

# 2007

U.S. Department of Labor's Bureau of International Labor Affairs



U.S. DEPARTMENT OF LABOR'S  
**2007 FINDINGS**  
ON THE **WORST** FORMS OF  
**CHILD LABOR**

Report Required by the Trade and Development Act of 2000



# 2007

U.S. Department of Labor's Bureau of International Labor Affairs



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**CHILD LABOR**

Report Required by the Trade and Development Act of 2000

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

**AUG 26 2008**

The Honorable Richard B. Cheney  
President of the Senate  
Washington, D.C. 20510

Dear Mr. President:

The enclosed report, titled *The Department of Labor's 2007 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 141 countries and territories to meet their international commitments to eliminate the worst forms of child labor. We hope this report will be useful to the Congress.

Sincerely,

A handwritten signature in black ink that reads "E.L. Chao". The signature is written in a cursive style with a large initial "E" and "L".

Elaine L. Chao

Enclosure

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

AUG 26 2008

The Honorable Nancy Pelosi  
Speaker of the House  
of Representatives  
Washington, D.C. 20515

Dear Madam Speaker:

The enclosed report, titled *The Department of Labor's 2007 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 141 countries and territories to meet their international commitments to eliminate the worst forms of child labor. We hope this report will be useful to the Congress.

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Elaine L. Chao

Enclosure



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# Acronyms

<b>AGOA</b>	African Growth and Opportunity Act
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>ATPA</b>	Andean Trade Preference Act
<b>ATPDEA</b>	Andean Trade Promotion and Drug Eradication Act
<b>AUSAID</b>	Australian Agency for International Development
<b>CAFTA-DR</b>	Central America-Dominican Republic Free Trade Agreement
<b>CBTPA</b>	Caribbean Basin Trade Partnership Act
<b>CEACR</b>	International Labor Organization Committee of Experts on the Application of Conventions and Recommendations
<b>ECOWAS</b>	Economic Community of West African States
<b>ECCAS</b>	Economic Community of Central African States
<b>ECPAT</b>	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
<b>EU</b>	European Union
<b>GSP</b>	Generalized System of Preferences
<b>OCFT</b>	Office of Child Labor, Forced Labor and Human Trafficking
<b>IDB</b>	Inter-American Development Bank
<b>ILO</b>	International Labor Organization
<b>ILO Convention 138</b>	International Labor Organization, Convention No. 138: Minimum Age for Admission to Employment
<b>ILO Convention 182</b>	International Labor Organization, Convention No. 182: Worst Forms of Child Labor
<b>ILO-IPEC</b>	International Labor Organization, International Program on the Elimination of Child Labor
<b>IMF</b>	International Monetary Fund
<b>IOM</b>	International Organization for Migration

<b>MERCOSUR</b>	Common Market of the South (America); members include Argentina, Brazil, Paraguay, Uruguay, and Venezuela
<b>MOU</b>	Memorandum of Understanding
<b>NGO</b>	Non-governmental Organization
<b>OAS</b>	Organization of American States
<b>OSCE</b>	Organization for Security and Cooperation in Europe
<b>PRSP</b>	Poverty Reduction Strategy Paper
<b>SIMPOC</b>	Statistical Information and Monitoring Program on Child Labor
<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>	United States Agency for International Development
<b>USDOL</b>	United States Department of Labor
<b>USDOS</b>	US Department of State
<b>WFP</b>	World Food Program

# Preface

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

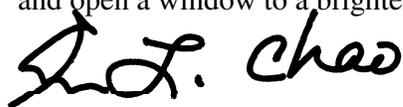
Over the past decade, the international community has intensified its drive to put an end to exploitive child labor. We are proud the United States has been a leading provider of assistance for efforts to rescue children from exploitive labor through a number of strategies, including provision of its best antidote: education.

Every child who is forced into exploitive work at the expense of education misses out on perhaps the most crucial phase of his or her development. Childhood presents a unique window of opportunity to gain literacy and skills needed to succeed in life. When this window of opportunity is missed, not only are a child's future prospects diminished, the human capital and future productivity of society are undermined. As President George W. Bush underscored in his speech to the United Nations General Assembly in September 2007, "When nations make the investments needed to educate their people, the whole world benefits. Better education unleashes the talent and potential of its citizens, and adds to the prosperity of all of us."

The Department of Labor's international technical cooperation program is one concrete action on the part of the U.S. Government to eliminate exploitive child labor and promote basic education around the globe. Through this program, the Department supports innovative projects that strengthen national policies and institutions, enhance public awareness, and increase knowledge of exploitive child labor. Since 2001, these projects have withdrawn or prevented over 1 million children from exploitive labor.

Our children are a precious resource. Their experiences will shape the characteristics of our next generation of workers, parents, citizens, entrepreneurs, and leaders. To eradicate the worst forms of child labor, we need renewed and sustained action by many actors. Governments, the private sector, international organizations, and civil society each have a unique role to play, and even more can be done when their respective strengths are combined in partnership.

This annual report is another action the U.S. Government is taking to address the problem. As mandated by Congress, this 2007 report presents information on the implementation of international commitments to address the worst forms of child labor by countries that receive trade benefits from the United States. It is our hope this report will not only increase awareness of the child labor phenomenon, but will help spur new actions and renewed momentum to rescue children from a life of poverty and exploitation and open a window to a brighter future.



Elaine L. Chao  
U.S. Secretary of Labor  
August 2008



# EXECUTIVE SUMMARY



Child unloading sand for construction from a boat, Southeast Asia.

© International Labour Organization/Deloche P.



This publication is USDOL's seventh annual report prepared in accordance with Section 412(c) of the Trade and Development Act of 2000 (TDA).<sup>1</sup> The TDA expands country eligibility criteria for preferential tariff treatment under the Generalized System of Preferences program (GSP) enacted by the Trade Act of 1974 to include the implementation of commitments to eliminate the worst forms of child labor.<sup>2</sup> The TDA also applies this criterion to eligibility for trade benefits under the Africa Growth and Opportunity Act (AGOA), the U.S.-Caribbean Basin Trade Partnership Act (CBTPA), and the Andean Trade Preference Act/Andean Trade Promotion and Drug Eradication Act (ATPA/ATPDEA). Section 412(c) of the TDA contains a mandate for 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>3</sup>

The TDA definition of the "worst forms of child labor" uses the definition of the term that is contained in ILO Convention 182. The TDA and Convention 182 consider a "child" to be a person under the age of 18. The definition includes as "worst forms of child labor" all forms of slavery or practices similar to slavery, the sale or trafficking of children, debt bondage or serfdom; the forcible recruitment of children for use in armed conflict; the commercial sexual exploitation of children; the involvement of children in drug trafficking; and work that is likely to harm children's health, safety, or morals.<sup>4</sup>

This report contains profiles of 122 independent countries and a summary report on 19 non-independent countries and territories designated as GSP beneficiaries and/or beneficiaries under the ATPA/ATPDEA, CBTPA, and AGOA. In addition, the report includes information on former GSP recipients that have negotiated free trade agreements with the United States, in view of House Report 110-107.<sup>5</sup> Each profile contains a table on key child labor indicators and three text sections that cover: (1) incidence and nature of child labor; (2) child labor laws and enforcement; and (3) current government policies and programs to eliminate the worst forms of child labor. The report closes with an Appendix that contains information

1 *Trade Act, U.S. Code*, (1974), Title 19, Section 2464; available from <http://uscode.house.gov/download/pls/19C12.txt>.

2 *Ibid.*, Section 2462(b)(2)(G) and (c)(7) and Section 2467(4).

3 *Ibid.*, Section 2464. See also *Conference Report*, (2000), Section 412; available from [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=106\\_cong\\_reports&docid=f:hr606.106.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=106_cong_reports&docid=f:hr606.106.pdf). See also Trade Act, Section 2703(b)(5)(b)(iv) and 3203(b)(6)(b)(iv).

4 ILO, C182 *Worst Forms of Child Labour Convention*, 1999, [database online] 2002 [cited June 3, 2008]; available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.

5 S. Rept. 110-107, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008, (2007).

# EXECUTIVE SUMMARY

on country ratifications of existing international instruments relevant to child labor. Information included covers the period March 2007 through February 2008.

In preparing this report, USDOL relied on a wide variety of materials originating from other U.S. Government agencies, foreign governments, international and non-governmental organizations, and independent researchers. USDOS in Washington D.C. and in U.S. consulates and embassies abroad provided important information for use in the report. Several governments included in the report submitted information in response to a USDOL request for public input published in the Federal Register.<sup>6</sup> In addition, USDOL officials also gathered information during visits to some of the countries included in this report.

While USDOL focused on using the most current sources available, when older sources were the only relevant pieces of information available and when such sources were believed to contain accurate descriptions of the 2007-2008 time period covered, materials that were a maximum of 5 years old (2002) at the time of writing were used. However, because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories once every 5 years.<sup>7</sup> For this reason, this report includes shortened profiles for these countries and territories, containing only new information

6 U.S. Department of Labor, "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor," *Federal Register* vol. 72, no. 216 (November 8, 2007); available from <http://www.gpoaccess.gov/fr/index.html>.

7 The countries are: Dominica, Grenada, Kiribati, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Seychelles, Tuvalu, and Vanuatu. The territories and non-independent countries are: Anguilla (Territory of the United Kingdom), British Virgin Islands (Territory of the United Kingdom), Christmas Island (Territory of Australia), Cocos (Keeling) Islands (Territory of Australia), Cook Islands (Self-Governing State in Free Association with New Zealand), Falkland Islands (Territory of the United Kingdom), Gibraltar (Territory of the United Kingdom), Montserrat (Territory of the United Kingdom), Niue (Self-Governing State in Free Association with New Zealand), Norfolk Island (Jointly-Governed Territory of Australia), Pitcairn Islands (Territory of the United Kingdom), Saint Helena (Territory of the United Kingdom), Tokelau (Self-Administering Territory of New Zealand), Turks and Caicos Islands (Territory of the United Kingdom), Western Sahara, British Indian Ocean Territory (territory of the United Kingdom), Heard Island and MacDonal Islands (territory of Australia), and Wallis and Futuna (territory of France).

published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

The country profiles provide a comprehensive picture of child labor in the country and describe government efforts to combat the problem. This Executive Summary contains some of the highlights that emerge from each section of the country profiles, as well as other important developments in regard to child labor during the past year.

## Table: Selected Statistics and Indicators on Child Labor

Each country profile contains a table that includes key indicators on child labor and education. The table provides basic information about the rate of child work versus participation in school as well as basic policies in regard to child work and education. Where available, the following information is included in the table:

- Percent of children estimated to be working in a given year
- Percent of working boys and girls
- Percent of working children by sector
- Minimum age for admission to work
- Age to which education is compulsory
- Whether the country's laws provide for free education
- Gross and net primary enrollment rates
- Percent of children attending school
- Percent of children enrolled in first grade in a given school year who are expected to reach grade five (survival rate)
- Whether the country is a participating member of ILO-IPEC.<sup>8</sup>

8 Information on ILO-IPEC membership was obtained from ILO-IPEC's 2008 *IPEC Action Against Child Labour 2006-2007: Progress and future priorities*, Geneva, February 2008; available from <http://www.ilo.org/ipec/index.htm>.



Readers may note that, unlike last year, statistics on work rates by sex and by sector are included in the table. All the statistics on child work and school attendance are obtained through the UCW project. UCW is a collaborative effort by ILO-IPEC, UNICEF, and the World Bank to address the need for more and better statistics on child labor. While these three organizations and others independently gather information on child work, the UCW project, with support from USDOL, analyzes data gathered by these institutions using a single definition of child work and a set age group. Such analysis allows for better comparisons across countries. In this way, USDOL and UCW are contributing to a better understanding of child work. For more information on these and the other statistics included in the table, please see the Data Sources and Definitions section of the report.

An analysis of the tables across countries as compared with last year shows that there have been continued improvements in the availability of data on child labor. Additional studies aimed at quantifying information on child labor at the country level were also carried out or prepared during the reporting period. Through its SIMPOC program, ILO-IPEC provided assistance on various stages of child labor data collection to the Governments of Benin, Bolivia, Cameroon, Egypt, Guinea, Indonesia, Jordan, the Kyrgyz Republic, Madagascar, Niger, Peru, Rwanda, Sri Lanka, Uruguay, and Yemen; the majority of these projects have been or are being conducted with support from USDOL.

The table also shows that many countries have raised their minimum age for admission to work and/or compulsory school leaving age, because evidence suggests that these legal measures may be effective tools for reducing child labor. Others, however, continue to maintain very low standards that allow children to leave school and work full time at a young age, possibly without having developed basic literacy skills, and potentially to become involved in work that is hazardous to their health and development.

### Incidence and Nature of Child Labor

Children continued to engage in various kinds of hazardous work during the reporting period, and many reports provided new information on the incidence and nature of child labor during 2007. Work in agriculture, with its myriad health and safety hazards, continued to be a particularly widespread activity for children. In farms and plantations

# INCIDENCE AND NATURE OF CHILD LABOR



Child panning for gold in a hole dug on the banks of a river.

© International Labour Organization/Gianotti E.

## INCIDENCE AND NATURE OF CHILD LABOR



around the world, children are performing physically demanding tasks using tools not appropriate for their stage of development, mixing and applying pesticides without protective gear, and transporting heavy loads. During the 2007 World Day against Child Labor, the ILO joined key international agricultural organizations such as the UN Food and Agricultural Organization, the International Federation of Agricultural Producers, and the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations to launch the International Agricultural Partnership for Agriculture without Child Labor. The partnership aims to ensure that children do not engage in hazardous agriculture, encourage the application of child labor laws, and promote income generation in rural areas, among other goals.

The topic of exploitive child labor in commercial agriculture—particularly in cocoa production—in West Africa was the focus of several reports over the course of 2007. ILO-IPEC released a series of four papers on child labor in the cocoa sector in West Africa. The papers summarized results of surveys, efforts and best practices to combat child labor in Cameroon, Côte d'Ivoire, Ghana, Guinea and Nigeria during the USDOL-funded, West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitive Child Labor (WACAP). In addition, in response to a mandate by the U.S. Congress, Tulane University submitted its *First Annual Report: Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and in Ghana*. This report is related to oversight and reporting on progress being made by the cocoa industry and the Governments of Côte d'Ivoire and Ghana to implement the Harkin-Engel Child Labor Cocoa Protocol. The Protocol represents a voluntary commitment by the cocoa industry to address the issues of exploitive child labor in the cocoa sectors of Côte d'Ivoire and Ghana. Independent surveys conducted by Tulane University and the Governments of Côte d'Ivoire and Ghana show that exploitive child labor continues to be a problem in the cocoa sectors of the two countries. The report also found that the cocoa industry and the Governments of Côte d'Ivoire and Ghana have made progress towards implementing some elements of the Protocol. Such progress includes the passage of new child labor and education policies and in the design of child labor certification and verification systems. The report found, however, that more work remains to be done to fulfill the industry's commitment under the Protocol, particularly in the area of developing and implementing the certification system.

# INCIDENCE AND NATURE OF CHILD LABOR

**M**any children involved in exploitive work also continue to be found in the informal sector in a variety of activities that expose them to danger, including selling items on the streets, trash-picking, and begging. Such children are vulnerable to disease, sexual exploitation, and involvement in illegal activities, such as drug-trafficking or other crimes. Although a well-regulated industry in many areas of the world, mining in many lesser developed countries continues to be an informal activity, often beyond the reach of the law. An ILO publication on girls in small-scale mining (*Girls in Mining – Research Findings from Ghana, Niger, Peru, and United Republic of Tanzania*; Geneva, 2007) focused on the little-researched topic of girl child labor in this sector. The study, which looked at mining communities in Ghana, Niger, Peru, and Tanzania, found that the involvement of girls in small-scale mining is more extensive than previously recognized. Girls were found to be engaged in all aspects of work in mining communities, including extraction, transportation, and processing of gold and minerals, as well as other jobs such as selling food and supplies and working in bars and restaurants. The study also found that girls are becoming involved in increasingly hazardous work, such as entering deeper into mine interiors, and are also expected to continue working in their traditional domestic responsibilities, such as fetching water, preparing food, cleaning, and caring for

younger siblings. Because of this double burden, girls were found to be in an especially difficult situation that seriously undermines their school attendance and performance.

In addition to the hazardous activities described above, children continued to be forced, duped, or otherwise pressured into unconditional worst forms of child labor, such as forced labor, trafficking, commercial sexual exploitation, and illegal activities. A type of such work that appears to have become more prominent (or at least more widely recognized) in recent years is the use of children by adults for forced begging. The practice of sending boys to Koranic teachers to receive education is a tradition in various countries, including those in West Africa. While some boys receive lessons, others are forced by their teachers to beg and surrender the money that they have earned or to perform manual labor. A study conducted by the UCW project on forced begging in Dakar, Senegal, found that 90 percent of boys begging on the streets were such students (referred to as *talibés*) and that half of them were from other countries. There are reports of trafficking for the purpose of forced begging in several other regions of the world. For example, in India, children are trafficked internally and from Nepal to beg on city streets, as are children in Russia, who are trafficked internally or from countries such as Moldova



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## INCIDENCE AND NATURE OF CHILD LABOR



and Ukraine. Children trafficked from Albania can also be found begging on the streets in such countries as Greece and Kosovo.

During the reporting period, children continued to be drawn into ongoing armed conflicts in such diverse countries as Colombia, the Democratic Republic of Congo, and Somalia, as well as into flare-ups of long simmering disputes in Chad, the Central African Republic, Sri Lanka, and Niger. Unfortunately, children were all too often forcibly recruited and drawn into direct involvement in the conflict or other dangerous tasks, such as scouting or portering. In 2007, a flare-up in the civil war in Chad, despite attempts to broker peace, fueled the forced recruitment of children by both the Chadian government forces and various rebel groups. Many children were also recruited by Sudanese armed groups from refugee camps near the Sudan-eastern Chad border. In addition to direct involvement, the displacement and destruction caused by armed conflict pushed many children into other types of dangerous work, at the expense of their schooling, for their survival. In Kenya, the eruption of violence following the country's disputed elections in December 2007 displaced many children and teachers from their homes and schools and drew some of the displaced children into exploitive work.

### Child Labor Laws and Enforcement

As this year's report shows, many children throughout the world continue to be involved in dangerous and demeaning work that robs them of their childhood and, often, their future. Countries can take many steps to combat this problem, and one important avenue for eliminating exploitive child labor is through their legal frameworks and enforcement mechanisms. In this section of the country profiles, the report outlines countries' laws related to child labor, such as laws on overtime or night work, and the worst forms of child labor, such as laws on trafficking in persons and commercial sexual exploitation of children, and presents available evidence regarding implementation.

During the reporting period, some governments made important changes to their laws and regulations relating to child labor. In Kenya, the Government passed five new laws amending the Labor Code that prohibit night work and define light work for children. Punishments such as fines and up to 1 year imprisonment were instituted for employers violating these new provisions. In Sierra Leone, the Government passed a new law which raised the age

# CHILD LABOR LAWS AND ENFORCEMENT

to which education is compulsory from 12 to 15, making the school leaving age the same as the minimum age for work. In Colombia, the Government passed a new law that raised the minimum age for admission to work from 14 to 15. In Chile, the Government enacted a new law that requires certification of school enrollment or completion prior to entry to work and specifies a weekly limit on work hours. In Bhutan, the Government passed a new labor law that sets the minimum age of employment at 18 years and prohibits the worst forms of child labor. The Government of Madagascar passed a new labor law that requires State Prosecutors to submit cases of child labor directly to court judges; this acts as a “fast track” to prosecute employers suspected of violating child labor laws. The Government of Cape Verde passed a new labor law which provides new overtime regulations for workers 16-18 and in Moldova, the National Commission for Tripartite Bargaining and Consultation approved a List of Jobs Prohibited to Children.

During the reporting period, a number of countries enacted legislation or issued executive decrees prohibiting and/or strengthening provisions against worst forms of child labor. As required under ILO Convention 182, the Governments of Cambodia, Chile, Côte d’Ivoire, the Gambia, Kenya, Madagascar, and Togo designated the types of hazardous work to be considered worst forms of child labor. The

Government of Kazakhstan adopted a new labor code that includes the elimination of the worst forms of child labor as a key principle and strengthens protection for workers younger than 18 years. A number of countries enacted new laws against child trafficking, including Bahrain, Cambodia, Côte d’Ivoire, the Gambia, Indonesia, and Madagascar. In addition, a few countries’ anti-trafficking laws are especially worthy of noting. For example, in Jamaica, the Government passed anti-trafficking legislation which prohibits the trafficking of children for labor or commercial sexual exploitation. In Macedonia, the Ministries of the Interior and Labor signed a memorandum of understanding which created special provisions for child trafficking victims calling for the presence of social workers during police trafficking raids. In Thailand, the Government passed a comprehensive new anti-trafficking act that expands the definition of exploitation. New laws against commercial sexual exploitation of children were enacted in Cambodia and Nicaragua. Of special note, the Government of the Dominican Republic enacted the Technology Crime Law on April 23, 2007, which establishes 2 to 4 years imprisonment for the purchase or possession of child pornography. In Costa Rica, the Government implemented a database system for tracking commercial sexual exploitation of children cases.



Young soccer-ball sewer.

## CHILD LABOR LAWS AND ENFORCEMENT



The enforcement of child labor laws continued to be weak in many of the countries included in this report. Enforcement efforts were chronically hindered by insufficient resources. In many countries, child labor inspectors do not receive adequate training and are vulnerable to corruption due to low salaries.

Nonetheless, some governments stepped up enforcement of child labor and/or undertook new initiatives. In Moldova, the Government established a Child Labor Unit within the Labor Inspection Office to monitor, develop, and implement national policies to combat child labor. It trained 34 Labor Inspectors in 2007. In Panama, the Government hired and trained nine new labor inspectors with specializations in child labor. The Government of the Philippines rescued 138 minors from exploitive child labor in 49 different operations as part of its *Rescue the Child Workers Program*. In Guinea, the Government reported prosecuting 12 cases related to child labor. The Dominican Republic has 191 labor inspectors who have been trained in child labor. In 2007, the Government of Liberia announced that it will fine or arrest parents for allowing their children to engage in street vending during school hours.

