderate Advancement	Moderate Advancement
Falkland Islands (Isla Malvinas)	EUR	No Advancement	No Advancement
Fiji	AP	Moderate Advancement	Moderate Advancement
Gabon	AF	Moderate Advancement	Moderate Advancement
Gambia, The	AF	Moderate Advancement	Minimal Advancement
Georgia	EUR	Moderate Advancement	Minimal Advancement
Ghana	AF	Moderate Advancement	Moderate Advancement
Grenada	LAC	Moderate Advancement	Moderate Advancement
Guatemala	LAC	Moderate Advancement	Moderate Advancement
Guinea	AF	Moderate Advancement	Moderate Advancement
Guinea-Bissau	AF	Minimal Advancement	Minimal Advancement
Guyana	AF	Moderate Advancement	Moderate Advancement
Haiti	LAC	Minimal Advancement	Moderate Advancement
Heard Island and McDonald Islands	AP	No Assessment	No Assessment
Honduras	LAC	Moderate Advancement	Moderate Advancement
India	AP	Moderate Advancement	Moderate Advancement
Indonesia	AP	Moderate Advancement	Moderate Advancement
Iraq	MENA	Minimal Advancement	Minimal Advancement
Jamaica	LAC	Moderate Advancement	Moderate Advancement
Jordan	MENA	Moderate Advancement	Moderate Advancement
Kazakhstan	AP	Minimal Advancement	Minimal Advancement
Kenya	AF	Moderate Advancement	Moderate Advancement
Kiribati	AP	Moderate Advancement	Minimal Advancement
Kosovo	EUR	Moderate Advancement	Moderate Advancement
Kyrgyz Republic	AP	Moderate Advancement	Minimal Advancement
Lebanon	MENA	Moderate Advancement	Moderate Advancement
Lesotho	AF	Moderate Advancement	Moderate Advancement
Liberia	AF	Moderate Advancement	Minimal Advancement
Macedonia	EUR	Moderate Advancement	Minimal Advancement
Madagascar	AF	Moderate Advancement	Significant Advancement
Malawi	AF	Moderate Advancement	Minimal Advancement
Maldives	AP	Moderate Advancement	Minimal Advancement
Mali	AF	Moderate Advancement	Moderate Advancement
Mauritania	AF	Moderate Advancement	Moderate Advancement
Mauritius	AF	Moderate Advancement	Minimal Advancement
Moldova	EUR	Moderate Advancement	Moderate Advancement
Mongolia	AP	Moderate Advancement	Moderate Advancement
Montenegro	EUR	Moderate Advancement	Moderate Advancement

# Appendix I

## CHANGE IN ASSESSMENTS FROM 2013 TO 2014, *By Country*

COUNTRY	REGION	2013 ASSESSMENT	2014 ASSESSMENT
Montserrat	EUR	No Advancement	No Advancement
Morocco	MENA	Moderate Advancement	Moderate Advancement
Mozambique	AF	Minimal Advancement	Moderate Advancement
Namibia	AF	Minimal Advancement	Minimal Advancement
Nepal	AP	Moderate Advancement	Moderate Advancement
Nicaragua	LAC	Moderate Advancement	Moderate Advancement
Niger	AF	Moderate Advancement	Moderate Advancement
Nigeria	AF	Moderate Advancement	Moderate Advancement
Niue	AP	No Assessment	Minimal Advancement
Norfolk Island	AP	No Advancement	No Advancement
Oman	MENA	Minimal Advancement	Moderate Advancement
Pakistan	AP	Moderate Advancement	Moderate Advancement
Panama	LAC	Moderate Advancement	Moderate Advancement
Papua New Guinea	AP	Minimal Advancement	Moderate Advancement
Paraguay	LAC	Moderate Advancement	Significant Advancement
Peru	LAC	Significant Advancement	Significant Advancement
Philippines	EUR	Significant Advancement	Significant Advancement
Pitcairn Islands	AP	No Assessment	No Assessment
Russia	EUR	Moderate Advancement	Minimal Advancement
Rwanda	AF	Minimal Advancement	Moderate Advancement
Saint Helena, Ascension and Tristan da Cunha	EUR	No Advancement	No Advancement
Saint Lucia	LAC	Moderate Advancement	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement	Minimal Advancement
Samoa	AP	Moderate Advancement	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement	Minimal Advancement
Senegal	AF	Moderate Advancement	Minimal Advancement
Serbia	EUR	Minimal Advancement	Moderate Advancement
Seychelles	AF	No Advancement	Moderate Advancement
Sierra Leone	AF	Moderate Advancement	Moderate Advancement
Solomon Islands	AP	Minimal Advancement	Moderate Advancement
Somalia	AF	Minimal Advancement	Moderate Advancement
South Africa	AF	Significant Advancement	Significant Advancement
South Sudan	AF	Minimal Advancement	No Advancement – Efforts Made But Complicit
Sri Lanka	AP	Moderate Advancement	Moderate Advancement
Suriname	LAC	Moderate Advancement	Minimal Advancement
Swaziland	AF	Minimal Advancement	Minimal Advancement
Tanzania	AF	Moderate Advancement	Minimal Advancement
Thailand	AP	Moderate Advancement	Significant Advancement
Timor-Leste	AP	Minimal Advancement	Moderate Advancement
Togo	AF	Minimal Advancement	Moderate Advancement
Tokelau	AP	No Assessment	Minimal Advancement
Tonga	AP	Minimal Advancement	Minimal Advancement

# Appendix I

## CHANGE IN ASSESSMENTS FROM 2013 TO 2014, *By Country*

COUNTRY	REGION	2013 ASSESSMENT	2014 ASSESSMENT
Trinidad and Tobago	LAC	Moderate Advancement	Moderate Advancement
Tunisia	MENA	Significant Advancement	Moderate Advancement
Turkey	EUR	Moderate Advancement	Moderate Advancement
Tuvalu	AP	Minimal Advancement	Minimal Advancement
Uganda	AF	Significant Advancement	Significant Advancement
Ukraine	EUR	Moderate Advancement	Moderate Advancement
Uruguay	LAC	Minimal Advancement	Moderate Advancement
Uzbekistan	AP	No Advancement	No Advancement – Efforts Made But Complicit
Vanuatu	AP	No Advancement	No Advancement
Venezuela	LAC	No Advancement	Minimal Advancement
Wallis and Futuna	AP	No Assessment	No Assessment
West Bank and the Gaza Strip	MENA	Moderate Advancement	Minimal Advancement
Western Sahara	MENA	Moderate Advancement	Moderate Advancement
Yemen	MENA	Minimal Advancement	Moderate Advancement
Zambia	AF	Moderate Advancement	Moderate Advancement
Zimbabwe	AF	Minimal Advancement	Minimal Advancement

**KEY:**

**AF:** Africa (Sub-Saharan)

**AP:** Asia & the Pacific

**EUR:** Europe & Eurasia

**MENA:** Middle East & North Africa

**LAC:** Latin America & the Caribbean

**Source:** U.S. Department of Labor



# Appendix II

## TDA CRITERIA AND CORRESPONDING GUIDANCE QUESTIONS

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

#### **TDA Conference Report Criteria:**

- Although not explicitly discussed in the TDA conference report, any government that supports the use of forced child labor cannot be said to be implementing commitments to eliminate the worst forms of child labor.

#### *Guidance Question*

1. \*Was the government complicit in the use of forced child labor?