Some countries increased enforcement mechanisms, particularly in the area of trafficking. In Jamaica, authorities rescued nine trafficking victims, three of whom were ages 13 to 17. In Ghana, authorities investigated eight cases of child trafficking, resulting in its first conviction under its Human Trafficking Act. In Bolivia, authorities opened 36 trafficking prosecutions and rescued more than 70 young victims of trafficking. The Government of Guinea prosecuted 12 cases related to child trafficking in 2007. In Malawi, 74 members of the police force were trained in March 2007 to treat child sexual abuse victims, including those who have been trafficked. The Government of Sierra Leone convicted four people for recruiting child soldiers. This was the first time the Government made convictions for recruiting child soldiers. In March, the Beninese police arrested five suspected traffickers.

Some enforcement-related initiatives involved regional cooperation. For example, the Governments of Benin and Nigeria worked together to address cross-border child trafficking. The Governments established agreements to repatriate trafficked children who work in mines, back to their homes in Benin.

# CURRENT GOVERNMENT POLICIES AND PROGRAMS TO ELIMINATE THE WORST FORMS OF CHILD LABOR



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Six year old student at a school  
serving underprivileged children, India.

# CURRENT GOVERNMENT POLICIES AND PROGRAMS TO ELIMINATE THE WORST FORMS OF CHILD LABOR



In addition to implementing strong labor laws and taking steps to enforce them, there are many other initiatives governments can pursue to address the problem of exploitive child labor. This section of the report describes some of the new efforts that governments undertook during the reporting period.

## Government Policies and Plans of Action Addressing Child Labor

National plans of action or programs to address child labor typically consist of a combination of strategies, including improving enforcement of child labor laws, raising awareness, enhancing capacity to address the problem, increasing coordination, and possibly promoting legislative reform. They may also provide for programs to withdraw children from exploitive work and offer children educational alternatives.

During the reporting period, the Governments of Colombia, Moldova, Morocco, the Philippines, and the Kyrgyz Republic adopted multi-year national action plans and strategies to combat the worst forms of child labor. In Côte d'Ivoire, the Government adopted a National Action Plan on Child Labor and Trafficking, which aims to reduce the incidence of child labor in that country by 50 percent in the next three years. Notably, the Ministry of Labor budgeted USD 4.57 million for the implementation of activities under the Plan. In Ecuador, the work of the National Committee for the Progressive Elimination of Child Labor was declared a political priority and focus at the Ministry of Labor, and the Government allocated resources to combat child labor in garbage dumps and landfills, trafficking of children for begging, and improving the inspection system.

Some countries developed national plans and took other initiatives focusing on the eradication of specific forms of exploitive child labor, particularly commercial sexual exploitation and trafficking. For example, the Governments of Burkina Faso and Ukraine adopted national programs against trafficking in persons, including children, with Ukraine directing state funding for anti-trafficking efforts. In Costa Rica, the Government passed the Third National Plan against Commercial Sexual Exploitation of Children, which by law requires respective agencies to set targets and measure results toward reducing the problem, while in Honduras, the Government allocated USD 1.3 million for 3 years towards the implementation of the country's 2006 National Plan against Commercial Sexual Exploitation of Children. The Government of Rwanda adopted a strategic plan to implement its National Policy for Orphans and Other Vulnerable Children, which targets working children,

# CURRENT GOVERNMENT POLICIES AND PROGRAMS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

children living in child-headed households, children affected by armed conflict, children exploited in prostitution and sexual abuse, children affected by HIV/AIDS, and street children. In December 2007, the President of Mauritania launched a national campaign to eradicate all forms of slavery in the country, and committed an estimated USD 7.5 million to this effort. The Government of Cameroon signed an Anti-Sex Tourism Charter that outlines rules of ethics for the tourist industry in an effort to combat the commercial sexual exploitation of children in that sector.

Governments also continued to mainstream the issue of child labor into broader policy initiatives and plans. The Governments of Niger and Rwanda included elements on child labor in their countries' respective poverty reduction strategies. Likewise, in Benin, the Government included provisions on child trafficking and access to education in its National Poverty Reduction Strategy Paper that covers the period from 2007-2009. In the Dominican Republic, representatives from the Secretariat of Labor, labor unions, and employer organizations signed a tripartite declaration for the National Program of Decent Work, which supports the National Plan to Eradicate the Worst Forms of Child Labor. Gabon's United Nations Development Assistance Framework (UNDAF), 2007-2011, includes a component to bring national legislation as well as its international agreements to combat child trafficking into alignment with ILO Convention 182. The Government of Zimbabwe also incorporated child labor issues in its 2007-2011 UNDAF, and the Government of Mali's 2008-2012 UNDAF specifies

targeted measures for child victims of trafficking. The Government of Ghana, with assistance from ILO-IPEC, included child labor concerns in the National Social Protection Strategy (NSPS) that it developed in 2007.

## Bilateral and Multilateral Cooperation

Some governments participated in multilateral and bilateral cooperative efforts to eliminate child labor and trafficking. In Southeast Asia, the Cambodian government launched a National Task Force to implement the bilateral and multilateral agreements and Memoranda of Understanding between the Royal Government of Cambodia and other countries, including Thailand and Vietnam, to eliminate trafficking in persons and assist trafficking victims. The Yemeni and Saudi Governments also cooperated to prevent and address the cross-border trafficking of children through a bilateral governmental committee.

## Public Awareness Campaigns

Government efforts to eliminate the worst forms of child labor often include public awareness-raising components. Such campaigns play an important role in increasing public understanding of child labor laws, children's rights, the hazards of exploitive child labor, and the importance of education to children, their families, and their communities. The Government of Madagascar undertook a series of information campaigns on the topics of commercial sexual



## CURRENT GOVERNMENT POLICIES AND PROGRAMS TO ELIMINATE THE WORST FORMS OF CHILD LABOR



exploitation of children, including in the tourism industry, and child trafficking. In Nepal, the Government implemented awareness-raising campaigns against trafficking, and in Suriname, where the government launched a similar campaign, authorities hosted informational meetings in border areas where trafficking is significant.

### Education and other Direct Action Initiatives

During the reporting period, more countries launched programs offering financial incentives for parents to remove their children from exploitive child labor and place them in school. In the Dominican Republic, the Vice Presidency established a transfer program that provides money to extremely poor families with the stipulation that their children are removed from labor and are enrolled in school. Further, the country's Agricultural Bank has included a clause in its loan agreements that prohibits its loan recipients from using child labor and requires that they send their children to school. Similarly, the Government of Indonesia launched the Conditional Cash Transfer program in seven provinces. The program provides cash transfers to very poor families who meet a set of conditions, one of which is withdrawing their children from labor and ensuring their enrollment in school. Ghana's Livelihood Empowerment against Poverty (LEAP) cash transfer program, which falls under the framework of its National Social Protection Strategy, also requires beneficiary parents to enroll their school-age children in school and prohibits their involvement in the worst forms of child labor.

In 2007, the Ministry of Education of El Salvador took responsibility for 98 after-school centers to provide education and enrichment opportunities for children who normally work after school. These centers were originally operated with funds from a USDOL-funded technical cooperation project. The Government of El Salvador is also enhancing the school curriculum so as to increase interest among working children in staying in school.

In Africa, the Governments of the Central African Republic and Chad took action against the involvement of children in armed conflict. The Government of the Central African Republic signed an agreement with UNICEF and the Union of Democratic Forces (UFDR) rebel group to demobilize an estimated 400 child soldiers in the northeastern region of the country. The Government of Chad and UNICEF supported a comprehensive survey on child soldiers conducted in 2007. Although more recent insecurity has led to the suspension of the program, under a demobilization agreement signed by the government and UNICEF, 452 children were released from the Chadian armed forces in July 2007.

# U.S. DEPARTMENT OF LABOR-FUNDED INTERNATIONAL CHILD LABOR TECHNICAL ASSISTANCE PROGRAMS

**A**s detailed in the country profiles, many governmental, international, and non-governmental organizations provided funding, other resources, and services during the period to assist countries around the world to protect vulnerable children and increase access to quality basic education. USDOL has been a leader in supporting efforts to prevent or withdraw children from exploitive child labor and provide them with educational opportunities in countries where governments

have shown a commitment to addressing worst forms of child labor. In 2007, USDOL provided approximately USD 50 million for child labor elimination efforts around the world. The activities funded include 10 projects to eliminate exploitive child labor in 10 countries (Bolivia, Cambodia, Colombia, the Democratic Republic of Congo, the Dominican Republic, India, Indonesia, Morocco, Nepal, Pakistan, the Philippines, Togo, and Uganda) as well as a project to perform research on forced labor and child labor in the carpet sectors of India, Nepal, and Pakistan.



Teenagers working on a construction site. Senegal.

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# CONCLUSION

**W**ell over a decade has passed since the modern movement to combat the economic exploitation of children around the globe began to build. As the country profiles in this report demonstrate, there is a broad array of efforts now underway to eliminate the worst forms of child labor. Ranging from governmental action to enforce national legislation and implement international commitments, action programs supported by international organizations and bilateral donors, data collection efforts, and grass roots activities by national and local NGOs, all of these efforts work best when they work in concert. This need for collaboration and pooling of expertise and resources is behind the push

in recent years to mainstream child labor into national and international development, education, and poverty alleviation efforts. Much has been achieved to date to eliminate the scourge of exploitive child labor, but enormous challenges to meeting the ILO's challenge of eliminating most of the worst forms of child labor by 2016 still lie ahead. The profiles in this report illustrate the types of actions that are being taking around the world that could be replicated or expanded upon to strengthen the momentum towards that goal.



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School that teaches child weavers from the Lahore district. ILO Field Project. Pakistan.

## Data Sources and Definitions

The majority of profiles in this report provide one or more of the following pieces of data: percentage of children counted as working; gross and net primary enrollment ratios; percent of children attending school; and survival rate to grade five. This section describes the sources and provides definitions for the child labor and education data that appear in this report's country profiles. 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. In the event that data did not exist from the sources described below and no other reliable and publicly available source of data exists for a country, the report concludes that the statistics are "unavailable."

### Working Children

Many of the profiles in this report present data on the percentage of children counted as working in the country in question. The percent of children counted as working is the share of all children within a given age group that reported working in market activities. Data presented in the current report may differ from data that were presented in previous reports because more updated data has become available.

Data are from the UCW project<sup>9</sup> analysis of primarily four survey types: 1) ILO's SIMPOC surveys; 2) UNICEF's Multiple Indicator Cluster Surveys (MICS); 3) World Bank (WB)-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). 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.<sup>10</sup>

Every effort was made to include the most recent, reliable and available data source among the four survey types. In countries where a SIMPOC, MICS, or World Bank-sponsored survey did not exist or the data were not available for analysis by the UCW project, other reliable and publicly-available sources of micro-data were analyzed and presented in the report.

In general, when research reports refer to children's work they define work as "economic activity." However, according to UCW researchers Guarcello et al., typical child labor surveys do not collect enough detailed information on children's activities to accurately measure economic activity.<sup>11</sup> Economic activity is defined by the ILO as "the production of economic goods and services as defined by the United Nations system of national accounts and balances during a specified time-reference period."<sup>12</sup> Economic activities can further be broken down into market and non-market activities. Market activities are those activities that lead to the production of goods and services that are primarily intended for sale or are sold on the market. Non-market activities are those activities that lead to the production of goods primarily for household final consumption. Non-market economic activities include, for example, bottling, dressmaking and tailoring, and the production of butter, cheese, or flour for the household's own consumption. Non-market activities are typically excluded from current child labor surveys altogether or are not measured in enough detail to enable their full inclusion in an estimate of economic activity. For these reasons, the statistic on working children presented in this report generally represents children involved in 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 (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 75 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 5 to 14, but some of the profiles present a work statistic for children 6 to 14, 7 to 14, or 10 to 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, one survey (Argentina) refers to work activities in the past twelve months and is therefore likely to capture a higher proportion of working children than surveys with 7 day time frames. 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>13</sup> The ILO and UCW continue to investigate the effects of these survey differences on estimates of children’s work.

When such information is available, the report also provides the percentage of boys and girls reported as working as well as the industry in which children reportedly work. For some surveys, industry of work was not reported by the entire sample of working children. Therefore, the distribution of children working by industry, i.e., agriculture, service, and manufacturing, represents children with non-missing data for industry of work.

### **Gross Primary Enrollment Ratio**

The gross primary enrollment ratio is the enrollment of primary students, regardless of age, expressed as a percentage of the total primary school-age population. The gross primary enrollment ratio describes the capacity of an education system to enroll students of primary school age. However, it does not mean that all children of official primary school age are actually enrolled. The gross primary enrollment ratio can be 100 percent or more due to the inclusion, in the numerator, of over-aged and under-aged pupils/students because of early or late entrants and grade repetition. In many countries, the official primary school-age group is 6 to 11 years. The differences in national systems of education and duration of schooling should be considered when comparing the ratios. Data are taken from UNESCO’s Institute for Statistics.<sup>14</sup>

### **Net Primary Enrollment Ratio**

The net primary enrollment ratio is the enrollment of primary students of the official primary school age expressed as a percentage of the primary school-age population. A high net primary enrollment ratio denotes a high degree of participation of the official school-age population. When compared with the gross primary enrollment ratio, the difference between the two ratios highlights the incidence of under-aged and over-aged enrollment. A net primary enrollment ratio below 100 percent provides a measure of the proportion of children not enrolled at the specified level of education. However, since some of these children could be enrolled at other levels of education, this difference should in no way be considered as an indication of the percentage of students not enrolled. Data are taken from UNESCO’s Institute for Statistics. The Institute collects this and other education data for more than 200 countries.<sup>15</sup>

## Percent of Children Attending School

The percent of children attending school is the share of all children within a specified age group that reported attending school. The UCW project data described in the Data Sources and Definitions Section under “Working Children” are used to develop country specific school attendance statistics. In general the age group for which attendance statistics are calculated is for children ages 5 to 14. In some cases, however, different age categories are used usually ranging from 6 to 14 or 7 to 14.

## Survival Rate to Grade Five

The survival rate to grade five is the percentage of a cohort of pupils (or students) enrolled in the first grade of a given level or cycle of education in a given school-year who are expected to reach grade five. The survival rates are calculated on the basis of the reconstructed cohort method, which uses data on enrollment and repeaters for 2 consecutive years. The survival rate measures the ability of an education system to retain children in school and keep them from dropping out. The survival rate to grade five of primary school is of particular interest since this is commonly considered as a prerequisite to sustainable literacy. Data are taken from UNESCO’s Institute for Statistics.<sup>16</sup>

All UNESCO data for the report were collected on January 7, 2008 and is available at <http://stats.uis.unesco.org/>.

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<sup>9</sup> As part of broader efforts towards durable solutions to child labor, the ILO, UNICEF and World Bank initiated the inter-agency Understanding Children’s Work (UCW) project in December 2000. The project is guided by the Oslo Agenda for Action, which laid out the priorities for the international community in the fight against child labor. For further information see the project Web site at: [www.ucw-project.org](http://www.ucw-project.org).

<sup>10</sup> A.R. Ritualo, C. Castro, and S. Gormly, "Measuring Child Labor: Implications for Policy and Program Design," *Comparative Labor Law and Policy* Vol. 24, 401 (2003).

<sup>11</sup> L. Guarcello, S. Lyon, F.C. Rosati, and C. Valdivia, *Towards statistical standards for children’s non economic work: A discussion based on household survey data*, UCW project, Rome, 2005.

<sup>12</sup> ILO, *Current International Recommendations on Labour Statistics: 2000 Edition*, Geneva, 2000.

<sup>13</sup> ILO-IPEC, *Every Child Counts: New Global Estimates on Child Labour*, Geneva, April 2002, 38. See also A.R. Ritualo, C. Castro, and S. Gormly, "Measuring Child Labor: Implications for Policy and Program Design."

<sup>14</sup> UNESCO Institute for Statistics, *Glossary: Gross enrolment rate*, [online] [cited February 6, 2006]; available from [http://www.uis.unesco.org/glossary/Term.aspx?name=Gross%20enrolment%20ratio%20\(GER\)&lang=en](http://www.uis.unesco.org/glossary/Term.aspx?name=Gross%20enrolment%20ratio%20(GER)&lang=en)

<sup>15</sup> UNESCO Institute for Statistics, *Glossary: Net enrolment rate*, [online] [cited February 6, 2006]; available from <http://www.uis.unesco.org/glossary/Term.aspx?name=Net%20enrolment%20rate&lang=en>.

<sup>16</sup> UNESCO Institute for Statistics, *Glossary: Survival rates by grade*, [online] [cited February 6, 2006]; available from <http://www.uis.unesco.org/glossary/Term.aspx?name=Survival%20rates%20by%20grade&lang=en>



# 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 Convention 182.

Source: United Nations, *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*, (September 7, 1956); available from <http://www.ilo.org/public/english/comp/child/standards/supcons.htm>. 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, D.C.: USDOL, 1994), 18. See also ILO-IPEC. *Child Labour: A Textbook for University Students, Appendix 2: Glossary*, 287. (Geneva: International Labour Office, 2004). See also ILO Convention No. 182, *Worst Forms of Child Labor*, (June 17, 1999); available from <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); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.

## Child Domestic Servants

Child domestic servants, also referred to as child domestic workers or domestics, are children who work in other people’s households doing domestic chores, caring for children, and running errands, among other tasks. Child domestics sometimes have live-in arrangements, whereby they live in their employer’s household and work full-time in exchange for room, board, care, and sometimes remuneration. Child domestic service is mainly done by young girls, who are often subjected to sexual, physical and verbal abuse.

Source: UNICEF, “Child Domestic Work,” *Innocenti Digest* 5 (1999), 2. See also ILO-IPEC, *Child Labour: A Textbook for University Students, Appendix 2: Glossary*, 287, (Geneva: International Labour Office, 2004).

## **Child Labor Education Initiative**

From FY 2001 to FY 2007, the U.S. Congress appropriated USD 265.4 million to USDOL for a Child Labor Education Initiative (EI) to support international efforts to eliminate child labor through programs that will improve access to basic education in international areas with a high rate of abusive child labor. In addition, the Education Initiative has four goals:

- Raise awareness of the importance of education for all children and mobilize a wide array of actors to improve and expand education infrastructures;
- Strengthen formal and transitional education systems that encourage working children and those at risk of working to attend school;
- Strengthen national institutions and policies on education and child labor; and
- Ensure the long-term sustainability of these efforts.

*Source:* U.S. Department of Labor, *Child Labor Education Initiative (EI)*, [online]; available from: <http://www.dol.gov/ilab/programs/iclp/education/main.htm>.

## **Commercial Farms**

Commercial farms are large-scale agricultural holdings that produce for largely commercial purposes. For the purposes of this report, the term, *commercial farms*, encompasses both farms and plantations, which are defined as agricultural holdings that produce commodities exclusively for export. Commercial farms generally pay workers by either the weight or the quantity of the product collected. To ensure that this minimal amount is met, or to maximize earnings, children may work alongside their parents, as part of a family unit. Children may also be hired as full-time wage-laborers, although they usually perform the same work as adult workers, but are paid one-half to one-third what is paid to adults doing comparable work. Workdays can be extremely long, and safety and health risks include exposure to dangerous chemical fertilizers or pesticides, poisonous insects or reptiles, and unsafe hygienic conditions and drinking water.

ILO Convention 138 prohibits the use of child labor on “plantation and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.” The line between “commercial” agriculture and “production for local consumption,” however, is frequently blurred.

*Source:* U.S. Department of Labor, *By the Sweat and Toil of Children, Vol. II: The Use of Child Labor in U.S. Agricultural Imports and Forced and Bonded Child Labor* (Washington, D.C.: USDOL, 1995), 2-4, 10. See also ILO Convention No. 138, *Minimum Age for Admission to Employment* (1973); available from: <http://www.ilo.org/ilolex/english/convdisp2.htm>.

## **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, 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 Convention 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, available from [http://www.csecworldcongress.org/PDF/en/Stockholm/Outcome\\_documents/Stockholm%20Declaration%201996\\_EN.pdf](http://www.csecworldcongress.org/PDF/en/Stockholm/Outcome_documents/Stockholm%20Declaration%201996_EN.pdf). UNICEF, *Child Protection Information Sheet: Commercial Sexual Exploitation* (May 2006), available from [http://www.unicef.org/protection/files/Sexual\\_Exploitation.pdf](http://www.unicef.org/protection/files/Sexual_Exploitation.pdf). See also: ECPAT International, *CSEC Definitions*, available from <http://www.ecpat.net/eng/CSEC/definitions/csec.htm>. See also ILO Convention No. 182, *Worst Forms of Child Labor* (June 17, 1999); available from <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.

## **Conditional Worst Forms of Child Labor**

Conditional worst forms refer to activities that can only be determined to be “worst forms” by relevant national authorities. Article 3 section (d) of ILO Convention 182 provides a general description of these potentially hazardous forms of labor, and Article 4 makes clear that such work should be defined by national laws. Some of these hazardous forms could constitute acceptable forms of work, if certain conditions were changed. Examples include work with dangerous tools or chemicals or work for long hours or at night.

Source: International Labour Organization, *Child Labour: A Textbook for University Students* (Geneva: International Labour Organization, 2004), 46-48; available from [http://www.ilo.org/public/english/standards/ipecc/publ/download/pol\\_textbook\\_2004.pdf](http://www.ilo.org/public/english/standards/ipecc/publ/download/pol_textbook_2004.pdf).

## **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 (March 5-9, 1990), [conference proceedings]; available from [http://www.unesco.org/education/efa/ed\\_for\\_all/background/orld\\_conference\\_jomtien.shtml](http://www.unesco.org/education/efa/ed_for_all/background/orld_conference_jomtien.shtml). See also UNESCO, *World Education Forum*, Dakar, Senegal (April 2000), [conference proceedings]; available from [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, available from [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 No. 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 Convention 182.