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

#### **TDA Conference Report Criteria:**

- “Whether the country has adequate laws and regulations proscribing the worst forms of child labor;”
- “Whether the country has adequate laws and regulations for the implementation and enforcement of such measures;”

#### *Guidance Questions*

1. Did laws meet the following international standards:
  - a. a minimum age for admission to employment in line with ILO Convention 138;
  - b. a minimum age for admission to hazardous work in line with ILO Convention 138 and 182;
  - c. a minimum age to which education is compulsory in line with ILO Convention 138;
  - d. ratification of ILO Convention 182; and
  - e. prohibitions on each of the worst forms of child labor as established in ILO Convention 182?
2. If the country’s constitution and laws are not compliant with international standards embodied in ILO Conventions 138 and 182, has there been any change in the constitution or laws that brings the country closer to being fully compliant?
3. If laws were not comprehensive in their prohibitions of all variations of a particular worst form, has there been any change in the constitution or laws that brings the country closer to being comprehensive?
4. \*Were there aspects of laws that are contrary to international standards and likely to increase children’s vulnerability to the worst forms of child labor? This question would apply both to countries with child labor problems as well as countries in which there is no evidence of a worst forms of child labor problem and when the country has gaps in its legal and enforcement framework on child labor.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

#### **TDA Conference Report Criteria:**

- “Whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor;”

ILAB identified two distinct concepts from this criterion to assess country efforts. In this section (Section III), ILAB analyzed whether or to what degree the country had defined enforcement agency roles and had investigated and addressed complaints relating to allegations of the worst forms of child labor. In Section IV (below), ILAB analyzed whether or to what degree the country had institutions charged with coordinating overall efforts to combat child labor, including its worst forms.

### *Guidance Questions*

1. Was there an increase or reduction in inspectors to enforce child labor laws and regulations and was the number of inspectors adequate?
2. Was there an increase or decrease in the funding and resources to enforce child labor laws and regulations? Was the amount an improvement or decline and were these resources adequate given the incidence of child labor in the country?
3. Did the country increase or decrease training offered to inspectors, including specialized training on child labor, and was this training sufficient?
4. Did the government create or improve a mechanism for filing and resolving complaints expeditiously regarding child labor?
5. Did the government develop and implement an adequate labor inspection strategy that allowed for different types of on-site inspections of worksites (for example, routine, targeted, complaint-driven, and unannounced inspections)? Were inspections conducted with sufficient frequency and in all relevant sectors? Was the number of inspections sufficient given the incidence of child labor in the country?
6. Did the government provide sufficient authority to sanction child labor violations? Was the quality and quantity of citations or penalties issued related to child labor adequate and was there follow up on any sanctions, if appropriate? Did the country make available information on specific inspection results and citations or penalties imposed for violation of child labor laws and regulations?
7. Was the quality and quantity of criminal prosecutions of crimes related to child labor adequate? Did the country make available information on criminal prosecutions of crimes related to child labor?
8. Did the government establish or improve a process for information sharing among enforcement authorities?
9. \*Were there any aspects to the country's enforcement practices that likely increase children's vulnerability to the worst forms of child labor?

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

### **TDA Conference Report Criteria:**

- “Whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor;”

### *Guidance Questions*

1. Was an agency or committee created to coordinate government efforts to combat the worst forms of child labor? Did such an agency or committee meet more regularly and take more action, or did it meet less regularly and take less action?

## **V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR**

### **TDA Conference Report Criteria:**

- “Whether the country has a comprehensive policy for the elimination of the worst forms of child labor;”

### *Guidance Questions*

1. Did the government establish any new policies or plans that specifically address the worst forms of child labor or any one of the worst forms of child labor?

# Appendix II

## TDA CRITERIA AND CORRESPONDING GUIDANCE QUESTIONS

2. Did the government incorporate the worst forms of child labor specifically as an issue to be addressed in poverty reduction, development, educational or other social policies, such as Poverty Reduction Strategy Papers, etc?
3. Did the government establish any poverty reduction, development, educational or other social policies, such as Poverty Reduction Strategy Papers, etc., that did not explicitly address the worst forms of child labor or any one of the worst forms of child labor, but that might have had an impact on them or it? If so, have any studies been conducted to assess the impact of such a policy on the worst forms of child labor?
4. If the country established any of the above plans, do they designate responsibilities, establish goals, and set time-lines?
5. Using the criteria in Question 4, did the government effectively implement existing policies and plans?
6. \*Were there on-going country policies or were there any changes to the country's policies that likely increase children's vulnerability to the worst forms of child labor?

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

#### TDA Conference Report Criteria

- "Whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor, and assist in the removal of children engaged in the worst forms of child labor;"

#### Guidance Questions

1. Did the government fund or participate in any new or ongoing programs that aim to eliminate or prevent the worst forms of child labor?
2. Did the government fund or participate in any social protection programs that could reasonably be expected to have an impact on child labor? Were any of the countries' programs shown, through research, to have an impact on child labor?
3. Are the countries' programs sufficient to combat particular forms of child labor given the scope and magnitude of those problems?
4. Do the programs provide services directly to children?
5. Do the programs adequately target at-risk populations?
6. Were the programs fully funded?
7. Are the programs meeting their goals?
8. Are the program efforts sustainable?
9. Using the criteria in questions 4-8, did existing government programs improve or worsen compared with the previous year?
10. \*Were there any changes to the country's programs that likely increase children's vulnerability to the worst forms of child labor?

*\*A yes response to questions with an asterisk indicates a country that would likely receive an assessment of minimal or no advancement.*

# Appendix III

## LAWS AND RATIFICATIONS, *By Country*

Country	Region	2014 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC-CSEC	CRC-AC		Min Age/Work	Min Age/Haz Work	Compulsory Education Age	Free Public Education
Afghanistan	AP	Moderate Advancement	X	X	X	X	X	X	18	18	15	X
Albania	EUR	Moderate Advancement	X	X	X	X	X	X	16	18	15	X
Algeria	MENA	Minimal Advancement	X	X	X	X	X	X	16		16	X
Angola	AF	Moderate Advancement	X	X	X	X	X	X	14	18	12	X
Anguilla	EUR	Minimal Advancement			X				14	18	17	X
Argentina	LAC	Moderate Advancement	X	X	X	X	X	X	16	18	18	X
Armenia	EUR	Minimal Advancement	X	X	X	X	X	X	16	18	16	X
Azerbaijan	EUR	Moderate Advancement	X	X	X	X	X	X	15	18	17	X
Bahrain	MENA	Minimal Advancement	X	X	X	X	X	X	15	18	15	X
Bangladesh	AP	Moderate Advancement		X	X	X	X		14	18	10	X
Barbados	LAC	Minimal Advancement	X	X	X				16	18	16	X
Belize	LAC	Minimal Advancement	X	X	X	X	X	X	12	18	15	X
Benin	AF	Moderate Advancement	X	X	X	X	X	X	14	18	11	X
Bhutan	AP	Minimal Advancement			X	X	X		13	18		X
Bolivia	LAC	Minimal Advancement	X	X	X	X	X	X	14	18	17	X
Bosnia and Herzegovina	EUR	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Botswana	AF	Minimal Advancement	X	X	X	X	X	X	14	18		X
Brazil	LAC	Significant Advancement	X	X	X	X	X	X	16	18	17	X
British Virgin Islands	EUR	No Advancement	N/A	N/A	N/A	N/A	N/A	N/A	16	18	16	X
Burkina Faso	AF	Moderate Advancement	X	X	X	X	X	X	16	18	16	X
Burundi	AF	Minimal Advancement	X	X	X	X	X	X	16	18	12	X
Cabo Verde	AF	Moderate Advancement	X	X	X	X	X	X	15	18	11	X
Cambodia	AP	Moderate Advancement	X	X	X	X	X	X	15	18		X
Cameroon	AF	Moderate Advancement	X	X	X	X	X	X	14	18	12	X
Central African Republic	AF	Minimal Advancement	X	X	X	X	X	X	14	18	15	X
Chad	AF	Moderate Advancement	X	X	X	X	X	X	14	16	16	X
Chile	LAC	Significant Advancement	X	X	X	X	X	X	15	18	18	X
Christmas Island	AP	No Advancement	N/A	N/A	N/A	N/A	N/A	N/A	15		17	X