*Source:* ILO Convention No. 29, *Forced Labour* (1930); available from <http://www.ilo.org/public/english/dialogue/actrav/enviro/backgrnd/ilohrcon.htm>. See also ILO Convention No. 182, *Worst Forms of Child Labour* (1999); available from <http://www.ilo.org/public/english/standards/ipecc/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: International Labour Office, 2004).

### **Harkin-Engel Protocol**

In September 2001, negotiations between the Chocolate Manufacturers Association (CMA), the World Cocoa Foundation (WCF), and the Congressional offices of United States Senator Tom Harkin and United States Representative Eliot Engel culminated in the CMA and WCF signing the *Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products in a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor* (Harkin-Engel Protocol). The Harkin-Engel Protocol includes a public statement by the cocoa industry acknowledging the problem of forced child labor in West Africa and the industry’s intention to continue to commit significant resources to address the problem. It calls for a memorandum of cooperation between the major stakeholders to establish a joint action program of research, information exchange, and action to enforce international standards to eliminate the worst forms of child labor in the cocoa sector and to institute independent monitoring. The Harkin-Engel Protocol also includes a commitment by industry to develop and implement voluntary, industry-wide standards of public certification that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor.

The international cocoa industry did not meet the July 1, 2005 deadline established under the Harkin-Engel Protocol for certification of cocoa produced without the use of the worst forms of child labor. The international cocoa industry, however, committed itself at that time to a new deadline, based on the Joint Statement from U.S. Senator Tom Harkin, Representative Eliot Engel and the Chocolate/Cocoa Industry on Efforts to Address the Worst Forms of Child Labor in Cocoa Growing, in which the industry agreed to have in place a certification system covering 50 percent of the cocoa growing areas in Côte d’Ivoire and Ghana by July 1, 2008.

In signing the Joint Statement, the international cocoa industry also pledged to commit USD 5 million annually from 2005-2008 to support the full implementation of the certification system and for programs to improve the well-being of the farm families producing cocoa in West Africa, including efforts to eliminate the worst forms of child labor.

Since signing the protocol in 2001, the international cocoa industry, through the WCF, International Cocoa Initiative (ICI), and the Initiative for African Cocoa Communities (IACC), has contributed funding to the West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labor (WACAP) under the ILO's International Program on the Elimination of Child Labor (ILO-IPEC), Winrock International's Community-based Innovations to Reduce Child Labor through Education/Child Labor Alternatives through Sustainable Systems in Education (CIRCLE/CLASSE) project in Côte d'Ivoire, and the International Foundation for Education & Self-Help (IFESH) teacher training program in Côte d'Ivoire and Ghana.

*Source:* USDOL, Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d'Ivoire and Ghana (Solicitation), July 14, 2006; available from <http://www.fedbizopps.gov>.

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

ILO Convention 138, adopted in 1973 and ratified by 150 nations, serves as the principal ILO standard on child labor. Under Article 2(3) of ILO Convention 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 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 specify a minimum legal working age of 14 may permit light work for persons 12 to 14 years.

*Source:* ILO Convention No. 138, *Minimum Age for Admission to Employment* (1973); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>. Ratifications are current as of April 2008.

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

ILO Convention 182 was adopted in 1999 and has been ratified by 165 nations. 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;
- (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.

(See definitions of "Unconditional Worst Forms" and "Conditional Worst Forms" in this glossary for further information on the above categories.)

Among other actions, ILO Convention 182 requires ratifying nations to: remove children from abusive child labor and provide them with rehabilitation, social reintegration, 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); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>. Ratifications are current as of April 2008.

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

In 1992, the ILO created IPEC to work towards 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 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 IPEC usually sign an MOU outlining the development and implementation of IPEC activities and the efforts to be undertaken by governments to progressively eradicate child labor. IPEC National Program Steering Committees are then established with the participation of governments, industry and labor representatives, and experienced NGOs. 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. 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.

From fiscal year 1995 to fiscal year 2007, the U.S. Congress appropriated approximately USD 330 million for ILO-IPEC projects.

Source: ILO-IPEC, *What is IPEC: IPEC at a Glance*; available from: <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, 29; available from [http://www.ilo.org/iloroot/docstore/ipec/prod/eng/20070228\\_Implementation\\_report\\_en\\_Web.pdf](http://www.ilo.org/iloroot/docstore/ipec/prod/eng/20070228_Implementation_report_en_Web.pdf). See also *IPEC's Strategy to Eliminate Child Labour*; available from [http://www.ilo.org/public/English/standards/ipec/publ/download/factsheets/fs\\_ipecstrategy\\_0303.pdf](http://www.ilo.org/public/English/standards/ipec/publ/download/factsheets/fs_ipecstrategy_0303.pdf). See also U.S. Department of Labor, *International Program on the Elimination of Child Labor* [online]; available from <http://www.dol.gov/lab/programs/iclp/iloippec/main.htm>.

### **ILO-IPEC Associated Countries**

ILO-IPEC associated countries are those in which ILO-IPEC has initiated child labor projects with government permission, but which have not yet signed a formal Memorandum of Understanding (see also definitions for "ILO-IPEC Program Countries" and "ILO-IPEC"). As of February 2008, there were 25 countries associated with ILO-IPEC.

Source: ILO-IPEC, *IPEC Action Against Child Labour 2006-2007: Progress and future priorities*, Geneva, February 2008; available from <http://www.ilo.org/ippec/index.htm>.

### **ILO-IPEC Participating Countries**

ILO-IPEC participating countries are countries that have signed an MOU with IPEC, thereby committing to cooperate with ILO-IPEC on the implementation of child labor projects in their countries. As of February 2008, there were 63 ILO-IPEC participating countries.

Source: ILO-IPEC, *IPEC Action Against Child Labour 2006-2007: Progress and future priorities*, Geneva, February 2008; available from <http://www.ilo.org/ippec/index.htm>.

## **Informal Sector**

Definitions of the informal sector vary widely. In general, the informal sector refers to areas of economic activity that are largely unregulated and not subject to labor legislation. A more precise description of the informal sector by the ILO suggests “these units typically operate at a low level of organization, with little or no division between labor and capital as factors of production and on a small scale.” Furthermore, where labor relations exist, interactions are not based on contracts or formal arrangements; rather they are grounded on casual employment, kinship, and personal or social relations. Because employers in the informal sector are not accountable for complying with occupational safety measures, children who work in “hazardous” or “ultra-hazardous” settings likely run the risk of injury without any social protections. For this reason, households may be reluctant to indicate work by children in the informal sector, which can increase the probability of underreporting. In addition, because businesses in the informal sector are not usually included in official statistics, children working in informal sector enterprises do not show up in labor force activity rates.

*Source:* ILO, “Informal Sector: Who are they?” [online] 2000; available from <http://www.ilo.org/public/english/employment/skills/informal/who.htm>. See also ILO, proceedings of the 15<sup>th</sup> International Conference of Labor Statisticians, (Geneva, Switzerland, January 19-28, 1993). 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, D.C.: USDOL, 1994), 2.

## **Light Work**

This report uses the definition of light work as established in ILO Convention 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 may permit the employment or work of persons 12 to 14 years of age on light work as defined in article 7(1).

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

## **Minimum Age of Work**

The minimum age at which a child can enter into work. ILO Convention 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 (14 for developing countries).

*Source:* ILO-IPEC, *Child Labour: A Textbook for University Students, Appendix 2: Glossary*, 290. (Geneva: International Labour Office, 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. However, there should always be a strong link between such rehabilitation programs and the formal education system, since the latter will ensure opportunities for further education and employment.

*Source:* ILO-IPEC, *Child Labour: A Textbook for University Students, Appendix 2: Glossary*, 290. (Geneva: International Labour Office, 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 an unconditional worst form of child labor per ILO Convention 182, article 3a.

*Source:* Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, available from <http://www2.ohchr.org/english/law/crc-conflict.htm>

### **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 an unconditional worst form of child labor per ILO Convention 182, article 3b.

*Source:* Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography, available from <http://www2.ohchr.org/english/law/crc-sale.htm>

### **Poverty Reduction Strategy Paper**

A Poverty Reduction Strategy Paper 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 the 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 three years in order to continue receiving assistance from International Financial Institutions such as the World Bank.

*Source:* World Bank, *Overview of Poverty Reduction Strategies*, [online]; available from <http://www.worldbank.org/poverty/strategies/overview.htm>.

### **Primary Education**

Primary education, sometimes called elementary education, refers to school usually beginning at 5 or 7 years of age and covering about six 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**

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 Convention 182, article 3a.

*Source:* UNODC, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, [online] November 6, 2007 [cited December 10, 2007]; available from <http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-traffickingprotocol.html>

## **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's 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 deposited with the depository.

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, "Glossary of Terms Related to International Labor Standards," [online]; available from <http://www.ilo.org/public/english/standards/norm/sources/glossry.htm>. See also UNICEF, *The Process: From Signature to Ratification* [online]; available from <http://www.unicef.org/crc/process.htm>. See also ILO Convention No. 138: *Minimum Age for Admission to Employment*, Article 11; available from <http://www.ilo.org/ilolex/english/convdisp2.htm>. See also ILO Convention No. 182: *Worst Forms of Child Labor*, Article 9; available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.

## **Timebound Program**

Timebound Programs are particular child labor interventions implemented by ILO-IPEC in collaboration with governments that aim to prevent and eliminate all incidences of the worst forms of child labor in a country within a defined period. The objective is to eradicate these forms of child labor within a period of 5-10 years, depending on the magnitude and complexity of child labor in each country. Since the start of this initiative in 2001, Timebound Programs have been initiated in 23 countries.

*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, *IPEC Action Against Child Labour 2006-2007: Progress and future priorities*, Geneva, February 2008; available from <http://www.ilo.org/ipecc/index.htm>.

## **Trafficking of Children**

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, provides a commonly accepted definition of 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 Convention 182.

*Source:* United Nations, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 2000; available at <http://untreaty.un.org/English/notpubl/18-12-a.E.doc>. See also ILO Convention No. 182: *Worst Forms of Child Labor* (1999); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.

### **Unconditional Worst Forms of Child Labor**

Unconditional worst forms of child labor refer to activities that constitute worst forms by definition. Unconditional worst forms of child labor are generally illegal and objectionable forms of work, even for adults. They include slavery, forced or compulsory labor, trafficking, debt bondage, the forced recruitment of children into armed conflict, commercial sexual exploitation, and involvement in illicit activities. These forms have been identified as worst forms of child labor by the international community through the ratification of ILO Convention 182.

*Source:* International Labour Organization, *Child Labour: A Textbook for University Students* (Geneva: International Labour Organization, 2004), 46-48; available from [http://www.ilo.org/public/english/standards/ipecc/publ/download/pol\\_textbook\\_2004.pdf](http://www.ilo.org/public/english/standards/ipecc/publ/download/pol_textbook_2004.pdf).

### **Worst Forms of Child Labor**

See "ILO Convention 182: Worst Forms of Child Labor."

# COUNTRY PROFILES



# Afghanistan

## *Selected Statistics and Indicators on Child Labor<sup>17</sup>*

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	Secondary level
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	101
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No

### **Incidence and Nature of Child Labor**

Children in Afghanistan work as street vendors, shopkeepers, workshop assistants, blacksmiths, tailors, domestics, auto mechanics, carpet weavers, and in brick factories.<sup>18</sup> Children as young as 4 or 5 years old have been reported working.<sup>19</sup> In the cities, some children collect paper and scrap metal, shine shoes, and beg. In rural areas, many children work in agriculture.<sup>20</sup> Because of limited family incomes, many parents encourage their children to beg or work.<sup>21</sup> Years of conflict have left many families parentless and with child-headed households, thus forcing the children to work.<sup>22</sup>

Afghanistan is a country of origin and transit for children trafficked internally and to Iran, Pakistan, Saudi Arabia, Oman, Zambia, and Zimbabwe for forced labor as child soldiers, forced begging, commercial sexual exploitation, or debt bondage in the carpet and brick industries.<sup>23</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 15 years, although with parental approval, children may be employed at 14 years and may be hired as trainees at 13 years.<sup>24</sup> Children 16 to 18 years may only work 35 hours per week, and children under age 16 are only permitted to work 30 hours per week. The law does not permit children to be engaged in underground work or in conditions that are physically arduous or harmful to their health.<sup>25</sup> Working children under 18 years are entitled to 30 days paid vacation annually.<sup>26</sup> Enforcement is made difficult due to a lack of formal birth registrations and the concentration of child labor in the informal sector and agriculture, which are not covered by the labor law.<sup>27</sup> According to USDOS, the Government lacks the capacity to enforce child labor laws, and there is no evidence of effective enforcement of child labor laws in Afghanistan.<sup>28</sup>

The Constitution prohibits forced labor.<sup>29</sup> Until new laws are enacted, trafficking crimes may be prosecuted under laws dealing with kidnapping, rape, forced labor, transportation of minors, child endangerment, and hostage taking. Prison sentences for such offenses are longer for cases involving minors and girls.<sup>30</sup> The minimum age for recruitment into the Armed Forces is 18 years.<sup>31</sup>

Between 40 and 70 arrests of child traffickers were made by the Ministry of the Interior in 2007.<sup>32</sup> USDOS reports that law enforcement officials are often complicit in trafficking offenses.<sup>33</sup>

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

In collaboration with UNICEF, the Government oversees a National Plan of Action to Combat Child Trafficking that sets goals and timelines for reducing the number of children vulnerable to trafficking.<sup>34</sup> The Ministry of Labor, Social Affairs, Martyrs, and Disabled, in cooperation with the Ministry of Justice and Ministry of the Interior, are administering the National Strategy on the Protection of Children at Risk. This includes a separate chapter on the worst forms of child labor, with a focus on street children.<sup>35</sup> The Government

of Afghanistan provided land for IOM to build a shelter housing child trafficking victims in March 2007.<sup>36</sup> The Government also gave assistance to 400 victims of child trafficking after their return from Pakistan, Oman, Saudi Arabia, and Zimbabwe by providing shelter, education, health care, and when possible, reunification with their families.<sup>37</sup> A large trafficking awareness campaign was initiated by the Government with assistance from UNICEF in 2007.<sup>38</sup>

The Government has established 16 vocational training centers throughout the country. Between 2003 and 2006, the last date for which data is available, 12,000 unemployed youth and street children participated in training programs such as computer skills, English language, carpentry, carpet weaving, and tailoring.<sup>39</sup>

The Government participated in a USDOL-supported USD 5.27 million 4-year project (2003-2007) in which UNICEF worked to demobilize and reintegrate former child soldiers and war-affected youth. The project withdrew 9,463 children and prevented 3,151 children from child soldiering and other forms of exploitive child labor.<sup>40</sup> The Government is participating in a USAID-funded USD 385,000 anti-trafficking project implemented by the Asia Foundation. The project will provide training for vulnerable groups, as well as health care workers, religious leaders, and teachers to prevent trafficking. The Government is also participating in a USDOS-funded USD 277,100 anti-trafficking project implemented by IOM. The project will create links between the Ministry of Women's Affairs and the media in order to facilitate anti-trafficking media campaigns. The project will also provide referral services for victims of trafficking.<sup>41</sup>

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<sup>17</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Afghanistan, *Labour Code*, (June 11, 1987), article 20; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/6702/69052/F2057053744/AFG6702.pdf>. See also U.S. Embassy- Kabul, *reporting*, September 14, 2005. See also U.S. Department of State, "Afghanistan," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section

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5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100611.htm>. See also Government of Afghanistan, *Constitution*, (January 4, 2004), article 43; available from [http://www.oefre.unibe.ch/law/icl/af00000\\_.html](http://www.oefre.unibe.ch/law/icl/af00000_.html). See also U.S. Department of State, "Country Reports- 2007: Afghanistan," section 5. See also Anita Anastacio and Dawn Stallard, *Report Card: Progress on Compulsory Education, Grades 1-9*, the Human Rights Research and Advocacy Consortium, March 2004, 1.

<sup>18</sup> U.S. Department of State, "Country Reports- 2007: Afghanistan," section 6d. See also Integrated Regional Information Networks, "Afghanistan: Thousands of Child Labourers in Eastern Province Deprived of Education", IRINnews.org, [online], May 10, 2007 [cited March 17, 2008]; available from <http://www.irinnews.org/Report.aspx?ReportID=72062>. See also Government of Afghanistan, *Information on elimination of worst forms of child labor in Afghanistan*, December 30, 2007. See also U.S. Embassy- Kabul, *reporting*, December 13, 2007. See also Afghanistan Independent Human Rights Commission, *Situation of Child Labour in Afghanistan Research Report*, 2006, 3, 12; available from [http://www.aihrc.org.af/rep\\_child\\_labour\\_2006.pdf](http://www.aihrc.org.af/rep_child_labour_2006.pdf).

<sup>19</sup> Afghanistan Independent Human Rights Commission, *Situation of Child Labor in Afghanistan*, 15.

<sup>20</sup> U.S. Department of State, "Afghanistan," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78868.htm>. See also Integrated Regional Information Networks, "Afghanistan: UNICEF Expresses Concern about Child Labour", IRINnews.org, [online], December 6, 2005 [cited March 18, 2008]; available from <http://www.irinnews.org/report.asp?ReportID=50528&SelectRegion=Asia&SelectCountry=AFGHANISTAN>. See also Afghanistan Independent Human Rights Commission, *Situation of Child Labor in Afghanistan*, 13.

<sup>21</sup> U.S. Embassy- Kabul, *reporting*, December 13, 2007.

<sup>22</sup> A. B. Popal, *Child-Labor or Breadwinner*, UN-Habitat, October 8, 2004; available from <http://www.fukuoka.unhabitat.org/project/voice.php?sn=8&cn=2&la=1>.

<sup>23</sup> U.S. Department of State, "Afghanistan (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Country Reports- 2007: Afghanistan," section 5. See also U.S. Embassy- Kabul, *reporting*, September 14, 2005. See also Government of Afghanistan, *Information on elimination of worst forms of child labor in Afghanistan*.

<sup>24</sup> Government of Afghanistan, *Labour Code*, articles 20, 21.

<sup>25</sup> *Ibid.*, article 49. See also U.S. Embassy- Kabul, *reporting*, September 14, 2005.

<sup>26</sup> Government of Afghanistan, *Labour Code*, article 62.

<sup>27</sup> U.S. Embassy- Kabul, *reporting, December 13, 2007.*

<sup>28</sup> U.S. Department of State, "Country Reports- 2007: Afghanistan," section 6d. See also U.S. Embassy- Kabul, *reporting, September 14, 2005.*

<sup>29</sup> Government of Afghanistan, *Constitution*, article 49.

<sup>30</sup> U.S. Embassy- Kabul, *reporting*, March 12, 2004. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Afghanistan."

<sup>31</sup> UNICEF, *Demobilization of Child Soldiers and Socio-Economic Reintegration of War-affected Young People in Afghanistan*, Technical Progress Report, Kabul, February 28, 2007.

<sup>32</sup> U.S. Department of State, "Country Reports- 2007: Afghanistan," section 5.

<sup>33</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Afghanistan." See also U.S. Department of State, "Country Reports- 2007: Afghanistan," section 5.

<sup>34</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Afghanistan."

<sup>35</sup> Government of Afghanistan, *Information on elimination of worst forms of child labor in Afghanistan*. See also U.S. Embassy- Kabul, *reporting, December 13, 2007.*

<sup>36</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Afghanistan."

<sup>37</sup> *Ibid.*

<sup>38</sup> *Ibid.*

<sup>39</sup> Integrated Regional Information Networks,

"Afghanistan: Children Work the Streets to Support Families", IRINnews.org, [online], January 16, 2007 [cited December 10, 2007]; available from <http://www.irinnews.org/report.aspx?reportid=64363>.

<sup>40</sup> UNICEF, *Demobilization of Child Soldiers and Socio-Economic Reintegration of War-affected Young People in Afghanistan*, 10. See also Vera Chrobok, *Demobilizing and Reintegrating Afghanistan's Young Soldiers: A Review and Assessment of Program Planning and Implementation*, Bonn International Center for Conversion, Bonn, 2005, 39; available from <http://www.bicc.de/publications/papers/paper42/paper42.pdf>. See also UNICEF, *Demobilization of Child Soldiers and Socio-Economic Reintegration of War-affected Young People in Afghanistan*, technical progress report, September 2005, 5. See also UNICEF, *Demobilization of Child Soldiers, technical progress report*, 5. See also USDOL, *Demobilization of Child Soldiers and Socio-economic Reintegration of War-affected Young People in Afghanistan*, ILAB Technical Cooperation Project Summary, Washington, DC, 2008.

<sup>41</sup> U.S. Department of State, *USG Funds Obligated in FY 2007 for TIP Projects*, [online] February 2008 [cited March 14 2008], 15; available from <http://www.state.gov/documents/organization/101403.pdf>.

## Albania

### **Incidence and Nature of Child Labor**

Children in Albania can be found working as farmers, shepherds, shoe cleaners, car washers, textile workers, and shop vendors. Reports also indicate that children work as drug runners.<sup>42</sup> Children, including those under 16, also work in construction. In Bater, Bulqiza, Borje, and Klos, children of 16 and 17 years work in chromium mines.<sup>43</sup> Roma children are forced to work on the streets as beggars and vendors.<sup>44</sup> The majority of all children working on the streets are boys, whereas the majority of children working in the formal sector are girls.<sup>45</sup>

Children are trafficked internally from all regions to Tirana and Durres; children are also trafficked externally to Kosovo and Greece for sexual exploitation and begging.<sup>46</sup> The number of children

trafficked from Albania may be falling, but internal trafficking is reported to be rising. Due to poverty, Roma children are especially vulnerable to exploitation. Some children, especially Roma children and children residing in orphanages, have been kidnapped or sold by family members to traffickers.<sup>47</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age of employment at 16 years, but numerous regulations restrict the working conditions of children under the age of 18. Exceptions exist for children 14 to 18 years to do light work during school vacations and for children 14 to 16 years to participate in vocational training programs.<sup>48</sup> Night work is prohibited for all children younger than 18 years, and their work is

limited to 6 hours per day.<sup>49</sup> The law calls for fines for parents whose children fail to attend school during the compulsory education period of 9 years.<sup>50</sup>

prosecutors complained that trafficking victims often decided not to testify due to threats from their traffickers or safety concerns from their families.<sup>56</sup>

<i>Selected Statistics and Indicators on Child Labor<sup>51</sup></i>	
Working children, 7-14 years (%), 2000:	36.6
Working boys, 7-14 years (%), 2000:	41.1
Working girls, 7-14 years (%), 2000:	31.8
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2004:	105
Net primary enrollment rate (%), 2004:	94
School attendance, children 7-14 years (%), 2000:	50.9
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses.	

As of December 2006, the most recent date such information is available, the Labor Inspectorate within the Ministry of Labor employs 100 inspectors who are responsible for enforcing child labor laws as they pertain to registered businesses in the formal sector. Workplaces are inspected once every 5 years on average.<sup>57</sup> Labor inspectors also have legal authorization to carry out inspections at informal worksites, but according to the USDOS, there were no reports of enforcement in either the formal or informal sector.<sup>58</sup> USDOS reports indicate that law enforcement officials do not generally apply the minimum age requirement to Roma children working on the streets.<sup>59</sup> The Government has a specialized asset forfeiture unit dedicated to trafficking cases; however, there were no reports in 2006 of asset funds being disbursed to victims.<sup>60</sup> USDOS reports that law enforcement officials have been involved in trafficking-related corruption.<sup>61</sup>

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

The Government of Albania has a number of national strategies which have integrated child labor concerns.<sup>62</sup> The Action Plan of the National Strategy to Combat Trafficking in Human Beings 2005-2007 includes a Child Trafficking Strategy, though reports indicate that this initiative was not fully implemented.<sup>63</sup> ILO-IPEC worked actively to ensure that provisions for combating trafficking in children are integrated into the 2008-2012 National Anti-Trafficking Strategy.<sup>64</sup> The Government also has a National Strategy and Action Plan on Youth, which includes provisions for the establishment of information units on youth employment in all cities in Albania and includes reintegration strategies for formerly trafficked children.<sup>65</sup> Issues concerning the trafficking of children have also been mainstreamed into the National Strategy for Social Services (2005-2010) as well as the UN Common Country Assessment and the Albania National Report towards achieving the Millennium Development Goals.<sup>66</sup> Albania and Greece maintain a bilateral agreement that aims to protect and assist Albanian children trafficked in and to

The law forbids forced labor by any person, except in cases of execution of a judicial decision, military service, or for service during a state emergency or war.<sup>52</sup> The minimum age for voluntary military service is 18 years and compulsory military service is 19 years.<sup>53</sup>

In January 2008, the Government amended the Penal Code to provide stricter punishments for those responsible for exploiting children.<sup>54</sup> In Albania, manufacturing, distributing, advertising, importing, selling, or publishing pornographic material in the presence of a minor is punishable by law with fines or up to 2 years in prison. The punishment for child prostitution in Albania is between 5 and 10 years imprisonment.<sup>55</sup> The law sets penalties for trafficking, including 15 to 20 years imprisonment for trafficking of minors. Although Albania has a witness protection law for trafficking victims, the USDOS reports that

Greece, and contributes to the prevention of child trafficking in Albania.<sup>67</sup> Authorities from Albania and Kosovo met in October 2007 to strengthen cross border cooperation and establish direct contact between responsible officials involved in identifying victims of trafficking.<sup>68</sup>

In February 2007, the Ministry of Interior; the Ministry of Youth, Culture, and Sports; and the OSCE signed an MOU on the promotion and implementation of a code of conduct for the prevention of sexual exploitation of children in the tourism sector.<sup>69</sup>

The Government is participating in the USD 3.5 million USDOL-funded second phase of an ILO-IPEC project to combat child trafficking and other worst forms of child labor (2006-2009). The project operates in Albania, Bulgaria, the UN-administered Province of Kosovo, Moldova, Romania, and Ukraine. The aim of the project is to prevent or withdraw 4,500 children from exploitive labor throughout all of the participating countries.<sup>70</sup>

In 2007, Albania participated in three German Government-funded ILO-IPEC projects: a USD 2.23 million project to combat child labor in selected Stability Pact countries (2003-2007), a USD 606,000 prevention and reintegration program to combat trafficking of children for labor and sexual exploitation in the Balkans and Ukraine (2004-2007), and a USD 1.21 million project to combat the Worst Forms of Child Labor in Central Asia through education and youth employment (2000-2007).<sup>71</sup> The Albanian Government also participated in a USD 315,000 Italian Government-funded, ILO-IPEC project to develop a national program on the elimination of child labor in Albania.<sup>72</sup>

The Government provides facilities and staff referring trafficking victims to NGO and international organization-funded and administered services.<sup>73</sup> USAID supports the Reduce Trafficking in Persons project with the aims of increasing the involvement of NGOs in anti-trafficking activities, improving the protection system for trafficked and at-risk children, and building a national trafficking database. It also supports a project to reduce internal child trafficking in Albania, and external trafficking

between Albania and Greece and Italy.<sup>74</sup> The Government works with NGOs and international organizations on anti-trafficking prevention and awareness activities.<sup>75</sup> The Government of Albania is a member of the Southeast European Cooperative Initiative, and has participated in regional anti-trafficking efforts through the initiative's Regional Center for Combating Transborder Crime.<sup>76</sup> To implement the national plan of action against human trafficking, UNICEF, in cooperation with the Government, provided children, family members, and teachers with anti-trafficking educational materials, and reintegrated at-risk, abused or exploited children into the formal education system.<sup>77</sup> The Swedish International Development Agency (SIDA) provides funding to the anti-trafficking program carried out by IOM Tirana for women and children. UNICEF, USAID, the Greek Ministry of Foreign Affairs, and SIDA provided funding to Terre des Hommes to implement anti-child trafficking projects.<sup>78</sup>

<sup>42</sup> U.S. Department of State, "Country Reports- 2007: Albania," section 6d.

<sup>43</sup> PROTECT CEE, *Country Profile Albania*, [online] 2005 [cited November 25, 2007]; available from [http://www.ilo.org/iloroot/docstore/ippec/prod/eng/2005\\_fs\\_albania.pdf](http://www.ilo.org/iloroot/docstore/ippec/prod/eng/2005_fs_albania.pdf).

<sup>44</sup> U.S. Embassy- Tirana, *reporting*, December 14, 2006.

<sup>45</sup> PROTECT CEE, *Country Profile Albania*. See also U.S. Department of State, "Country Reports- 2007: Albania," section 6d.

<sup>46</sup> U.S. Department of State, "Country Reports- 2007: Albania," section 5.

<sup>47</sup> Ibid. See also U.S. Department of State, "Albania (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>48</sup> Government of Albania, *Labor Code as Cited in United Nations Study on Violence Against Children* available from <http://www2.ohchr.org/english/bodies/CRC/docs/study/responses/Albania.pdf>. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, Geneva, July 2006, 31.

<sup>49</sup> Government of Albania, *Labor Code*

<sup>50</sup> ILO-IPEC, *Trafficking and Other Worst Forms of Child Labor in Central and Eastern Europe (Phase II)*, project document, Geneva, 2006, 32.

<sup>51</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which

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education is compulsory, and free public education, see U.S. Department of State, "Albania," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, sections 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100544.htm>. See also Government of Albania, *Albanian Constitution*, chapter IV, article 57 (5); available from <http://www.parlament.al/eng/dokumenti.asp?id=1117&kujam=constituion>.

<sup>52</sup> Government of Albania, *Albanian Constitution*, article 20.

<sup>53</sup> Coalition to Stop the Use of Child Soldiers, "Albania," in *Child Soldiers Global Report*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=885](http://www.child-soldiers.org/document_get.php?id=885).

<sup>54</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, March 1, 2008, 31.

<sup>55</sup> Government of Albania, "Albania," in *Legislation of Interpol Member States on Sexual Offences against Children*, 2007; available from <http://www.interpol.int/public/Children/SexualAbuse/NationalLawsold/csaAlbania.asp>.

<sup>56</sup> U.S. Department of State, "Country Reports- 2007: Albania," section 5.

<sup>57</sup> U.S. Embassy- Tirana, *reporting*, December 14, 2006.

<sup>58</sup> Ibid. See also U.S. Department of State, "Country Reports- 2007: Albania," section 6d.

<sup>59</sup> U.S. Department of State, "Country Reports- 2007: Albania," section 6d.

<sup>60</sup> Ibid., section 5. See also U.S. Embassy- Tirana, *reporting*, August 26, 2005.

<sup>61</sup> U.S. Department of State, "Albania (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Country Reports- 2007: Albania," section 5.

<sup>62</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, March 2008, 8. See also Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Albania*, March 31, 2005, para 11 and 12; available from <http://www.unhcr.ch/tbs/doc.nsf/0/7d5e3444b12ac33dc1257018004dd14c?OpenDocument>.

<sup>63</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report. See also OSCE, *OSCE Presence in Albania*, [online] 2005 [cited October 22, 2006]; available

from <http://www.osce.org/albania/13138.html>. See also USAID, *USAid Albania: Achieving Peace and Security*, 2007; available from [http://albania.usaid.gov/gj2/40/category/Achieving\\_Peace\\_and\\_Security.htm](http://albania.usaid.gov/gj2/40/category/Achieving_Peace_and_Security.htm). See also U.S. Department of State, "Country Reports- 2007: Albania," section 5.

<sup>64</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, March 1, 2008, 8.

<sup>65</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labor in Central and Eastern Europe (Phase II)*, Technical Progress Report, March 2007.

<sup>66</sup> ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, Technical Progress Report, March 2005, 2.

<sup>67</sup> USAID, *Agreement between Albania and Greece Guarantees and Protects Rights of Child Trafficking Victims*, 2006; available from [www.usaid.gov/locations/europe\\_eurasia/press/success/2006-04-02.html](http://www.usaid.gov/locations/europe_eurasia/press/success/2006-04-02.html).

<sup>68</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report.

<sup>69</sup> ILO-IPEC, *Trafficking and Child Labor Project*, Technical Progress Report, March 2007.

<sup>70</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, September, 2007.

<sup>71</sup> ILO-IPEC official, E-mail communication to USDOL official, December 12, 2007.

<sup>72</sup> Ibid.

<sup>73</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Albania."

<sup>74</sup> USAID, *Data Sheet, USAID Mission: Albania, Program Title: Special Initiatives*, 2007; available from [http://www.usaid.gov/policy/budget/cbj2007/ee/pdf/al\\_182-0410.pdf](http://www.usaid.gov/policy/budget/cbj2007/ee/pdf/al_182-0410.pdf).

<sup>75</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Albania."

<sup>76</sup> SECI, *SECI Regional Center for Combating Transborder Crime*, [[cited November 30, 2007]; available from <http://www.secicenter.org/>.

<sup>77</sup> UNICEF, *Albania: Child Trafficking*, [online] [cited November 30, 2007]; available from [http://www.unicef.org/albania/protection\\_695.html](http://www.unicef.org/albania/protection_695.html).

<sup>78</sup> ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans & Ukraine*, Technical Progress Report, Geneva, August 31, 2006.

# Algeria

## Selected Statistics and Indicators on Child Labor<sup>79</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	112
Net primary enrollment rate (%), 2005:	97
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	96
ILO-IPEC participating country:	No

### Incidence and Nature of Child Labor

Children in Algeria work in small workshops, street vending, informal trades, and on family farms.<sup>80</sup> Children also work as domestic servants.<sup>81</sup> Algerian children may be trafficked internally for forced labor as domestic servants.<sup>82</sup>

### Child Labor Laws and Enforcement

The minimum age for employment in Algeria is 16 years, unless participating in an apprenticeship. The law does not state a minimum age for an apprenticeship.<sup>83</sup> The Ministry of Labor and Social Welfare may also grant permission for children under 16 years to work in certain fixed-term temporary jobs.<sup>84</sup> The law states that “minor workers” must have the permission of a legal guardian, and that they cannot participate in dangerous, unhealthy, or harmful work, or in work that may jeopardize their morality.<sup>85</sup> The Government has not, however, clearly defined the term “minor workers.” In addition, the minimum age law applies only to employment based on a

contract and therefore does not apply to all working children.<sup>86</sup> Night work is prohibited for youth under the age of 19 years.<sup>87</sup> Violations of labor laws are punishable by fines and, for repeat offenses, imprisonment of between 15 days and two months.<sup>88</sup>

Algerian law prohibits forced or compulsory labor.<sup>89</sup> The law provides for imprisonment of five to 10 years and fines for the corruption and debauchery of minors younger than age 19 years. The law also provides for five to 10 years of imprisonment and fines for involvement in the prostitution of minors.<sup>90</sup> The creation or distribution of pornography is prohibited by law, which provides for two months to two years of imprisonment and fines for offenses.<sup>91</sup> Although there is no law specifically prohibiting trafficking in persons, the law establishes penalties, including imprisonment from six months to life, for holding and transporting people against their will.<sup>92</sup> The law also provides for five to 10 years imprisonment and fines for involvement in trafficking victims into or out of Algeria for purposes of prostitution.<sup>93</sup> If such crimes involve minors, the prison term may be increased to 15 years and fines doubled.<sup>94</sup> In addition, the Government has stated that laws against illegal immigration are used to enforce anti-trafficking standards.<sup>95</sup> The minimum age for recruitment into military service is 19 years.<sup>96</sup>

The Ministry of Labor is responsible for enforcing minimum age laws. USDOS reports that the Ministry of Labor enforces minimum age laws through surprise inspections of public sector enterprises, but that it does not enforce the laws consistently in the agricultural or private sectors.<sup>97</sup> The Ministry of Interior, through the national and border police, and the Ministry of Defense, through the *gendarmerie* that operate in rural areas, have law enforcement responsibilities relating to trafficking.<sup>98</sup> From April 2006 to March 2007, the Government of Algeria reported no investigations into the trafficking of children for domestic service or improvements in protection services for trafficking victims.<sup>99</sup>

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

Research has not identified any policies or programs by the Government of Algeria to address exploitive child labor.

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<sup>79</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Algeria, *Code du travail*, article 15; available from [http://lexalgeria.net/titre\\_iiitravail.htm](http://lexalgeria.net/titre_iiitravail.htm). See also UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 2000: Algeria*, CRC/C/93/Add.7, prepared by Government of Algeria, pursuant to Article 44 of the Convention on the Rights of the Child, March 3, 2005, para 94; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/fef289cbac5d9292c12570180052d60d/\\$FILE/G0540613.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/fef289cbac5d9292c12570180052d60d/$FILE/G0540613.pdf). See also U.S. Department of State, "Algeria," in *Country Reports on Human Rights Practices-2007*, Washington, DC, March 11, 2007, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100592.htm>.

<sup>80</sup> U.S. Department of State, "Country Reports- 2007: Algeria," section 6d.

<sup>81</sup> UN Committee on the Rights of the Child, *Concluding Observations: Algeria*, CRC/C/15/Add.269, Geneva, October 12, 2005, para 78; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/d2316598f6190c4fc12570200049bd8d/\\$FILE/G0544259.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/d2316598f6190c4fc12570200049bd8d/$FILE/G0544259.pdf).

<sup>82</sup> U.S. Embassy- Algiers, *reporting*, December 12, 2007. See also U.S. Department of State, "Algeria (Tier 3 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>. See also U.S. Department of State, "Country Reports- 2007: Algeria," section 5.

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<sup>83</sup> Government of Algeria, *Code du travail*, article 15.

<sup>84</sup> UN Committee on the Rights of the Child, *Periodic Reports of States Parties: Algeria*, para 94.

<sup>85</sup> Government of Algeria, *Code du travail*, article 15.

<sup>86</sup> ILO, *Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22 and 35 of the Constitution), Third Item on the Agenda: Information and Reports on the Application of Conventions and Recommendations* ILO Conference, 92nd session, Geneva, 2005, article 2, paragraph 1 and article 3, paragraph 1; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=8170&chapter=6&query=%28algeria%29+%40ref+%2B+%28%23subject%3D03%29+%40ref&highlight=&querytype=bool&context=0>.

<sup>87</sup> Government of Algeria, *Code du travail*, article 28.

<sup>88</sup> UN Committee on the Rights of the Child, *Periodic Reports of States Parties: Algeria*, para 363. See also U.S. Embassy- Algiers, *reporting*, December 12, 2007.

<sup>89</sup> U.S. Department of State, "Country Reports- 2007: Algeria," section 6c.

<sup>90</sup> Government of Algeria, *Code pénal*, articles 342-344; available from <http://lexalgeria.free.fr/penal3.htm>.

<sup>91</sup> *Ibid.*, article 333bis.

<sup>92</sup> *Ibid.*, articles 291-294.

<sup>93</sup> *Ibid.*, article 344.

<sup>94</sup> U.S. Embassy- Algiers, *reporting*, March 6, 2007.

<sup>95</sup> U.S. Department of State, "Country Reports- 2007: Algeria," section 5.

<sup>96</sup> UN Committee on the Rights of the Child, *Periodic Reports of States Parties: Algeria*, para 94. See also Human Rights Watch, *Children's Rights/Child Soldiers Ratification Campaign: Algeria*, [online] 2006 [cited December 21, 2007]; available from <http://www.humanrightswatch.org/campaigns/crp/act/algeria.htm>.

<sup>97</sup> U.S. Department of State, "Country Reports- 2007: Algeria," section 6d.

<sup>98</sup> U.S. Embassy- Algiers, *reporting*, March 1, 2008.

<sup>99</sup> U.S. Department of State, "Trafficking in Persons Report: 2007."

# Angola

## *Selected Statistics and Indicators on Child Labor<sup>100</sup>*

Working children, 5-14 years (%), 2001:	25.7
Working boys, 5-14 years (%), 2001:	25.6
Working girls, 5-14 years (%), 2001:	25.9
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 1999:	64
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2001:	65.4
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

In Angola, most working children are found in the informal sector.<sup>101</sup> Children in rural areas are more likely to work than those in urban areas. Children living in provinces most affected by the country's lengthy civil war are more likely to work than those in less affected provinces.<sup>102</sup> Children work in agriculture on family farms and plantations; in domestic service; charcoal production; domestic chores such as fetching water; and street vending.<sup>103</sup> Boys and girls are engaged in loading and transporting heavy items. Boys are also engaged in washing cars and performing manual labor.<sup>104</sup> In all 18 provinces children grow and sell vegetables, and engage in commercial agriculture and selling other goods; in Benguela and Kwanza Sul these children have been found to often be employed for pay by members of the community outside their families.<sup>105</sup> Some children in rural areas also work in artesian diamond mining.<sup>106</sup>

The combination of poverty and years of war has led to an influx of orphaned and abandoned children working in urban areas.<sup>107</sup> At least 10,000 children work on the streets of the capital city of Luanda, according to UNICEF estimates. Street children are also common in Benguela, Huambo, and Kwanza Sul provinces.<sup>108</sup> While some street children had been previously kidnapped by military forces,<sup>109</sup> or had become displaced or separated from their families during the civil war,<sup>110</sup> the majority of street children that work on the streets return to their family homes at night.<sup>111</sup> Children working on the streets shine shoes, wash cars, and carry water.<sup>112</sup> Many are exploited in prostitution and are at high risk of sexual and other forms of violence and trafficking.<sup>113</sup>

Children are engaged in forced prostitution in Angola, and some are trafficked internally for this purpose, as well as for agricultural work.<sup>114</sup> Children are also engaged in the sale and transport of illegal drugs. There have been reports of Angolan children crossing the border into Namibia to engage in prostitution with truck drivers.<sup>115</sup> In remote areas along the border with Namibia, children are forced to work as couriers for cross-border trade by truck drivers attempting to avoid importation fees.<sup>116</sup> Children formerly associated with fighting forces and former child soldiers are among those most at risk for engaging in the worst forms of child labor.<sup>117</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment and apprenticeship in Angola is 14 years.<sup>118</sup> Children between ages 14 and 18 years are not permitted to work at night, under dangerous conditions, or in activities requiring great physical effort. Children under 16 years are restricted from working in factories.<sup>119</sup> Violations of child labor laws can be punished by fines.<sup>120</sup>

Angolan laws prohibit forced or bonded child labor.<sup>121</sup> The minimum age for voluntary recruitment into military service is 18 years for men and 20 years for women, while the minimum age for conscription is 20 years.<sup>122</sup> Trafficking in

persons is not specifically prohibited in Angola, but laws prohibit kidnapping, forced labor or bonded servitude, prostitution, illegal entry into the country, and pornography.<sup>123</sup> Sexual relations with children under 15 years can be categorized as sexual abuse and can result in up to 8 years of imprisonment or a fine.<sup>124</sup>

The Inspector General of the Ministry of Public Administration, Employment, and Social Security (MAPESS) has the ultimate authority to enforce labor laws, and the Ministry of Family and Women's Affairs plays a major role in the investigation of child labor complaints.<sup>125</sup> According to USDOS, the Government does not have the capacity to regulate child labor in the informal sector, where most children work.<sup>126</sup>

The Government of Angola engaged in activities to combat child trafficking. The National Institute for the Child (INAC) conducted spot checks of travelers along suspected child trafficking routes, through the use of six mobile teams working in the provinces. The Immigration Services also continued to operate checkpoints at many transit locations to verify the travel documentation of minors.<sup>127</sup>

Angola was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, especially Women and Children in West and Central African Regions.<sup>128</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>129</sup>

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

In 2007, the Government established the National Children's Council, comprised of various ministries and civil society organizations, to coordinate policies to combat exploitive child labor, sexual exploitation, and trafficking.<sup>130</sup> The Government's

Special Task Force (comprised of representatives from the Ministry of Social Assistance and Reintegration, the INAC, and the Ministry of Women and Family) continues to implement a plan to address the needs of street children.<sup>131</sup> The Ministry of Health provided funds to combat child prostitution through raising children's awareness about HIV/AIDS.<sup>132</sup> The Ministry of the Interior is partnering with IOM to train immigration agents and law enforcement officials to recognize and respond to cases of child trafficking.<sup>133</sup>

The Government of Angola participates in a project to combat exploitive child labor in Angola through the provision of educational services, implemented by Christian Children's Fund and World Learning for Educational Development. Funded in 2007 by USDOL at USD 3.48 million, and by Christian Children's Fund at USD 1.25 million, the project targets 2,653 children for withdrawal and 4,347 children for prevention from exploitive child labor in the capital city of Luanda and the province of Benguela.<sup>134</sup>

The Government works closely with IOM and UNICEF on efforts to combat trafficking. In 2007, the Government implemented a campaign to raise public awareness of child trafficking and issued numerous statements against child prostitution.<sup>135</sup> The INAC is currently working with the MAPESS, the Ministry of Interior, and municipal governments to implement a project funded by the Government of St. Kitts and Nevis to prevent child labor among street children in Benguela and Lobito.<sup>136</sup> The INAC also continues to work with UNICEF to develop Child Protection Networks at the provincial and municipal levels, which bring together government and civil society actors to coordinate their efforts to assist children. These networks helped children who were victims of trafficking to receive government services from a number of ministries.<sup>137</sup> A new Child Protection Network was launched in the province of Luanda in 2007.<sup>138</sup>

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<sup>100</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see F. Blanco Allais, *Children's work in Angola: An overview*,

Rome: The Understanding Children's Work Project, December 2007, 19-20; available from [http://www.ucw-project.org/pdf/publications/standard\\_blanco\\_angola.pdf](http://www.ucw-project.org/pdf/publications/standard_blanco_angola.pdf). See also ILO, *C138 Minimum Age Convention, 1973 Ratified by Angola on 13:06:2001*, accessed March 15, 2008; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>. See also UNESCO, *EFA Global Monitoring Report 2005: Education for All- The Quality Imperative*, Paris, 2004; available from <http://unesdoc.unesco.org/images/0013/001373/137333e.pdf>. See also Clare Ignatowski, Cristina Rodrigues, and Ramon Balestino, *Youth Assessment in Angola*, Washington, D.C.: USAID, March 31, 2006, 8-9; available from <http://www.usaid.gov/ao/youthassessment.pdf>.