# Appendix III

## LAWS AND RATIFICATIONS, *By Country*

Country	Region	2014 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC-CSEC	CRC-AC		Min Age/Work	Min Age/Haz Work	Compulsory Education Age	Free Public Education
Cocos (Keeling) Island	AP	No Advancement	N/A	N/A	N/A	N/A	N/A	N/A	15		17	X
Colombia	LAC	Significant Advancement	X	X	X	X	X	X	15	18	18	X
Comoros	AF	Moderate Advancement	X	X	X	X	X	X	15	18	12	X
Congo, Democratic Republic of	AF	Moderate Advancement	X	X	X	X	X	X	16	18	15	X
Congo, Republic of	AF	Moderate Advancement	X	X	X	X	X	X	16	16	16	X
Cook Islands	AP	Minimal Advancement	N/A	N/A	N/A	N/A	N/A	N/A	13	18	16	X
Costa Rica	LAC	Moderate Advancement	X	X	X	X	X	X	15	18	17	X
Côte d'Ivoire	AF	Significant Advancement	X	X	X	X	X	X	14	18		X
Djibouti	AF	Minimal Advancement	X	X	X	X	X	X	16		16	X
Dominica	LAC	Minimal Advancement	X	X	X	X	X	X	12	14	16	X
Dominican Republic	LAC	Minimal Advancement	X	X	X	X	X	X	14	18	18	X
Ecuador	LAC	Significant Advancement	X	X	X	X	X	X	15	18	18	X
Egypt	AF	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
El Salvador	LAC	Significant Advancement	X	X	X	X	X	X	14	18	16	X
Eritrea	AF	No Advancement - Efforts Made But Complicit	X	X	X	X	X	X	14	18	14	X
Ethiopia	AF	Moderate Advancement	X	X	X	X	X	X	14	18		X
Falkland Islands (Isle Malvinas)	EUR	No Advancement	N/A	N/A	N/A	N/A	N/A	N/A	16	18	16	X
Fiji	AP	Moderate Advancement	X	X	X	X	X	X	15	18	17	
Gabon	AF	Moderate Advancement	X	X	X	X	X	X	16	18	16	X
Gambia, The	AF	Minimal Advancement	X	X	X	X	X	X	16	18	12	X
Georgia	EUR	Minimal Advancement	X	X	X	X	X	X	16	18	15	X
Ghana	AF	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Grenada	LAC	Moderate Advancement	N/A	N/A	N/A	N/A	N/A	N/A	16		16	X



Country	Region	2014 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC-CSEC	CRC-AC		Min Age/Work	Min Age/Haz Work	Compulsory Education Age	Free Public Education
Guatemala	LAC	Moderate Advancement	X	X	X	X	X	X	14	18	15	X
Guinea	AF	Moderate Advancement	X	X	X	X		X	16	18	13	X
Guinea-Bissau	AF	Minimal Advancement	X	X	X	X	X	X	14	18	15	X
Guyana	AF	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Haiti	LAC	Moderate Advancement	X	X	X	X	X	X	15	18	11	X
Honduras	LAC	Moderate Advancement	X	X	X	X	X	X	14	18	17	X
India	AP	Moderate Advancement			X	X	X	X		14	14	X
Indonesia	AP	Moderate Advancement	X	X	X	X	X	X	15	18	16	X
Iraq	MENA	Minimal Advancement	X	X	X	X	X	X	15	18	12	X
Jamaica	LAC	Moderate Advancement	X	X	X	X	X	X	15	18	18	X
Jordan	MENA	Moderate Advancement	X	X	X	X	X	X	16	18	16	X
Kazakhstan	AP	Minimal Advancement	X	X	X	X	X	X	16	18	17	X
Kenya	AF	Moderate Advancement	X	X	X	X	X	X	16	18	14	X
Kiribati	AP	Minimal Advancement	X	X	X	X		X	14	18	15	X
Kosovo	EUR	Moderate Advancement	N/A	N/A	N/A	N/A	N/A	N/A	15	18	15	X
Kyrgyz Republic	AP	Minimal Advancement	X	X	X	X	X	X	16	18	16	X
Lebanon	MENA	Moderate Advancement	X	X	X	X	X	X	14	18	12	X
Lesotho	AF	Moderate Advancement	X	X	X	X	X	X	15	18	13	X
Liberia	AF	Minimal Advancement		X	X	X		X	16	18	15	X
Macedonia	EUR	Minimal Advancement	X	X	X	X	X	X	15	18	15	X
Madagascar	AF	Significant Advancement	X	X	X	X	X	X	15	18	16	X
Malawi	AF	Minimal Advancement	X	X	X	X	X	X	14	18	14	X
Maldives	AP	Minimal Advancement	X	X	X	X	X	X	16	18	13	X
Mali	AF	Moderate Advancement	X	X	X	X	X	X	14	18	16	X
Mauritania	AF	Moderate Advancement	X	X	X	X	X	X	14	18	14	X
Mauritius	AF	Minimal Advancement	X	X	X	X	X	X	16	18	16	X
Moldova	EUR	Moderate Advancement	X	X	X	X	X	X	16	18	16	X
Mongolia	AP	Moderate Advancement	X	X	X	X	X	X	16	18	16	X