<sup>101</sup> U.S. Department of State, "Angola," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007>. See also UN Committee of Experts, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention- Concluding Observations: Angola, 37th session*, November 3, 2004, para 64.

<sup>102</sup> Allais, *Children's work in Angola*, 10 and 12.

<sup>103</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 6d.

<sup>104</sup> Clare Ignatowski, Cristina Rodrigues, and Balestino, *Youth Assessment in Angola*, 10. See also US Department of State official, E-mail communication to USDOL official, July 24, 2008.

<sup>105</sup> Khulisa Management Services, *Situational Assessment of Child Labor in Benguela and Kwanza Sul Provinces, Angola*, Johannesburg, February 20, 2007, 40-41. See also US Department of State official, E-mail communication, July 24, 2008.

<sup>106</sup> Rafael Marques, *Beyond 'Conflict Diamonds': A New Report on Human Rights and Angolan Diamonds*, Woodrow Wilson International Center for Scholars, March 24, 2005. See also US Department of State official, E-mail communication, July 24, 2008.

<sup>107</sup> U.S. Embassy- Luanda, *reporting, September 16, 2005*.

<sup>108</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 6d.

<sup>109</sup> Christian Children's Fund and World Learning for International Development, *Education to Prevent Child Labor in Angola: ONJOI Application*, Richmond, March 9, 2007, 8.

<sup>110</sup> U.S. Embassy- Luanda official, conference call to USDOL official, March 9, 2005. See also U.S. Department of State, "Country Reports- 2007: Angola."

<sup>111</sup> United Nations Office for the Coordination of Humanitarian Affairs, *Humanitarian Situation in Angola: Monthly Analysis, October-November 2004*, 2004; available from

<http://www.reliefweb.int/rw/rwb.nsf/0/cc3855c3fc3ff171c1256f70003834fa?OpenDocument>. See also U.S. Department of State, "Country Reports- 2007: Angola," section 5.

<sup>112</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 5.

<sup>113</sup> UN Committee of Experts, *CRC Concluding Observations: Angola*, para 66. See also Governo de Unidade e Reconciliação Nacional República de Angola, *Relatório de Seguimento das Metas da Cimeira Mundial pela Infância*, December 2000, 13; available from [http://www.unicef.org/specialsession/how\\_country/dr\\_angola\\_pt.PDF](http://www.unicef.org/specialsession/how_country/dr_angola_pt.PDF).

<sup>114</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 6d. See also U.S. Embassy- Luanda, *reporting*, March 3, 2008, para 3A.

<sup>115</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 5.

<sup>116</sup> U.S. Department of State, "Angola (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>117</sup> Christian Children's Fund and World Learning for International Development, *ONJOI Application*, 5.

<sup>118</sup> Allais, *Children's work in Angola*, 19-20. See also ILO, *Minimum Age Convention Ratified by Angola*. See also U.S. Department of State, "Country Reports- 2007: Angola," section 6d.

<sup>119</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 6d.

<sup>120</sup> Ibid.

<sup>121</sup> Ibid., section 6c.

<sup>122</sup> Coalition to Stop the Use of Child Soldiers, "Angola," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=757](http://www.child-soldiers.org/document_get.php?id=757).

<sup>123</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Angola." See also U.S. Department of State, "Country Reports- 2007: Angola," section 5.

<sup>124</sup> U.S. Embassy- Luanda, *reporting*, December 14, 2007, para 2.

<sup>125</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 6d.

<sup>126</sup> Ibid.

<sup>127</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Angola."

<sup>128</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006. See also ILO-IPEC Geneva official, E-mail communication to USDOL official, November 16, 2006.

<sup>129</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in West and Central Africa*. See also ILO-IPEC, *Combating the Trafficking of Children*

for *Labor Exploitation in West and Central Africa (LUTRENA)*, technical progress report, Geneva, September 1, 2007. See also Emmanuel Goujon, *African States Sign up to Fight Human Trafficking*, press release, Agence France Presse, Abuja, July 7, 2006.

<sup>130</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 5.

<sup>131</sup> U.S. Embassy- Luanda official, E-mail communication to USDOL official, April 10, 2007. See also United Nations Office for the Coordination of Humanitarian Affairs, *Humanitarian Situation in Angola: Oct.-Nov. 2004*.

<sup>132</sup> U.S. Embassy- Luanda, reporting, December 14, 2007.

<sup>133</sup> US Department of State official, E-mail communication, July 24, 2008.

<sup>134</sup> Christian Children's Fund and World Learning for International Development, *ONJOI Application*.

<sup>135</sup> U.S. Embassy- Luanda, reporting, March 3, 2008, paras 3E and 6B.

<sup>136</sup> Khulisa Management Services, *Child Labor Assessment in Benguela and Kwanza Sul*, 59.

<sup>137</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Angola."

<sup>138</sup> U.S. Department of State, "Country Reports- 2007: Angola," section 5.

## Argentina

### *Selected Statistics and Indicators on Child Labor<sup>139</sup>*

Working children, 10-14 years (%), 1997:	20.7
Working boys, 10-14 years (%), 1997:	25.4
Working girls, 10-14 years (%), 1997:	16
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	18
Free public education:	Yes
Gross primary enrollment rate (%), 2004:	113
Net primary enrollment rate (%), 2003:	99
School attendance, children 5-14 years (%), 1997:	96.6
Survival rate to grade 5 (%), 2003:	97
ILO-IPEC participating country:	Yes

### **Incidence and Nature of Child Labor**

In rural areas of Argentina, children work in family and third-party farms in the production of flowers, tomatoes, and strawberries, often handling pesticides without proper protection.<sup>140</sup> In urban areas, children are engaged in domestic service, food preparation, street sales, trash recycling, and

garment production.<sup>141</sup> They also work in small and medium businesses and workshops, and they perform odd jobs such as opening taxi doors, washing car windshields, and shining shoes.<sup>142</sup> Some children in Argentina are exploited in prostitution, sex tourism, and drug trafficking.<sup>143</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 14 years. The Government authorizes children under 14 years to work in family businesses under special circumstances.<sup>144</sup> Children 14 to 18 years must present medical certificates that attest to their ability to work and must undergo periodical medical checkups.<sup>145</sup> In addition, a Government regulation specifically prohibits the employment of children under 14 years in domestic service.<sup>146</sup> Children who have not completed compulsory schooling may obtain permission to work in cases for which their income is necessary for their family's survival, as long as they continue their studies.<sup>147</sup> Children 14 to 18 years are prohibited from working more than six hours a day and 36 hours a week, and between the hours of 8 p.m. and 6 a.m. In some cases, however, children 16 to 18 years can work additional hours.<sup>148</sup>

The law provides for 6 to 15 years of imprisonment for facilitating the prostitution of children under 13 years of age, and 4 to 10 years when it involves children 13 to 17 years old.<sup>149</sup> The publication and

distribution of pornography that features minors carries penalties of 6 months to 4 years of imprisonment.<sup>150</sup> In 2007, the Buenos Aires City Legislature increased penalties for enabling the commercial sexual exploitation of children. The promotion, publication, provision of assistance, websites, or services to third parties involving children and adolescents in sexual activities are punished by fines, arrests up to 90 days, and business closures.<sup>151</sup> Argentine law establishes penalties for the smuggling of minors that range from 5 to 20 years imprisonment.<sup>152</sup> The lack of anti-trafficking laws prevents the Government's systematic collection of data and statistics related to efforts to combat trafficking. However, USDOS reports some progress during the April 2006 to March 2007 period, including two cases involving trafficking of minors which resulted in sentences of 14 years and 4 years in prison.<sup>153</sup> Argentine law sets the minimum age for volunteering for the Argentine Armed Forces at 18 years.<sup>154</sup>

The Government has trained hundreds of labor inspectors and other social actors in identifying child labor, developing an interdisciplinary approach to the child labor problem.<sup>155</sup> However, statistics on the number of child labor investigations are not officially kept at the national or provincial levels.<sup>156</sup>

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

The National Commission for the Eradication of Child Labor (CONAETI), conducted seminars with the 19 provincial Commissions for the Eradication of Child Labor (COPRETIS) to provide training to provincial authorities responsible for enforcing labor laws and raising awareness regarding exploitive child labor.<sup>157</sup> CONAETI continued with the implementation of the National Plan to Combat Child Labor, which calls for the national consolidation of data, awareness raising, inter-institutional collaboration, stronger inspection mechanisms, mainstreaming of child laborers into the formal education system, research, coordination of child labor laws, and a national program for the prevention and eradication of child labor in rural and urban settings.<sup>158</sup> The purpose of the plan is to prevent school dropout, provide psychological and health assistance to children, and strengthen families.<sup>159</sup> CONAETI provides

technical assistance to action programs implemented by NGOs addressing child labor in the tobacco and trash-picking sectors, including workshops with tobacco producers to encourage corporate social responsibility on child labor issues.<sup>160</sup> The Government works with several NGOs in addressing CSEC in the triborder area with Brazil and Paraguay. The effort involves disseminating information on prevention and available assistance for victims. A trilateral network has been established involving local government and civil society to help coordinate the efforts to combat trafficking.<sup>161</sup>

The Government of Argentina and other associate and member governments of MERCOSUR are conducting the "Niño Sur" ("Southern Child") initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking and child labor, mutual technical assistance in adjusting the legal framework to international standards on those issues, and the exchange of best practices related to victims protection and assistance.<sup>162</sup>

The Ministry of Education's Integral Program for Educational Equality strengthens the provision of basic education in urban schools that serve vulnerable populations.<sup>163</sup> The Ministry of Education also provides scholarships to reintegrate children who have dropped out of school to work, and supports children who work and attend school. The program provides children's parents with job search assistance and job training.<sup>164</sup>

Since September 2007, the IDB is funding a project for the Prevention and Eradication of Child Labor in Migrant Families. The project, implemented by the IOM, works with families engaged in garbage scavenging and recycling; providing them with services and regularizing their immigration status.<sup>165</sup> Argentina participates in a USD 2.1 million regional ILO-IPEC child labor survey funded by Canada. The country is also part of a 460,000 Euros ILO-IPEC global initiative funded by the Netherlands to combat child domestic work.<sup>166</sup>

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<sup>139</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For

minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Argentina, *Ley de Contrato de Trabajo*, Ley No. 20.744, (May 13, 1976), article 189; available from <http://www.trabajo.gov.ar/legislacion/ley/index.html>. See also U.S. Department of State, "Argentina," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100625.htm>. See also Government of Argentina, *Ley de Educación Nacional*, No. 26.206, (2006), article 11; available from [http://www.me.gov.ar/doc\\_pdf/ley\\_de\\_educ\\_nac.pdf](http://www.me.gov.ar/doc_pdf/ley_de_educ_nac.pdf).

<sup>140</sup> CONAETI, *Trabajo infantil rural*, [online] [cited December 5, 2007]; available from [http://www.trabajo.gov.ar/conaeti/que\\_es/rural.htm](http://www.trabajo.gov.ar/conaeti/que_es/rural.htm).

<sup>141</sup> U.S. Department of State, "Country Reports- 2007: Argentina," section 6d. See also CONAETI, *Trabajo infantil urbano*, [online] [cited January 26, 2007]; available from [http://www.trabajo.gov.ar/conaeti/que\\_es/urbano.htm](http://www.trabajo.gov.ar/conaeti/que_es/urbano.htm).

<sup>142</sup> CONAETI, *Trabajo infantil urbano*.

<sup>143</sup> Ibid. See also U.S. Department of State, "Country Reports- 2007: Argentina," section 6d. See also ECPAT International CSEC Database, *Argentina*, accessed December 5, 2007; available from <http://www.ecpat.net/>.

<sup>144</sup> U.S. Department of State, "Country Reports- 2007: Argentina," section 6d.

<sup>145</sup> Government of Argentina, *Ley de Contrato de Trabajo*, articles 187-189.

<sup>146</sup> Government of Argentina, *Decreto Ley 326/56*, article 2; available from [http://www.trabajo.gov.ar/asesoramiento/files/decreto\\_20ley%20326\\_56.doc](http://www.trabajo.gov.ar/asesoramiento/files/decreto_20ley%20326_56.doc).

<sup>147</sup> Government of Argentina, *Ley de Contrato de Trabajo*, article 189.

<sup>148</sup> Ibid., article 190.

<sup>149</sup> Government of Argentina, *Código Penal*, Título III, (1921), article 125 bis; available from [http://www.justiniano.com/codigos\\_juridicos/codigos\\_argentina.htm](http://www.justiniano.com/codigos_juridicos/codigos_argentina.htm).

<sup>150</sup> Ibid., article 128.

<sup>151</sup> U.S. Embassy- Buenos Aires, *reporting*, December 4, 2007.

<sup>152</sup> World Bank, *Education Excellence and Equity Project*, accessed October 22, 2006, article 121; available from <http://web.worldbank.org/external/projects/main?pagePK=64283627&piPK=73230&theSitePK=301412&menu>

PK=301444&Projectid=P078933.

<sup>153</sup> U.S. Department of State, "Argentina (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 5, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Country Reports- 2007: Argentina," section 5.

<sup>154</sup> OSCE, *OSCE Presence in Albania*, [online] 2005 [cited October 22, 2006], article 8; available from <http://www.osce.org/albania/13138.html>.

<sup>155</sup> U.S. Embassy- Buenos Aires, *reporting*, December 4, 2007. See also Ministerio de Trabajo Empleo y Seguridad Social, *Programa de formación e información sistemática en materia de prevención y erradicación del trabajo infantil*.

<sup>156</sup> U.S. Embassy- Buenos Aires, *reporting*, December 4, 2007.

<sup>157</sup> Ibid.

<sup>158</sup> CONAETI, *Plan Nacional para la Prevención y Erradicación del Trabajo Infantil*, October 31, 2002; available from [http://www.trabajo.gov.ar/conaeti/actividades/files/plan\\_nacional\\_consensuado.doc](http://www.trabajo.gov.ar/conaeti/actividades/files/plan_nacional_consensuado.doc).

<sup>159</sup> U.S. Department of State, "Country Reports- 2007: Argentina," section 6d.

<sup>160</sup> CONAETI, *Informe de gestión anual*, 2005. See also CONAETI, *Report on the basic fundamental norms on the worst forms of child labor and its eradication*.

<sup>161</sup> U.S. Department of State, "Country Reports- 2007: Argentina," section 6d.

<sup>162</sup> Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited December 7, 2007]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>.

<sup>163</sup> Ministry of Education, *Programa Integral para la Igualdad Educativa*, [online] [cited December 4, 2007]; available from [http://curriform.me.gov.ar/piie/index.php?option=com\\_frontpage&Itemid=1](http://curriform.me.gov.ar/piie/index.php?option=com_frontpage&Itemid=1).

<sup>164</sup> U.S. Embassy - Buenos Aires, *reporting*, December 4, 2007, U.S. Embassy- Buenos Aires, *reporting*, December 4, 2007. See also Ministry of Education, *Programa Nacional de Inclusión Educativa*, [online] [cited December 4, 2007]; available from <http://www.me.gov.ar/todosaestudiar/>.

<sup>165</sup> IDB, *Prevention and Eradication of Child Labour in Migrant Families*, 2007; available from <http://www.iadb.org/projects/Project.cfm?project=AR-T1031&Language=English#>.

<sup>166</sup> ILO-IPEC, E-mail communication to USDOL official, December 12, 2007.

# Armenia

## *Selected Statistics and Indicators on Child Labor<sup>167</sup>*

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	94
Net primary enrollment rate (%), 2005:	79
School attendance, children 5-14 years (%), Year:	-
Survival rate to grade 5 (%), Year:	-
ILO-IPEC participating country:	No

### **Incidence and Nature of Child Labor**

Children in Armenia work in family-run businesses. Children can be observed selling flowers and drawings on the streets of Yerevan and working in local marketplaces, usually after school.<sup>168</sup> There have been reports of increasing numbers of children begging on the streets and dropping out of school to work in the informal sector, especially in agriculture.<sup>169</sup> In rural areas, children work in fishing and as shepherds.<sup>170</sup> Children work in trade and construction in urban areas. There have also been a few cases of children working in mining.<sup>171</sup> Reports indicate that children are trafficked to Russia, Turkey, and the United Arab Emirates for the purposes of sexual and labor exploitation.<sup>172</sup>

### **Child Labor Laws and Enforcement**

The minimum age of employment is 16 years, but the law allows children 14 to 16 years to work, with written permission from a parent or guardian. Children under 14 years are prohibited from working.<sup>173</sup> Children 14 to 16 years may work up to 24 hours per week, and children 16 to 18 years may work a maximum of 36 hours per week.<sup>174</sup> Employers must require proof of a medical examination from any employee under 18 years.<sup>175</sup> Children under 18 years are also prohibited from working overtime, at night, or in hazardous conditions and cannot be required to work on holidays.<sup>176</sup> Armenian law prohibits engaging children in the production, use or sale of alcoholic drinks, narcotics and psychotropic substances, tobacco products, literature and videos with erotic or horror content, or activities that may compromise children's health, physical or mental development, or interfere with their education.<sup>177</sup>

The Armenian Constitution prohibits forced and compulsory labor.<sup>178</sup> Trafficking in persons is prohibited by law, and penalties for trafficking have recently been strengthened to include child trafficking as an aggravated circumstance, which is punishable by 3 to 15 years imprisonment.<sup>179</sup> Legislation implemented in 2006 distinguished the crime of trafficking from that of organized prostitution and pimping.<sup>180</sup> Sexual intercourse with a minor under 16 years is punishable by up to 2 years imprisonment, and involving underage children in prostitution or pornography can result in 6 years imprisonment.<sup>181</sup> The law gives responsibility to the Government to protect children from criminal activities, prostitution, and begging.<sup>182</sup> The minimum age for mandatory military service is 18 years.<sup>183</sup>

The Armenian State Labor Inspectorate (SLI) is responsible for ensuring compliance with child labor laws.<sup>184</sup> However, the SLI reports that it has not received any complaints of child exploitation since its establishment in March 2005, and therefore has not conducted any investigations. The SLI has also not been trained on child exploitation issues.<sup>185</sup>

Local community councils, unemployment offices, and courts likewise have jurisdiction to enforce the laws on the minimum working age.<sup>186</sup>

### **Current Government Efforts to Eliminate the Worst Forms of Child Labor**

In 2007, the Armenian Association of Social Workers, with funding from UNICEF, conducted a survey to gauge underage employment in Armenia.<sup>187</sup> The Government is collaborating with international organizations and NGOs on a variety of counter-trafficking efforts, including mass-media public awareness campaigns and victim hotlines.<sup>188</sup> With the assistance of the Russian Migration Agency in Armenia, the Armenian Migration Agency conducts awareness campaigns to prevent the illegal migration and labor trafficking of boys to Russia.<sup>189</sup> The UNDP is also working with the Government to develop anti-trafficking legislation and strengthen victim assistance efforts.<sup>190</sup> The OSCE likewise assists the Government with anti-trafficking legislation.<sup>191</sup> With the help of international organizations, the Government published a field manual for its consular offices abroad to use in interviewing and repatriating Armenian trafficking victims.<sup>192</sup> UNICEF collaborates with appropriate ministries and NGOs to prevent trafficking in children, and the Office of the United Nations High Commissioner for Refugees assists victims seeking asylum.<sup>193</sup>

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<sup>167</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Armenia, *Labor Code of the Republic of Armenia*, (November 9, 2004), article 17. See also U.S. Department of State, "Armenia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100546.htm>.

<sup>168</sup> U.S. Department of State, "Country Reports- 2007: Armenia," section 6d.

<sup>169</sup> National Center for Democracy and Human Rights, *NGO Report: Supplementary Report to Armenia's Second Periodic Report on the Implementation of the UN Convention on the Rights of the Child*, Yerevan, January 30, 2004, 17; available from <http://www.crin.org/docs/resources/treaties/crc.35/a>

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rmenia\_ngo\_report.pdf. See also UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Armenia*, Geneva, January 30, 2004, para 60; available from <http://www.unhchr.ch/html/menu2/6/crc/doc/co/Armenia%20-%20CO2.pdf>.

<sup>170</sup> Vostan Ethno-Cultural Research Center official, Interview with USDOL consultant, June 6, 2006.

<sup>171</sup> U.S. Embassy- Yerevan, *reporting*, December 12, 2007.

<sup>172</sup> U.S. Department of State, "Country Reports- 2007: Armenia," section 5. See also U.S. Department of State, "Armenia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 23, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>.

<sup>173</sup> Government of Armenia, *Labor Code of the Republic of Armenia*, article 17.

<sup>174</sup> *Ibid.*, article 140.

<sup>175</sup> *Ibid.*, article 249.

<sup>176</sup> *Ibid.* articles 144, 148, 257. U.S. Embassy- Yerevan official, E-mail communication to USDOL official, July 21, 2008.

<sup>177</sup> *Ibid.*

<sup>178</sup> Government of Armenia, *Constitution of the Republic of Armenia*, (July 7, 1995); available from [http://www.gov.am/enversion/legal\\_1/legal\\_sahman\\_all.html#09](http://www.gov.am/enversion/legal_1/legal_sahman_all.html#09). See also U.S. Department of State, "Country Reports- 2007: Armenia," section 6c.

<sup>179</sup> U.S. Department of State, "Country Reports- 2007: Armenia," section 5.,

<sup>180</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Armenia."

<sup>181</sup> Government of Armenia, *Criminal Code*, article 141 and 166; available from <http://www.legislationline.org/upload/legislations/db/3a/bb9bb21f5c6170dad5efd70578c.htm>. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Armenia*, July 17, 2003, para 413; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/693ad0fbc22529cbc1256dc70027de86/\\$FILE/G0343131.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/693ad0fbc22529cbc1256dc70027de86/$FILE/G0343131.pdf).

<sup>182</sup> U.S. Embassy- Yerevan official, E-mail communication, July 21, 2008. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Armenia (2003)*, para 414.

<sup>183</sup> U.S. Embassy- Yerevan official, E-mail communication, July 21, 2008.

<sup>184</sup> Government of Armenia, *Law on the State Labor Inspectorate of the Republic of Armenia of 2005*, article 10.

<sup>185</sup> U.S. Embassy- Yerevan, *reporting*, December 12, 2007.

<sup>186</sup> U.S. Department of State, "Country Reports- 2007:

Armenia," section 5, 6d.

<sup>187</sup> U.S. Embassy- Yerevan, *reporting, December 12, 2007.*

<sup>188</sup> U.S. Department of State, "Country Reports- 2007: Armenia," section 5.

<sup>189</sup> U.S. Embassy- Yerevan, *reporting, December 12, 2007.*

<sup>190</sup> UNDP, *UNDP in Armenia: Latest News and Press Releases*, [online] 2006 [cited December 10, 2007]; available from <http://www.undp.am/?page=LatestNews&id+309>.

<sup>191</sup> OSCE, *Trafficking in Human Beings in the Republic of Armenia: An Assessment of Current Responses*, Yerevan, 2007; available from [http://www.osce.org/documents/oy/2007/04/24090\\_en.pdf](http://www.osce.org/documents/oy/2007/04/24090_en.pdf).

<sup>192</sup> U.S. Department of State, "Country Reports- 2007: Armenia," section 5.

<sup>193</sup> OSCE, *Trafficking in Human Beings in the Republic of Armenia.*

## Bahrain

### *Selected Statistics and Indicators on Child Labor<sup>194</sup>*

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	111
Net primary enrollment rate (%), 2005:	98
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	99
ILO-IPEC participating country:	No

### **Incidence and Nature of Child Labor**

Small numbers of children in Bahrain perform non-hazardous work in the Manama Central Market, and although not common, some children work in family businesses.<sup>195</sup>

The Ministry of Labor (MOL) grants permits to Bahraini companies to employ foreign workers, and immigration officials ensure that foreign workers entering Bahrain are 18 years of age or older.<sup>196</sup> There have been isolated incidents of the use of false documents to gain entry into the country for workers under age 18.<sup>197</sup>

### **Child Labor Laws and Enforcement**

The law forbids the employment of children younger than 14 years.<sup>198</sup> Minors 14 to 16 years may work no more than 6 hours per day, with one hour of rest during daytime hours; minors may not work overtime or be paid on a piece-rate basis.<sup>199</sup> The law also establishes a list of 25 occupations in which no person younger than 16 years may work.<sup>200</sup> Working minors 14 to 16 years must obtain authorization to work from the MOL, must undergo a medical examination prior to being employed, and must be granted annual leave of not less than one full month.<sup>201</sup> However, these provisions do not apply to children working in family enterprises. Those under the supervision of a family member are exempt from the Labour Law.<sup>202</sup>

The MOL is responsible for enforcing child labor laws and regulations.<sup>203</sup> There are currently 43 labor investigators who are given training to monitor and enforce the laws regarding child labor.<sup>204</sup> Violations of child labor laws are punishable by fines. In addition to levying punishment against employers and supervisors, the law holds responsible any person acting as a

guardian who permits the employment of a child or minor in violation of the law's provisions.<sup>205</sup> USDOS reports that MOL enforcement of child labor laws is adequate in the industrial sector, but not as effective outside that sector.<sup>206</sup>

The Constitution outlaws compulsory labor, except in cases specified by law or pursuant to a judicial hearing.<sup>207</sup> Also, employers found guilty of using forced labor can be liable to imprisonment of up to 10 years.<sup>208</sup> On January 9, 2008, the King enacted a new anti-trafficking law with stiff penalties. It defines trafficking, outlines specific penalties, and grants an intergovernmental committee the right to oversee the victim's welfare.<sup>209</sup> Anyone found guilty of any form of trafficking faces a prison term of between 3 and 15 years, along with a fine.<sup>210</sup> The law considers trafficking of women or persons under the age of 15 years as aggravating circumstances, and sentences are doubled.<sup>211</sup> This increases the maximum sentence to life in prison.<sup>212</sup> Prostitution is illegal; forcing or enticing a child under 18 years into prostitution is punishable by between 10 days and 2 years of imprisonment.<sup>213</sup> It is illegal to print, possess, or display publications, pictures, and other media that violate public morals.<sup>214</sup> While there is no compulsory military service in Bahrain, juveniles can be recruited into the Bahraini Defense Force from the age of 17 years. This age limit can be disregarded in times of necessity. Cadets can be recruited from the age of 15 years.<sup>215</sup>

Although the Ministry of Interior has enabled the development of a specialized unit to investigate trafficking allegations,<sup>216</sup> according to USDOS, prosecutions for trafficking-related offenses are rare. The Government did not prosecute any cases of trafficking for involuntary servitude or forced prostitution, during the April 2006 through March 2007 period, the latest time period for which such information is available.<sup>217</sup>

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

In 2006, the Government opened a shelter to provide services to female trafficking victims. Victims can only enter the shelter by referral. Foreign victims of trafficking for sexual exploitation do not receive protection from the

Government and are immediately processed for deportation.<sup>218</sup>

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<sup>194</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Bahrain, *Labour Law for the Private Sector, as amended*, No. 23, (June 16, 1976), article 50; available from <http://www.mol.gov.bh/MOL/En/Legislations/ListLaws.aspx?ChnlNm=Labour%20Law>. See also U.S. Department of State, "Bahrain," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100593.htm>.

<sup>195</sup> U.S. Embassy- Manama, *reporting*, August 27, 2005.

<sup>196</sup> U.S. Embassy- Manama official, E-mail communication to USDOL official, March 19, 2007.

<sup>197</sup> U.S. Embassy- Manama, *reporting*, March 5, 2007.

<sup>198</sup> Government of Bahrain, *Labour Law for the Private Sector*.

<sup>199</sup> *Ibid.*, chapter 8, articles 52, 53, and 54.

<sup>200</sup> *Ibid.*, Article 51. See also U.S. Department of Labor, *Laws Governing Exploitative Child Labor Report: Bahrain*, Washington, D.C., September 1, 2005; available from <http://www.dol.gov/ilab/media/reports/usfta/BahrainLaws.pdf>.

<sup>201</sup> Government of Bahrain, *Labour Law for the Private Sector*, Articles 51 and 55.

<sup>202</sup> *Ibid.*, chapter 1(article 2), chapter 8 (article 58).

<sup>203</sup> U.S. Department of State, "Country Reports- 2007: Bahrain," section 6c.

<sup>204</sup> U.S. Embassy- Manama, *reporting*, January 23, 2008.

<sup>205</sup> Government of Bahrain, *Labour Law for the Private Sector*, chapter 20, article 163.

<sup>206</sup> U.S. Department of State, "Country Reports- 2007: Bahrain," section 6d.

<sup>207</sup> Government of Bahrain, *Constitution of the State of Bahrain*, (February 14, 2002), Article 13(c); available from [http://www.oefre.unibe.ch/law/icl/ba00000\\_.html](http://www.oefre.unibe.ch/law/icl/ba00000_.html).

<sup>208</sup> U.S. Embassy - Manama, *reporting*, March 5, 2007.

<sup>209</sup> Government of Bahrain, *Law No. (1) of 2008 with Respect to Trafficking in Persons*, (January 9, 2008). See also U.S. Embassy- Manama, *reporting*, March 8, 2008.

<sup>210</sup> Government of Bahrain, *Law on Trafficking in Persons*, Article 2. See also U.S. Department of State Official, E-mail communication to USDOL Official, July 29, 2008.

<sup>211</sup> Government of Bahrain, *Law on Trafficking in Persons*, Article 4(2). See also U.S. Department of State Official, E-mail communication, July 29, 2008.

<sup>212</sup> U.S. Embassy- Manama, *reporting*, March 8, 2008.

<sup>213</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention (No. 182) Bahrain (ratification: 2001)*, [online] 2006 [cited November 21, 2007 2006], article 7(b); available from <http://webfusion.ilo.org/public/db/standards/normes/appl/>. See also ECPAT International CSEC Database, *Bahrain*, November 26, 2007; available from <http://www.ecpat.net/>. Interpol, *Legislation of Interpol Member States on Sexual Offenses Against Children: Bahrain*, November 26, 2007; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaBahrain.asp>. See also U.S. Department of State, "Country Reports- 2007: Bahrain."

<sup>214</sup> ILO Committee of Experts, *Direct Request: Bahrain*.

<sup>215</sup> Coalition to Stop the Use of Child Soldiers, "Bahrain," in *Child Soldiers Global Report 2004*, London, November 17, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=940](http://www.child-soldiers.org/document_get.php?id=940).

<sup>216</sup> U.S. Embassy- Manama, *reporting, March 8, 2008*.

<sup>217</sup> U.S. Department of State, "Bahrain (Tier 3)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 1, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>.

<sup>218</sup> Ibid.

## Bangladesh

### *Selected Statistics and Indicators on Child Labor<sup>219</sup>*

Working children, 5-14 years (%), 2006:	13.6
Working boys, 5-14 years (%), 2006:	21.3
Working girls, 5-14 years (%), 2006:	5.6
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	10
Free public education:	Yes
Gross primary enrollment rate (%), 2004:	103
Net primary enrollment rate (%), 2004:	89
School attendance, children 5-14 years (%), 2007:	76.9
Survival rate to grade 5 (%), 2003:	65
ILO-IPEC participating country:	Yes

### **Incidence and Nature of Child Labor**

Most working children in Bangladesh live in rural areas, and many begin to work at a very early age.<sup>220</sup> Children are found working in the following activities, sometimes under hazardous conditions: auto repair; battery recharging and recycling; road

transport, such as rickshaw-pulling and fare-collecting; saw milling; welding; metalworking; carpentry; fish drying; fish farming; leather tanning; construction; and garment manufacturing.<sup>221</sup> According to a survey by the ILO, there are over 421,000 children, mostly girls, working as domestic servants in private households, some in exploitive conditions.<sup>222</sup> These child domestics are vulnerable to abuse, including sexual abuse.<sup>223</sup>

According to a Government of Bangladesh survey, street children, mostly boys, can be found in urban areas engaging in various forms of work such as begging, portering, shining shoes, collecting paper, and selling flowers and other items.<sup>224</sup>

Boys and girls, often those living on the streets, are exploited in illicit activities including smuggling and trading arms and drugs.<sup>225</sup> Large numbers of children are exploited in the commercial sex industry.<sup>226</sup> Trafficking of children for prostitution, domestic service, and other purposes is a significant problem in Bangladesh; some parents send their children willingly into trafficking situations in hopes that the children will escape poverty.<sup>227</sup> Bangladeshi children, especially boys, continue to be trafficked into debt bondage in Gulf countries. Boys have also been trafficked for camel jockeying.<sup>228</sup>

In the aftermath of the November 2007 natural disaster, over 4,000 primary schools have been closed.<sup>229</sup> Although the direct effect of this disaster on child labor remains unknown, a Save the Children report indicates that it may push children into exploitive work.<sup>230</sup>

### **Child Labor Laws and Enforcement**

The law states that no child under the age of 14 years shall be allowed to work in any profession or establishment. Children 14 to 18 years are considered young people and there are restrictions on the types of jobs and hours they can work.<sup>231</sup> Young people working in factories may not use certain dangerous machines without adequate training and supervision, they also may not perform certain tasks while machinery is moving, and the law allows for the Government to publish lists of jobs that they are not allowed to perform.<sup>232</sup> No young person is allowed to work in a factory or a mine for more than 5 hours a day and 30 hours a week. In all other types of establishments, young people may not work more than 7 hours a day and 42 hours a week. Additionally, young people are not allowed to work between the hours of 7 p.m. and 7 a.m.<sup>233</sup> The law provides an exception for children age 12 to 13 to participate in light work that does not interfere with school and does not endanger their health or development.<sup>234</sup>

The Office of the Chief Inspector of Factories and Establishments under the Ministry of Labor and Employment is responsible for implementation and enforcement of labor laws, including child labor provisions. According to USDOS, the Chief Inspector does not have adequate resources to enforce labor law compliance throughout the country.<sup>235</sup> The ministry has approximately 150 inspectors and related support staff.<sup>236</sup> Generally, child labor violations are remedied with a verbal warning.<sup>237</sup> Although the vast majority of child labor occurs in the agriculture and informal sectors, officials inspect only formal sector workplaces and focus primarily on the ready-made garment industry.<sup>238</sup>

The law forbids forced labor and prohibits parents or guardians from pledging their children's labor in exchange for a payment or benefit.<sup>239</sup> It is illegal to sell, let to hire, hire procure, encourage, abet, or otherwise obtain possession of any person under 18

for the purpose of prostitution or to maintain a brothel for these purposes. These offenses are punishable by imprisonment of up to 3 years.<sup>240</sup> Child trafficking, which includes importing, exporting, buying, selling, or taking into possession any child for immoral or unlawful purposes, is illegal and punishable by life imprisonment or death.<sup>241</sup> The law also provides for traffickers who have fled to other countries to be extradited to Bangladesh for trial.<sup>242</sup> It is illegal to instigate any person, including a child, to produce or deal in narcotic drugs; this crime is punishable by 3 to 15 years of imprisonment.<sup>243</sup> The minimum age for voluntary military service is 18 years, and there is no forced conscription in Bangladesh.<sup>244</sup>

During the reporting period, the Government has strengthened its efforts to combat trafficking by expanding anti-trafficking units within the police force to every district of the country and providing trafficking in persons training to members of the National Police Academy and other public officials.<sup>245</sup> The Government has also continued its efforts to investigate and prosecute public officials complicit in trafficking crimes.<sup>246</sup>

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

The Government of Bangladesh under the Ministry of Labor and Employment has funded a national program titled the Eradication of Hazardous Child Labor in Bangladesh.<sup>247</sup> It is being implemented by NGOs and targets 21 sectors in which child labor occurs. The goal is to provide working children additional skills to allow them to transition out of hazardous occupations. The program, set to expire in June 2009, is currently in its second phase, and the Government has allocated USD 4.2 million for 3 years.<sup>248</sup>

The Third National Plan of Action for Children (2005-2010) commits the government to carry out a variety of tasks to eliminate the worst forms of child labor, with a particular focus on child domestic workers, migrants, refugees, and other vulnerable groups. The commitments include introducing regulations, ensuring working children's access to education, and strengthening the labor inspectorate.<sup>249</sup> The Ministry of Labor and Employment has a dedicated Child Labor Cell, and the Government includes a child labor component

in its compulsory training program for entry-level diplomatic personnel and border guards.<sup>250</sup> The Government's Poverty Reduction Strategy Paper includes as a strategic goal taking immediate and effective measures to eliminate the worst forms of child labor, with a target of increasing the knowledge base about child labor and children's rights, and a future priority of legal reform to bring all child labor legislation in line with international standards.<sup>251</sup>

The Ministry of Home Affairs (MOHA) is the lead agency on anti-trafficking issues; it chairs an inter-ministerial committee that oversees the country's National Anti-Trafficking Strategic Plan for Action.<sup>252</sup> In March 2007, MOHA published its annual report on Combating Trafficking in Women and Children.<sup>253</sup> The Ministry of Women and Children's Affairs is currently implementing its National Plan of Action Against the Sexual Abuse and Exploitation of Children Including Trafficking.<sup>254</sup> The plan calls for legal reforms; improved mechanisms for reporting child abuse; greater access to safe spaces and support services for victims and children at risk; and coordinated approaches to monitoring and law enforcement, among other efforts.<sup>255</sup>

The Government works closely with IOM and other NGOs on their efforts to combat child trafficking through prevention, awareness-raising, rescue, rehabilitation, law enforcement training, research, advocacy, and cross-border collaboration.<sup>256</sup> The Ministry of Social Welfare operates programs, including training and development centers, for street children and other vulnerable minors.<sup>257</sup> In collaboration with NGOs and in cooperation with the United Arab Emirates, the Government operates a coordinated mechanism to monitor the repatriation, rehabilitation, and social reintegration of child camel jockeys who have been trafficked.<sup>258</sup> The Government has also implemented procedures that have increased the scrutiny given to the passport applications of children traveling without their parents.<sup>259</sup>

During the reporting period, the Government has been implementing the Bangladesh Labour Welfare Foundation 2006 in an effort to ensure the protection of child workers in both the formal and informal sectors.<sup>260</sup> UNICEF is collaborating closely

with the Government to implement the second phase of the Basic Education for Hard-to-Reach Urban Working Children project, which will continue through 2011. The project is setting up 8,000 education centers to provide non-formal education and livelihood skills to 200,000 working children and adolescents.<sup>261</sup> A Netherlands-funded project implemented by ILO-IPEC began in April 2006. The project will run through December 2011 and aims at preventing and eliminating the worst forms of child labor in the informal economy in Dhaka.<sup>262</sup>

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<sup>219</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Embassy- Dhaka, *reporting*, December 19, 2007. See also UNESCO Institute for Statistics, *Ending Age of Compulsory Education*, accessed March 18, 2008; available from <http://stats.uis.unesco.org/>. See also U.S. Department of State, "Bangladesh," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100612.htm>. See also EFA UNESCO, *EFA Global Monitoring Report 2008*, 2007; available from <http://www.unesco.org/education/gmr2008/press/Full-report.pdf>.

<sup>220</sup> U.S. Department of State, "Country Reports- 2007: Bangladesh," section 6d. See also Bangladesh Bureau of Statistics, *Report on National Child Labour Survey 2002-03*, Dhaka, December 2003; available from [http://www.ilo.org/iloroot/docstore/ipec/prod/eng/2003\\_bd\\_report\\_en.pdf](http://www.ilo.org/iloroot/docstore/ipec/prod/eng/2003_bd_report_en.pdf).

<sup>221</sup> Bangladesh Bureau of Statistics, *Baseline Survey on Working Children in Automobile Establishments*, Dhaka, November 2003; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ipec/download/resources/bangladesh/bgdpubl03eng7.pdf>. See also Bangladesh Bureau of Statistics, *Baseline Survey on Child Workers in Battery Recharging/Recycling Sector, 2002-03*, Dhaka, February 2004; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ipec/download/resources/bangladesh/bgdpubl04eng1.pdf>. See also Bangladesh Bureau of Statistics, *Report of the Baseline Survey on Child Workers in Road Transport Sector*, Dhaka, March 2004; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ipec/download/resources/bangladesh/bgdpubl04eng2.pdf>. See also U.S. Department of State, "Country Reports- 2007: Bangladesh," sections 5, 6c, and 6d. See

also Bangladesh Bureau of Statistics, *National Child Labour Survey 2002-03*, 191.

<sup>222</sup> ILO Labour Office- Dhaka, *Baseline Survey on Child Domestic Labour (CDL) in Bangladesh*, December 2006; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=4647>. See also U.S. Department of State, "Country Reports- 2007: Bangladesh," section 6c. See also UNICEF, *Basic Education for Hard-to-Reach Urban Working Children*, [online] [cited December 14, 2007]; available from [http://www.unicef.org/bangladesh/Education\\_for\\_Working\\_Children\\_\(BEHTRUWC\).pdf](http://www.unicef.org/bangladesh/Education_for_Working_Children_(BEHTRUWC).pdf).

<sup>223</sup> U.S. Department of State, "Country Reports- 2007: Bangladesh," section 5, 6c. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182) Bangladesh (ratification: 2001)*, [online] 2005 [cited December 14, 2007]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=8259&chapter=6&query=%28Bangladesh%29+%40ref&highlight=&querytype=bool&context=0>.

<sup>224</sup> Bangladesh Bureau of Statistics, *Baseline Survey of Street Children in Bangladesh*, Dhaka, December 7, 2003, ix-x; available from [http://www.ilo.org/iloroot/docstore/ipec/prod/eng/2003\\_streetchildren\\_bangladesh.pdf](http://www.ilo.org/iloroot/docstore/ipec/prod/eng/2003_streetchildren_bangladesh.pdf).