# Appendix III

## LAWS AND RATIFICATIONS, *By Country*

Country	Region	2014 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC-CSEC	CRC-AC		Min Age/Work	Min Age/Haz Work	Compulsory Education Age	Free Public Education
Montenegro	EUR	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Montserrat	EUR	No Advancement	N/A	N/A	N/A	N/A	N/A	N/A	16	18	16	X
Morocco	MENA	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Mozambique	AF	Moderate Advancement	X	X	X	X	X	X	15	18	13	X
Namibia	AF	Minimal Advancement	X	X	X	X	X	X	14	18	16	X
Nepal	AP	Moderate Advancement	X	X	X	X	X	X	14	16		X
Nicaragua	LAC	Moderate Advancement	X	X	X	X	X	X	14	18	15	X
Niger	AF	Moderate Advancement	X	X	X	X	X	X	14	16	18	X
Nigeria	AF	Moderate Advancement	X	X	X	X	X	X	12	18	15	X
Niue	AP	Minimal Advancement	N/A	N/A	N/A	N/A	N/A	N/A			16	X
Norfolk Island	AP	No Advancement	N/A	N/A	N/A	N/A	N/A	N/A			15	X
Oman	MENA	Moderate Advancement	X	X	X	X	X	X	16	18	16	X
Pakistan	AP	Moderate Advancement	X	X	X	X	X	X		14	17	X
Panama	LAC	Moderate Advancement	X	X	X	X	X	X	14	18	15	X
Papua New Guinea	AP	Moderate Advancement	X	X	X	X	X	X	16	16		X
Paraguay	LAC	Significant Advancement	X	X	X	X	X	X	14	18	15	X
Peru	LAC	Significant Advancement	X	X	X	X	X	X	14	18	17	X
Philippines	AP	Significant Advancement	X	X	X	X	X	X	15	18	18	X
Russia	EUR	Minimal Advancement	X	X	X	X	X	X	16	18	15	X
Rwanda	AF	Moderate Advancement	X	X	X	X	X	X	16	18	16	X
Saint Helena, Ascension and Tristan da Cunha	EUR	No Advancement	N/A	N/A	N/A	N/A	N/A	N/A		18	15	X
Saint Lucia	LAC	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Saint Vincent and the Grenadines	LAC	Minimal Advancement	X	X	X	X	X	X	14	14	16	X
Samoa	AP	Minimal Advancement	X	X	X	X	X	X	15	18	14	X