<sup>225</sup> Ibid., x. See also Coalition to Stop the Use of Child Soldiers, "Child Soldiers: CRC Country Briefs," (February 1, 2003); available from [http://www.child-soldiers.org/document\\_get.php?id=731](http://www.child-soldiers.org/document_get.php?id=731). See also ECPAT International, *South Asia Regional Consultation on Prostitution of Boys*, press release, Dhaka, June 8-9, 2006.

<sup>226</sup> U.S. Department of State, "Country Reports- 2007: Bangladesh," section 5.

<sup>227</sup> Ibid. See also U.S. Department of State, "Bangladesh (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 23, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>228</sup> U.S. Embassy - Dhaka, *reporting*, March 1, 2007. See also U.S. Embassy- Dhaka, *reporting*, March 4, 2008.

<sup>229</sup> Integrated Regional Information Networks, "Bangladesh: Over 4,000 primary schools closed by floods", IRINnews.org, [online], August 21, 2007 [cited May 6, 2008]; available from <http://www.irinnews.org/Report.aspx?ReportId=73833>.

<sup>230</sup> Save the Children UK, "After the cyclone - Shahana's story from Bangladesh", [savethechildren.org.uk](http://www.savethechildren.org.uk), [online], December 3, 2007 [cited May 6, 2008]; available from [http://www.savethechildren.org.uk/en/41\\_3988.htm](http://www.savethechildren.org.uk/en/41_3988.htm).

<sup>231</sup> U.S. Embassy - Dhaka, *reporting*, December 19, 2007.

<sup>232</sup> Government of Bangladesh, *Labour Code, 2006* (June 2,

2006).

<sup>233</sup> Ibid.

<sup>234</sup> Ibid.

<sup>235</sup> U.S. Embassy- Dhaka, *reporting*, December 19, 2007.

<sup>236</sup> Ibid.

<sup>237</sup> Ibid.

<sup>238</sup> U.S. Department of State, "Country Reports- 2007: Bangladesh," section 6d.

<sup>239</sup> Government of Bangladesh, *Labour Code, 2006*. See also Government of Bangladesh, *Constitution of the People's Republic of Bangladesh (as modified up to 17 May, 2004)*, (November 4, 1972); available from <http://www.pmo.gov.bd/constitution/contents.htm>.

<sup>240</sup> Salma Ali, *Report on Laws and Legal Procedures Concerning the Commercial Sexual Exploitation of Children in Bangladesh*, Bangkok, October 2004, 15, 17, 46; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/promoting\\_law/bangladesh\\_report/Laws\\_Legal\\_Procedures\\_Bangladesh\\_Oct2004.pdf](http://www.ecpat.net/eng/Ecpat_inter/projects/promoting_law/bangladesh_report/Laws_Legal_Procedures_Bangladesh_Oct2004.pdf). See also Government of Bangladesh, *Suppression of Immoral Traffic Act, Act No. VI, (1933)*, articles 9-12.

<sup>241</sup> Government of Bangladesh, *Suppression of Violence against Women and Children Act, Act. No. VIII, (2000)*, article 6. See also Salma Ali, *Laws on CSEC in Bangladesh*, 16, 20.

<sup>242</sup> Salma Ali, *Laws on CSEC in Bangladesh*, 25.

<sup>243</sup> Government of Bangladesh, *The Narcotics Control Act, No. XX, (1990)*.

<sup>244</sup> U.S. Central Intelligence Agency, *World Factbook: Bangladesh*, [online] December 13, 2007 [cited December 14, 2007]; available from <https://www.cia.gov/cia/publications/factbook/fields/2024.html>. See also Coalition to Stop the Use of Child Soldiers, "CRC Country Briefs."

<sup>245</sup> U.S. Embassy- Dhaka, *reporting*, March 4, 2008. See also U.S. Department of State, "Country Reports- 2007: Bangladesh," section 5.

<sup>246</sup> U.S. Embassy- Dhaka, *reporting*, March 4, 2008. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Bangladesh."

<sup>247</sup> U.S. Embassy - Dhaka, *reporting*, December 19, 2007. See also Government of Bangladesh, *Written Communication*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Dhaka, December 5, 2007.

<sup>248</sup> U.S. Embassy - Dhaka, *reporting*, December 19, 2007.

<sup>249</sup> Ibid. See also Government of Bangladesh, *National Plan of Action for Children: Bangladesh*, Dhaka, June 22, 2005, 38, 79-80; available from <http://www.lcgbangladesh.org/Education/reports/NPA%20Master%20Clean%20Final%2022%20June%202005>.

pdf.

<sup>250</sup> ILO-IPEC, *Preventing and Eliminating the Worst Forms of Child Labour in Selected Formal and Informal Sectors in Bangladesh*, final technical progress report, Geneva, May 15, 2006, 2.

<sup>251</sup> Government of Bangladesh, *Unlocking the Potential: National Strategy for Accelerated Poverty Reduction, Poverty Reduction Strategy Paper*, Dhaka, October 16, 2005, 323; available from <http://www.imf.org/external/pubs/ft/scr/2005/cr05410.pdf>.

<sup>252</sup> U.S. Department of State, "Country Reports- 2007: Bangladesh," section 5. See also U.S. Embassy- Dhaka, *reporting*, March 2, 2006.

<sup>253</sup> U.S. Embassy- Dhaka, *reporting*, March 4, 2008.

<sup>254</sup> Government of Bangladesh, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (July 29, 2005) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, September 12, 2005.

<sup>255</sup> United Nations Population Fund, *UNFPA Global Population Policy Update*, [online] March 16, 2004 [cited December 18, 2007]; available from <http://www.unfpa.org/parliamentarians/news/newsletters/issue17.htm>, UNFPA, *UNFPA Global Population Policy Update*, [online] March 16, 2004 [cited December

18, 2007]; available from <http://www.unfpa.org/parliamentarians/news/newsletters/issue17.htm>.

<sup>256</sup> U.S. Embassy - Dhaka, *reporting*, March 1, 2007. See also U.S. Department of State, "Country Reports- 2007: Bangladesh," section 5.

<sup>257</sup> 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 Children on the Sale of Children, Child Prostitution and Child Pornography: Initial Reports of States Parties*, Geneva, December 23, 2005; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.OPSC.BGD.1.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.OPSC.BGD.1.En?OpenDocument).

<sup>258</sup> U.S. Department of State, "Country Reports- 2007: Bangladesh," section 5. See also U.S. Embassy - Dhaka, *reporting*, December 19, 2007.

<sup>259</sup> U.S. Embassy - Dhaka, *reporting*, December 19, 2007.

<sup>260</sup> Government of Bangladesh, *Written Communication*, submitted in response to U.S. Department of Labor Federal Register Notice.

<sup>261</sup> UNICEF, *Basic Education for Hard-to-Reach Urban Working Children*.

<sup>262</sup> ILO-IPEC official, E-mail communication to USDOL official, December 6, 2007.

## Barbados

### Incidence and Nature of Child Labor

The ILO Subregional Office for the Caribbean conducted a survey of child work in Barbados in 2002 and found that children were involved in work in the services industry, vending, trades, and family-related businesses.<sup>263</sup> Boys were mostly involved in construction, electrical repairs/installations, fruit vending, horse grooming, and assisting at supermarkets. Girls worked as shop assistants. The working conditions for these children were characterized by long hours, and irregular pay and low remuneration.<sup>264</sup>

There have been reports of children involved in commercial sexual exploitation, including reports of boys and girls being involved in sex tourism.<sup>265</sup> In some instances parents have compelled their children to become prostitutes in Bridgetown's red light district.<sup>266</sup> There are unsubstantiated reports of women and girls being trafficked to Barbados for sexual exploitation in brothels and strips clubs, and also for forced domestic service.<sup>267</sup>

### Child Labor Laws and Enforcement

The minimum age for employment in Barbados is 16 years.<sup>268</sup> Children under 16, however, are allowed to work under certain restrictions.<sup>269</sup>

***Selected Statistics and Indicators  
on Child Labor<sup>270</sup>***

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	100
Net primary enrollment rate (%), 2005:	94
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	98
ILO-IPEC participating country:	Associated

The law prohibits forced or compulsory labor.<sup>279</sup> The minimum age for voluntary military services is 18 years old, or earlier with parental consent.<sup>280</sup> The Young Persons Protection Act of 1918 prohibits the removal of persons under 17 from the island for the purpose of forced labor in foreign countries.<sup>281</sup> Anyone who attempts to do so may be arrested.<sup>282</sup> Prostitution is illegal.<sup>283</sup> In addition, the exploitation of children for use in indecent photographs is prohibited. Any person who is convicted of this offense is liable to imprisonment for two to five years.<sup>284</sup> In March of 2007, security forces intercepted a human trafficking ring that was headed for Barbados, with trafficking victims as young as 13 and 14 years old.<sup>285</sup> In addition, the government has investigated some allegations and began prosecutions against a small number of possible traffickers, but as of June 2007 there had not been any convictions.<sup>286</sup>

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

The Government of Barbados has created restrictions on the import of products produced by child labor.<sup>287</sup>

Such children may not work between 6 p.m. and 7 a.m. or during school hours.<sup>271</sup> The work of a young person, defined as between 16 and 18 years old, is also subject to certain restrictions.<sup>272</sup> Young persons may not work in industrial undertakings during the night – from 6 p.m. to 7 a.m. – or participate in work that is likely to cause injury to their health, safety, or morals.<sup>273</sup> For the purposes of apprenticeship or vocational training, authorization may be granted to allow young persons to work during the night.<sup>274</sup> Young persons participating in an apprenticeship or vocational training must first obtain a medical certificate from a medical practitioner confirming that they are fit to be employed.<sup>275</sup>

The Child Care Board and the Labor Department are responsible for monitoring and investigating cases of child labor.<sup>276</sup> The Labor Department has a small staff of labor inspectors who conduct spot investigations and verify records to ensure compliance with the law.<sup>277</sup> These inspectors are authorized to take legal action against employers who are found to use underage workers.<sup>278</sup>

<sup>263</sup> ILO, *Regional Fact Sheets on Child Labour: Barbados*, Subregional Office for the Caribbean 2002; available from [http://www.ilocarib.org.tt/childlabour/library/fact\\_sheets/BarbdosFS.pdf](http://www.ilocarib.org.tt/childlabour/library/fact_sheets/BarbdosFS.pdf).

<sup>264</sup> Ibid.

<sup>265</sup> EPCAT International CSEC Database, *Child Prostitution - Barbados*, accessed January 24, 2008; available from <http://www.ecpat.net/>. ILO, *Child Labour in Barbados*.

<sup>266</sup> U.S. Embassy- Bridgetown, *reporting*, March 7, 2007.

<sup>267</sup> U.S. Department of State, "Barbados," in *Trafficking in Persons Report- 2007*, Washington, DC, June 5, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>.

<sup>268</sup> U.S. Department of State, "Country Reports-2007: Barbados."section 6d.

<sup>269</sup> Government of Barbados, *Employment (Miscellaneous Provisions) Act*, (March 24, 1977); available from [http://www.caricomlaw.org/docs/Employment%20\(Miscellaneous%20Provisions\).pdf](http://www.caricomlaw.org/docs/Employment%20(Miscellaneous%20Provisions).pdf).

<sup>270</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For

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minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Barbados," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100627.htm>.

<sup>271</sup> Ibid., chapter 346, part V.

<sup>272</sup> Ibid., chapter 346, part III.

<sup>273</sup> Ibid.

<sup>274</sup> Ibid.

<sup>275</sup> Government of Barbados, *Occupational Training Act*, (October 1, 1979); available from <http://www.caricomlaw.org/docs/Occupational%20Training.pdf>.

<sup>276</sup> U.S. Department of State, "Country Reports-2007: Barbados."

<sup>277</sup> Ibid. section 6d.

<sup>278</sup> Ibid. section 6d.

<sup>279</sup> Ibid. U.S. Department of State, "Barbados," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, 2007, section 6c; available from

<http://www.state.gov/g/drl/rls/hrrpt/2006/78879.htm>.

<sup>280</sup> CIA World Factbook, "Barbados," in *CIA World Factbook*, Washington, DC, January 17, 2008; available from <https://www.cia.gov/library/publications/the-world-factbook/index.html>.

<sup>281</sup> Government of Barbados, *Young Persons Protection Act*, (May 17, 1918); available from <http://www.caricomlaw.org/docs/Young%20Persons%20Protection.pdf>.

<sup>282</sup> Ibid.

<sup>283</sup> U.S. Department of State, "Country Reports-2007: Barbados."

<sup>284</sup> Government of Barbados, *Protection of Children Act*, (December 20, 1990); available from <http://www.caricomlaw.org/docs/Protection%20of%20Children.pdf>.

<sup>285</sup> U.S. Department of State, "Country Reports-2007: Barbados."

<sup>286</sup> State, "Trafficking in Persons Report 2007: Barbados."

<sup>287</sup> ILO, *Child Labour in Barbados*.

## Belize

### Incidence and Nature of Child Labor

Most working children in Belize are found in rural regions in the agricultural sector. Many children work in banana, sugar cane and citrus production.<sup>288</sup> Children also work in wholesale and retail trade, repair, tourism, providing diverse services, and to a lesser extent, in construction and manufacturing.<sup>289</sup> Half of the boys who work do so in hazardous forms of labor.<sup>290</sup> Girls engage in prostitution with older men in exchange for clothing, jewelry, food, school fees, and books. The YWCA reports that as many as 20 percent of its under-aged clients have been solicited for commercial sex activities.<sup>291</sup>

Belize is reported to be a source, transit, and destination country for the trafficking of children.<sup>292</sup> Trafficking of girls within Belize and to and from other countries occurs for both sexual exploitation and to work as domestic servants. This trafficking is sometimes arranged by family members.<sup>293</sup> Some trafficked children are forced to shine shoes or sell newspapers.<sup>294</sup>

### Child Labor Laws and Enforcement

The Labor Act of Belize sets the minimum age for work as 12 and 14 years in different sections of the text; thus, it has been criticized as being unclear. Article 169 states that no child shall be employed who is under age 12. Article 164 states that no person shall employ a child in a public or private undertaking, and child is defined as being under 14 years in the interpretation section of the Labor Act.<sup>295</sup> According to the Labor Act, children over 12 years may work after school hours, for no more than 2 hours on a school day or a Sunday, only between 6 a.m. and 8 p.m., and in work that is not likely to cause injury.<sup>296</sup> The Labor Act sets penalties for non-compliance with minimum age standards that include fines and imprisonment up to 2 months, and up to 4 months in the case of a second or subsequent offense.<sup>297</sup>

***Selected Statistics and Indicators  
on Child Labor<sup>298</sup>***

Working children, 5-14 years (%), 2001:	6.3
Working boys, 5-14 years (%), 2001:	8.1
Working girls, 5-14 years (%), 2001:	4.6
Working children by sector, 5-14 years (%), 2001:	
- Agriculture	55.3
- Manufacturing	3.6
- Services	38.8
- Other	2.4
Minimum age for work:	12/14
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	123
Net primary enrollment rate (%), 2006:	99
School attendance, children 5-14 years (%), 2001:	93.2
Survival rate to grade 5 (%), 2005:	92
ILO-IPEC participating country:	Associated
* Must pay for miscellaneous school expenses.	

two are awaiting criminal charges. The third officer was acquitted by disciplinary review board.<sup>307</sup>

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

The Government of Belize has a National Plan of Action for Children and Adolescents, 2004-2015, which specifically seeks to protect children from trafficking, commercial sexual exploitation, and unacceptable forms of child labor. The plan seeks to amend the Labor Act to better address child labor issues, develop and implement regulations on exploitive child labor in the social service agencies, strengthen enforcement capacity of key ministries, and increase prevention and public awareness efforts.<sup>308</sup>

With funds from the IDB and in collaboration with UNICEF, the Ministry of Human Development is engaging in a program to strengthen the government's capacity to combat human trafficking.<sup>309</sup> The Government of Belize continues to participate in a USD 8.8 million regional project implemented by ILO-IPEC which seeks to combat commercial sexual exploitation through a variety of activities including capacity building and legal reform. In addition, the project aims to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region.<sup>310</sup> The Government of Belize also participated in a USD 1.4 million regional project funded by the Government of Canada and implemented by ILO-IPEC aimed at combating the worst forms of child labor.<sup>311</sup> The Government of Belize participated in a Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America funded by the Government of Spain and implemented by ILO-IPEC.<sup>312</sup>

The law prohibits persons under 18 years from engaging in any form of harmful employment.<sup>299</sup> Forced labor and slavery are prohibited.<sup>300</sup> Although there is no law establishing a minimum age for conscription into the military, the minimum age for voluntary enrollment is 18 years.<sup>301</sup> The law punishes trafficking offenses with imprisonment of up to 5 years and fines.<sup>302</sup> The law also prohibits sex with a female younger than 14 years and provides for a penalty of 12 years to life imprisonment. The sentence for the same act with a girl 14 to 16 years is 5 to 10 years.<sup>303</sup>

Inspectors from the Departments of Labor and Education are responsible for enforcing child labor regulations.<sup>304</sup> The Family Services Division of the Ministry of Human Development, Women, Children and Civil Society is responsible for investigating child trafficking cases.<sup>305</sup> The government conducted raids on brothels in 2007 and reported that five foreign tourists were prosecuted or expelled for child sexual exploitation.<sup>306</sup> In February 2007, three police officers were arrested on trafficking charges, and

<sup>288</sup> SIMPOC and the Central Statistical Office of the Government of Belize, *Child Labour in Belize: A Statistical Report*, ILO, 2003, 31; available from <http://www.ilocarib.org.tt/childlabour/library/NationalReportBelizeCSO.pdf>.

<sup>289</sup> Ibid.

<sup>290</sup> Ibid., 39.

<sup>291</sup> ILO, *The Commercial Sexual Exploitation of Children and Adolescents in Belize*, San José, 2006, 38-39; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do>

?productId=7186.

<sup>292</sup> U.S. Department of State, "Belize (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>293</sup> Ibid.

<sup>294</sup> U.S. Department of State, "Belize," in *Country Report on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/>.

<sup>295</sup> Government of Belize, *Labour Act (Revised)*, chapter 297, interpretation section and articles 54, 164, and 169. See also, SIMPOC and the Central Statistical Office of the Government of Belize, *Child Labour in Belize: A Qualitative Study*, 11.

<sup>296</sup> Government of Belize, *Labour Act (Revised)*, article 169.

<sup>297</sup> Ibid., article 172.

<sup>298</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Belize, *Labour Act (Revised)*, (December 31, 2000), chapter 297, sections 1, 2, 164, 169; available from <http://www.belizeaw.org/lawadmin/index2.html>. See also SIMPOC and the Central Statistical Office of the Government of Belize, *Child Labour in Belize: A Qualitative Study*, ILO, February 2003; available from [http://www.ilocarib.org.tt/childlabour/library/rapid\\_assessment/RABelize.pdf](http://www.ilocarib.org.tt/childlabour/library/rapid_assessment/RABelize.pdf). See also Government of Belize, *Education Act, Revised Edition 2000*, chapter 36, (December 31, 2000), article 2, 45; available from [http://www.belizeaw.org/lawadmin/PDF%20files/ca\\_p036.pdf](http://www.belizeaw.org/lawadmin/PDF%20files/ca_p036.pdf). See also UN Committee on the Rights of the Child, *Concluding Observations: Belize*, March 31, 2005, para 60; available from [http://www.unhcr.ch/tbs/doc.nsf/0/15d955c522246114c125702100421174/\\$FILE/G0540865.pdf](http://www.unhcr.ch/tbs/doc.nsf/0/15d955c522246114c125702100421174/$FILE/G0540865.pdf).

<sup>299</sup> Government of Belize, *Families and Children Act, Revised Edition*, (December 31, 2000), articles 2, 7; available from <http://www.belizeaw.org/lawadmin/index2.html>.

<sup>300</sup> Government of Belize, *Constitution of Belize, Revised Edition*, (December 31, 2000), article 8; available from <http://www.belizeaw.org/lawadmin/index2.html>.

<sup>301</sup> Coalition to Stop the Use of Child Soldiers, "Belize," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=810](http://www.child-soldiers.org/document_get.php?id=810).

<sup>302</sup> Government of Belize, *Criminal Code, Chapter 101*, (amended May 31, 2003), article 49; available from <http://www.belizeaw.org/lawadmin/index2.html>.

<sup>303</sup> World Bank, *Primary Education Development Project II*, [online] October 13, 2006 [cited October 13, 2006], articles 47 and 48; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P074966>.

<sup>304</sup> U.S. Department of State, "Country Reports- 2007: Belize," section 6d.

<sup>305</sup> Ibid., section 5.

<sup>306</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Belize."

<sup>307</sup> U.S. Department of State, "Country Reports- 2007: Belize," section 5.

<sup>308</sup> Government of Belize, *The National Plan of Action for Children and Adolescents in Belize 2004-2015*, Belize City, September 4, 2004, 15-16; available from <http://www.mohd.gov.bz/NPA.pdf>.

<sup>309</sup> IDB, *Strengthening the Government's Capacity to Combat Human Trafficking, Project BL-T1004*, [online] [cited December 10, 2007]; available from [http://www.iadb.org/projects/Project.cfm?project=BL-T1004\\$Language=English](http://www.iadb.org/projects/Project.cfm?project=BL-T1004$Language=English).

<sup>310</sup> ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama, and the Dominican Republic*, Project Document, RLA/05/P52/USA, San José, 2005, 22. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama, and the Dominican Republic*, Project Document, RLA/02/P51/USA, San José, 2002, 16.