Country	Region	2014 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC-CSEC	CRC-AC		Min Age/Work	Min Age/Haz Work	Compulsory Education Age	Free Public Education
São Tomé and Príncipe	AF	Minimal Advancement	X	X	X			X	14	18	15	X
Senegal	AF	Minimal Advancement	X	X	X	X		X	15	18	17	X
Serbia	EUR	Moderate Advancement	X	X	X	X		X	15	18	15	X
Seychelles	AF	Moderate Advancement	X	X	X	X		X	15		16	X
Sierra Leone	AF	Moderate Advancement	X	X	X	X		X	15	18	15	X
Solomon Islands	AP	Moderate Advancement	X	X					12	15		
Somalia	AF	Moderate Advancement	X	X					15	16		X
South Africa	AF	Significant Advancement	X	X	X	X		X	15	18	15	X
South Sudan	AF	No Advancement - Efforts Made But Complicit	X	X					14	18	13	X
Sri Lanka	AP	Moderate Advancement	X	X	X	X		X	14	18	15	X
Suriname	LAC	Minimal Advancement	X	X	X	X		X	14	18	12	X
Swaziland	AF	Minimal Advancement	X	X	X	X		X	15	18		X
Tanzania	AF	Minimal Advancement	X	X	X	X		X	14	18	15	X
Thailand	AP	Significant Advancement	X	X	X	X		X	15	18	15	X
Timor-Leste	AP	Moderate Advancement	X	X	X	X		X	15	17	14/15	X
Togo	AF	Moderate Advancement	X	X	X	X		X	15	18	15	X
Tokelau	AP	Minimal Advancement	N/A	N/A	N/A	N/A		N/A	U		16	X
Tonga	AP	Minimal Advancement			X						18	X
Trinidad and Tobago	LAC	Moderate Advancement	X	X	X			X	16		12	X
Tunisia	MENA	Moderate Advancement	X	X	X	X		X	16	18	16	X
Turkey	EUR	Moderate Advancement	X	X	X	X		X	15	18	17	X
Tuvalu	AP	Minimal Advancement			X				14	15	15	
Uganda	AF	Significant Advancement	X	X	X	X		X	14	18	12	X
Ukraine	EUR	Moderate Advancement	X	X	X	X		X	16	18	18	X
Uruguay	LAC	Moderate Advancement	X	X	X	X		X	15	18	15	X

# Appendix III

## LAWS AND RATIFICATIONS, *By Country*

Country	Region	2014 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC-CSEC	CRC-AC		Min Age/Work	Min Age/Haz Work	Compulsory Education Age	Free Public Education
Uzbekistan	AP	No Advancement - Efforts Made But Complicit	X	X	X	X	X	X	16	18	18	X
Vanuatu	AP	No Advancement		X	X	X	X		15			
Venezuela	LAC	Minimal Advancement	X	X	X	X	X	X	14	18	15	X
Wallis and Futuna	AP	No Assessment	N/A	N/A	N/A	N/A	N/A	N/A	16	18	16	X
West Bank and the Gaza Strip	MENA	Minimal Advancement	N/A	N/A	N/A	N/A	N/A	N/A	15	18	16	X
Western Sahara	MENA	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Yemen	MENA	Moderate Advancement	X	X	X	X	X	X	14	18	15	X
Zambia	AF	Moderate Advancement	X	X	X			X	15	18		X
Zimbabwe	AF	Minimal Advancement	X	X	X	X	X	X	15	18	18	

### NOTE:

This table does not include British Indian Ocean Territory, Heard Island and McDonald Islands, and Pitcairn Islands because no profiles were done on these territories.

### KEY:

- ILO C. 138: ILO Convention 138
- ILO C. 182: ILO Convention 182
- CRC: Convention on the Rights of the Child
- CRC Optional Protocols, CRC- CSEC: Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography
- CRC Optional Protocols, CRC- AC: Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography
- Palermo Protocol: Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime
- Min Age/Work: Minimum Age for Admission to Work

- Min Age/Haz Work: Minimum Age for Admission to Hazardous Work
- Compulsory Education Age: Age to which education is compulsory by law or policy.
- Free Public Education: Free Education is established by law or policy.
- \*: Ratification or legal update during the reporting period.
- U: Status is unclear.
- N/A: Not Applicable

### REGIONS KEY:

- AF: Africa (Sub-Saharan)
- AP: Asia & the Pacific
- EUR: Europe & Eurasia
- MENA: Near East (North Africa & the Middle East)
- LAC: Latin America & the Caribbean

On the front cover: Two young boys carry wood, India. © Steve McCurry/Magnum Photos

On the back cover: Children studying at Mtoto school in Zanzibar Island, United Republic of Tanzania. © ILO/M. Crozet