<sup>311</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>312</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

# Benin

<i>Selected Statistics and Indicators on Child Labor<sup>313</sup></i>	
Working children, 5-14 years (%), 2002-2003:	13.2
Working boys, 5-14 years (%), 2002-2003:	11.5
Working girls, 5-14 years (%), 2002-2003:	15.3
Working children by sector, 5-14 years (%), 2002-2003:	
- Agriculture	68.9
- Manufacturing	5.2
- Services	22.3
- Other	3.7
Minimum age for work:	14
Compulsory education age:	11
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	96
Net primary enrollment rate (%), 2005:	78
School attendance, children 5-14 years (%), 2004:	59.2
Survival rate to grade 5 (%), 2004:	52
ILO-IPEC participating country:	Yes
* Must pay miscellaneous school expenses	

long work hours, insufficient food, and sexual exploitation. In some instances, the child is trafficked into a situation of forced labor.<sup>318</sup>

Benin is a source, destination, and transit country for child trafficking.<sup>319</sup> The majority of Beninese children are trafficked internally from rural to urban areas; from northern to central and southern Benin; and for commercial sexual exploitation and forced labor. Boys are trafficked for work in agriculture, construction, and as street vendors. Girls are trafficked for domestic work and sexual exploitation.<sup>320</sup>

The majority of Beninese children trafficked outside of the country are trafficked to Nigeria, where many are boys trafficked for work in rock quarries.<sup>321</sup> Beninese children are also trafficked to Ghana, Republic of Congo, Guinea Bissau, and the Central African Republic for domestic service, farm labor, and sexual exploitation; and to Togo and Côte d'Ivoire for work on plantations. Some children from Niger, Togo, and Burkina Faso are also trafficked to Benin for forced labor and domestic work.<sup>322</sup>

## Child Labor Laws and Enforcement

The minimum age for admission to work in Benin is 14 years, including for apprenticeships; however, children between 12 and 14 years may perform domestic work and temporary or seasonal light work, if it does not interfere with their compulsory

schooling.<sup>323</sup> Children are also prohibited from performing night work, defined as work between the hours of 9 pm and 5 am.<sup>324</sup> Beninese law prohibits workers under 18 years from performing certain types of work, including transporting heavy loads, operating certain types of machinery, working with hazardous substances, and working in underground mines and quarries.<sup>325</sup> Employers are required to maintain a register including the birth date of all employees under 18, and a labor inspector can require that workers between 14 and 21 be examined by a doctor to determine that they are not working beyond their abilities. Violators of the minimum age laws are subject to fines, and in

## Incidence and Nature of Child Labor

In Benin, children work on family farms and construction sites, and in stone quarries, small businesses, and markets.<sup>314</sup> The practice of sending boys to Koranic teachers to receive education is a tradition in various countries, including Benin.<sup>315</sup> Some Beninese boys who study with Koranic teachers, work in agriculture and as alms collectors, porters, and rickshaw operators in exchange for education.<sup>316</sup> Children are involved in forced begging and child prostitution is a problem.<sup>317</sup>

Under the practice of *Vidomegon*, children, often girls, from poor families are sent to work as domestics in exchange for housing and food. Income generated from the children's activities is divided between the children's host and natural families. While the arrangement is initially a voluntary one between the families, the child frequently is subject to poor conditions such as

the case of repeat violators, a heavier fine is imposed.<sup>326</sup>

The law prohibits forced labor and stipulates a penalty of imprisonment for 2 months to 1 year and/or a fine.<sup>327</sup> The minimum age for recruitment into the military is 21.<sup>328</sup> Beninese law expressly forbids the trafficking of children.<sup>329</sup> Child trafficking is defined as any means that alienate a child's freedom, such as the recruitment, transport, placement, receiving, or harboring of a child with the intent of exploitation. Exploitation is defined to include practices such as forced or compulsory labor, prostitution, the use of children in armed conflict, the use of children for the purpose of illicit activities, and work that may harm the safety, health, and morals of children.<sup>330</sup> The punishment for moving or attempting to move a child within the country without proper authorization is imprisonment of 1 to 3 years and fines. The punishment for moving a child out of Benin without proper authorization is 2 to 5 years of imprisonment and fines.<sup>331</sup> Child traffickers face a punishment of 10 to 20 years in prison, with the penalty increasing to life in prison if the child is not returned; the child is found dead before a verdict is reached; if force, fraud, or violence are used; or other aggravating circumstances exist. Individuals who employ child trafficking victims in Benin face 6 months to 2 years of imprisonment and a fine, while the penalty for parents who send their children with traffickers is a prison sentence of 6 months to 5 years.<sup>332</sup>

Benin was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>333</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>334</sup>

The Ministry of Labor is responsible for implementing the child labor provisions in the Labor Code. The Ministry employs 126 labor agents. These individuals assess the implementation of all labor laws and are not solely

dedicated to child labor. Although most child labor in Benin occurs in the informal sector, labor agents largely regulate the formal sector.<sup>335</sup> The Brigade for the Protection of Minors maintains a child trafficking database, arrests suspected traffickers, and rescues child trafficking victims. In 2007, the Brigade arrested 24 suspected traffickers, and rescued 179 children, some of whom had been trafficked to other countries for work in mines, quarries, and farms.<sup>336</sup>

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

During 2007, the Government included child trafficking provisions in the National Poverty Reduction Strategy Paper (PRSP II), which covers years 2007 to 2009.<sup>337</sup>

In September 2007, the Ministry of Family and Children with support from ILO-IPEC approved the 5-year National Action Plan to Combat Child Trafficking for Labor Exploitation. The goal of the plan is to progressively reduce child trafficking for the purpose of labor exploitation.<sup>338</sup> The plan also aims to strengthen regulations against trafficking, and reinforce border surveillance of traffickers.<sup>339</sup> The Nigerian Agency to Prohibit Trafficking in Persons, the Beninese Brigade for the Protection of Minors, and the Federation of Beninese Citizens in Abeokuta established agreements during the year to repatriate trafficked children who work in mines back to their homes in Benin.<sup>340</sup> As a result of the agreements and efforts of the two governments, child trafficking victims were repatriated from Nigeria back to Benin during the year.<sup>341</sup> In addition, the Consulate of Benin and the Government of the Republic of Congo are coordinating the repatriation of child trafficking victims back to Benin.<sup>342</sup> In 2007, the Government continued to collaborate with NGOs to provide child trafficking victims with basic services, such as food and shelter, and to place them in educational and vocational programs.<sup>343</sup> In addition, the Brigade for the Protection of Minors built a new transit shelter for child trafficking victims with the capacity to house up to 160 children at one time. The shelter provides legal, medical, and psychological support to children that have been trafficked. In April 2007, with support from UNODC, the Ministry of Family and Children conducted a training session on trafficking in

persons (including children), for over 75 police officers, members of the court, and case workers.<sup>344</sup>

In 2007, the Government continued to raise awareness of child labor and trafficking through media campaigns and regional workshops and by collaborating with a network of NGOs and journalists, including with Togolese and Nigerian counterparts.<sup>345</sup>

The Government of Benin participated in the Combating Trafficking in Children for Labor Exploitation in West and Central Africa, Phases 1 & 2 (LUTRENA) regional project, funded by USDOL at USD 9.28 million and implemented by ILO-IPEC, to combat the trafficking of children for exploitive labor. During Phase II, from July 2001 to December 2007 (when the project ended) the project withdrew 4,240 children and prevented 7,213 children from trafficking in the region.<sup>346</sup> The Government also participated in a 4-year, USDOL-funded, USD 2 million project implemented by Catholic Relief Services (CRS) to combat child trafficking by improving access to basic education.<sup>347</sup> The project ended in August 2007, and withdrew 1,303 children from trafficking and prevented an additional 5,844 children from falling victim to trafficking. In 2007, USDOS also funded a project implemented by CRS to support 6 Caritas rehabilitation centers that provided additional services to trafficking victims.<sup>348</sup>

France is funding two regional projects to combat child labor in francophone Africa that are implemented by ILO-IPEC, and complement each other. Phase II is funded at USD 488 million and ends December 2009; and Phase I was funded at USD 3.6 million and ended in March 2007. Denmark also funded a regional USD 325,378 project implemented by ILO-IPEC to combat trafficking in children for labor exploitation, which ended in December 2007.<sup>349</sup>

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<sup>313</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Benin, *Code du Travail*, Loi no 98-004, (January 27, 1998), article 166; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/4960>

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4/65115/F98BEN01.htm. See also UNESCO, *EFA Global Monitoring Report 2008: Education for All by 2015 Will We Make it?*, France, 2007, 280; available from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=49591&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=49591&URL_DO=DO_TOPIC&URL_SECTION=201.html). See also Government of Benin, *Constitution de la République du Bénin*, (December 11, 1990), articles 12, 13; available from <http://www.afrikinfo.com/lois/index.htm>. See also U.S. Department of State, "Benin," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/c25283.htm>.

<sup>314</sup> U.S. Department of State, "Country Reports- 2007: Benin," section 5, 6d. See also UN Office for the Coordination of Humanitarian Affairs, *Benin: Children crushing stones into gravel to get through school*, [previously online] 2006 [cited October 12, 2006]; available from <http://www.irinnews.org/print.asp?ReportID=47890> [hard copy on file].

<sup>315</sup> Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>. See also Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>.

<sup>316</sup> United Nations, *Committee on the Rights of the Child: Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Second Periodic Reports of States Parties Due in 1997: Benin*, CRC/C/BEN/2, November 24, 2005, para 697-698.

<sup>317</sup> *Ibid.*, para 690. See also U.S. Department of State, "Country Reports- 2007: Benin," section 5.

<sup>318</sup> U.S. Department of State, "Country Reports- 2007: Benin," sections 5, 6d.

<sup>319</sup> U.S. Department of State, "Benin (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>320</sup> *Ibid.* See also UNODC, *Measures to Combat Trafficking in Human beings in Benin, Nigeria and Togo*, Geneva, September, 2006, 52; available from [http://www.unodc.org/pdf/human\\_trafficking/ht\\_research\\_report\\_nigeria.pdf](http://www.unodc.org/pdf/human_trafficking/ht_research_report_nigeria.pdf). See also ILO-IPEC, *La Traite des Enfants a des Fins d'Exploitation de leur Travail au Benin, Enfants Victimes: Caracteristiques Socio-Demographiques*, Geneva, 2006, 30.

<sup>321</sup> Terres des Hommes, *Little Hands of the Stone Quarries, Investigation of Child Trafficking Between Benin and Nigeria*,

Le Mont-sur-Lausanne, December 2005, 5. See also United Nations, *Implementation of General Assembly Resolution 60/251 of 15 March 2006 Entitled "Human Rights Council": Summary of Cases Transmitted to Governments and Replies Received* A/HRC/4/23/Add.1, May 30, 2007, para 38. See also United Nations, *Implementation of General Assembly Resolution 60/251 of 15 March 2006 Entitled "Human Rights Council": Communications to and from Governments*, A/HRC/4/23/Add.1, March 15, 2007, para 22. See also ILO-IPEC, *La Traite des Enfants*, 32.

<sup>322</sup> U.S. Department of State, "Country Reports- 2007: Benin," section 5.

<sup>323</sup> Government of Benin, *Code du Travail*, articles 66, 166. See also ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Benin (ratification: 2001)*, [online] 2004 [cited December 2, 2007], article 2, paras 1, 4, article 7, paras 1, 4; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN>.

<sup>324</sup> Government of Benin, *Code du Travail*, articles 153, 154.

<sup>325</sup> Inter-Ministerial Order No. 132 of 2000 as noted in ILO Committee of Experts, *Direct Request: Benin, Convention 138*, article 3, para 2.

<sup>326</sup> Government of Benin, *Code du Travail*, articles 167, 169, 301.

<sup>327</sup> *Ibid.*, articles 3, 303.

<sup>328</sup> Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, London, November 17, 2004; available from <http://www.child-soldiers.org/home>.

<sup>329</sup> Government of Benin, *Loi portant conditions de déplacement des mineurs et répression de la traite d'enfants en République du Bénin*, Loi no 2006-04, (2006), article 6; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/73266/74783/F1933999553/BEN73266.pdf>.

<sup>330</sup> *Ibid.*, articles 3-4.

<sup>331</sup> *Ibid.*, articles 17, 18.

<sup>332</sup> *Ibid.*, articles 16, 21-24.

<sup>333</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2006, 2.

<sup>334</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *LUTRENA, Technical Progress Report*, 10-11.

<sup>335</sup> U.S. Department of State, "Country Reports- 2007:

Benin," section 6d. See also U.S. Embassy- Cotonou, *reporting*, November 30, 2007, para 8.

<sup>336</sup> U.S. Department of State, "Country Reports- 2007: Benin," section 5. See also U.S. Embassy- Cotonou, *reporting*, February 29, 2008, para 6e.

<sup>337</sup> Catholic Relief Services, *Education First: Combating Child Trafficking through Education in Benin*, Technical Progress Report, Baltimore, September 1, 2007, 20-21. See also Government of Benin, *Strategie de Croissance pour la Reduction de la Pauvrete (SCRIP) 2007-2009*, April 2007, section 6.4.

<sup>338</sup> Ministry of Family and Children, *Plan d'Action National de Lutte Contre la Traite des Enfants a des Fins d'exploitation de Leur Travail*, Cotonou, December 2007, 47, 55.

<sup>339</sup> *Ibid.*

<sup>340</sup> Catholic Relief Services, *Education First, Technical Progress Report*, 13.

<sup>341</sup> U.S. Embassy- Cotonou, *reporting*, February 29, 2008, para 6h.

<sup>342</sup> ILO Committee of Experts, *Individual Observation, Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002)*, [online] 2007 [cited January 22, 2008], article 7, para 2; available from <http://www.ilo.org/ilolex/gbe/ceacr2005.htm>.

<sup>343</sup> U.S. Department of State, "Country Reports- 2007: Benin," section 5.

<sup>344</sup> U.S. Embassy- Cotonou, *reporting*, February 29, 2008, paras 6g, 9b.

<sup>345</sup> U.S. Embassy- Cotonou, *reporting*, November 30, 2007, para 10. See also U.S. Department of State, "Country Reports- 2007: Benin," section 5, 6d.

<sup>346</sup> ILO-IPEC, *Amendment to Project Document "Combating the Trafficking of Children for Labour Exploitation in West and Central Africa"*, Project Document Amendment Geneva, September 3, 2004, 1, 8. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2007, 1-3. See also ILO-IPEC Geneva official, LUTRENA Project Table III.C. Final Report March 2008 E-mail communication to USDOL official, March 24, 2008.

<sup>347</sup> Catholic Relief Services, *Education First: Combating Child Trafficking through Education in Benin*, Revised Project Document, Baltimore, May, 2005, i, 2.

<sup>348</sup> Catholic Relief Services, *Education First, Technical Progress Report*, 5, 16.

<sup>349</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

# Bhutan

## *Selected Statistics and Indicators on Child Labor<sup>350</sup>*

Working children, 10-14 years (%), 2003:	19.6
Working boys, 10-14 years (%), 2003:	16.1
Working girls, 10-14 years (%), 2003:	22.7
Working children by sector, 10-14 years (%), 2003:	
- Agriculture	92.2
- Manufacturing	0.1
- Services	1.9
- Other	5.9
Minimum age for work:	18
Compulsory education age:	17
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	97
Net primary enrollment rate (%), 2005:	74
School attendance, children 5-14 years (%), 2003:	69
Survival rate to grade 5 (%), 2000:	91
ILO-IPEC participating country:	No

### **Incidence and Nature of Child Labor**

Children in Bhutan work in agriculture, primarily on family farms, and in shops after school and on weekends.<sup>351</sup> Migrant children as young as 11 years are found working in road construction.<sup>352</sup> Children also work in automobile shops, as doma sellers, street vendors, domestic workers, and in restaurants.<sup>353</sup> According to UNICEF, they are also involved in commercial sexual exploitation.<sup>354</sup>

### **Child Labor Laws and Enforcement**

The law states that the minimum age for employment is 18 years. However, children between 13 and 17 years are allowed to perform certain forms of light work.<sup>355</sup> Bhutanese law requires employers to maintain a register of all child employees, describing the hours and nature of work undertaken.<sup>356</sup> According to Bhutanese law, the penalty for infringing child labor laws is five to nine years of imprisonment.<sup>357</sup> The law states that it is a crime to subject a child to

economic exploitation or any work that is likely to be hazardous.<sup>358</sup> The 2007 Labor and Employment Act prohibits the worst forms of child labor and defines them to include trafficking, forced or compulsory labor, children in armed conflict, sexual exploitation, work in illicit activities, and work in particularly difficult conditions or which could be harmful to the health, safety, or morals of a child.<sup>359</sup> The Ministry of Labor reportedly conducts 10 to 15 inspections per week, most of which are in the construction sector.<sup>360</sup> Forced labor is prohibited by Bhutanese law.<sup>361</sup> Bhutanese law also criminalizes sex crimes and offenses against children.<sup>362</sup> According to the law, child trafficking has a minimum penalty of three years.<sup>363</sup> Trafficking a child for prostitution is a felony with penalties varying according to the age of the child.<sup>364</sup> Children are permitted to enlist in the Armed Forces at 18 years.<sup>365</sup>

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

The judiciary has started a campaign in schools to promote awareness of the penal code among children and youth called, "Know Your Law to Protect Your Rights."<sup>366</sup>

<sup>350</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Bhutan, *Rules and Regulations on Employment of Bhutanese Nationals in the Private Sector*, (1997). See also Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, (2007), article 170; available from <http://www.molhr.gov.bt/labouract.pdf>. See also International Association of Universities, *Bhutan- Education System*, accessed March 19, 2008 available from <http://www.unesco.org/iau/onlinedatabases/index.html>. See also U.S. Department of State, "Bhutan," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100613.htm>.

<sup>351</sup> U.S. Department of State, "Country Reports- 2007: Bhutan," section 6d.

<sup>352</sup> U.S. Embassy- New Delhi, reporting September 17, 2004.

<sup>353</sup> UNICEF, *A Situation Analysis of Children and Women in Bhutan*, National Commission for Women and Children, Thimphu, 2006, 69; available from [http://www.ncwcbhutan.org/ncwc/publications/SITAN\\_Bhutan-2006.pdf](http://www.ncwcbhutan.org/ncwc/publications/SITAN_Bhutan-2006.pdf). See also UNICEF, *Report on Assessment of Protection Factors of Children in Bhutan*, Ministry of Health, Thimphu, 2004, 65. See also UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1997: Bhutan*, March 21, 2007, section 406; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G07/430/93/PDF/G0743093.pdf?OpenElement>.

<sup>354</sup> UNICEF, *Report of Assessment of Protection*, 65.

<sup>355</sup> Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, articles 170, 171. See also U.S. Department of State, "Country Reports- 2007: Bhutan," section 6d. See also US Embassy Delhi, E-mail communication USDOL official, March 10, 2007.

<sup>356</sup> UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1997: Bhutan*, section 408.

<sup>357</sup> Ministry of Labour and Human Resources, *Offences and Penal Provisions under the Labour and Employment Act 2007*, 2007; available from <http://www.molhr.gov.bt/penalcode.htm>.

<sup>358</sup> UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1997: Bhutan*, section 395.

<sup>359</sup> Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, article 9.

<sup>360</sup> U.S. Embassy- New Delhi, reporting September 17, 2004.

<sup>361</sup> Government of Bhutan, *Labour and Employment Act of Bhutan 2007*, article 6. See also U.S. Department of State, "Country Reports- 2007: Bhutan," section 6c.

<sup>362</sup> U.S. Embassy- New Delhi, reporting September 17, 2004.

<sup>363</sup> Government of Bhutan, *Penal Code of Bhutan*, (August 11, 2004), par. 3(a), sections 228, 230.

<sup>364</sup> *Ibid.*, para 380.

<sup>365</sup> Coalition to Stop the Use of Child Soldiers, "Bhutan," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/document/get?id=846>.

<sup>366</sup> UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties due in 1997: Bhutan*, section 31.

## Bolivia

### Incidence and Nature of Child Labor

In Bolivia, many children work with their families in subsistence agriculture. Children can also be found working in the production of sugar cane and Brazil nuts, especially in Santa Cruz and Tarija.<sup>367</sup>

Children engage in activities such as street vending, shining shoes, and assisting transport operators.<sup>368</sup> Additionally, children work in industry, construction, small business, personal services, hotels and restaurants, and small-scale mining.<sup>369</sup> Children are also being used to transport drugs.<sup>370</sup> Some children are brought or sent by their family members from rural to urban areas to work as domestic servants or "criaditos" for higher-income families, often in situations that amount to indentured servitude.<sup>371</sup>

The commercial sexual exploitation of children, including child prostitution, is a problem in Bolivia,

particularly in the Chapare region and in urban areas.<sup>372</sup> The internal trafficking of children for the purposes of prostitution, domestic service, mining, and agricultural labor, particularly on sugar cane and Brazil nut plantations, also occurs.<sup>373</sup> Children are also trafficked to neighboring countries for forced labor.<sup>374</sup> A study sponsored by IOM and the OAS found that there were girls from Argentina, Paraguay, Brazil, Chile, and Colombia working as prostitutes in urban centers in Bolivia.<sup>375</sup>

### Child Labor Laws and Enforcement

Bolivian law sets the minimum age for employment at 14 years.<sup>376</sup> Apprenticeship for children ages 12 to 14 years is permitted with

various restrictions.<sup>377</sup> Children 14 to 18 years must have the permission of their parents or of government authorities in order to work.<sup>378</sup> The law prohibits children 14 to 17 years from taking part in hazardous activities such as carrying excessively heavy loads, working underground, working with pesticides and other chemicals, or working at night. The law also requires employers to grant time off to adolescent workers who have not completed their primary or secondary education so that they may attend school during normal school hours.<sup>379</sup> The law prohibits forced or compulsory labor.<sup>380</sup> The law also prohibits any kind of labor without consent and fair compensation.<sup>381</sup> Bolivian men who have reached the age of 18 years are required to perform military service for 1 year. The law allows children 15 years and older to volunteer for certain military activities if they have completed 3 years of secondary education.<sup>382</sup>

investigations and rescued 129 young victims of trafficking. The special anti-trafficking police and prosecutors also convicted 5 traffickers who received jail sentences from 3 to 7 years.<sup>385</sup>

There are 260 municipal Defender of Children and Adolescents offices to protect children's rights and interests.<sup>386</sup> Childhood and Adolescence Courts are empowered to resolve issues involving children and apply sanctions for violations of the law.<sup>387</sup> USDOS reported that the Government of Bolivia did not enforce child labor laws throughout the country, but notes a steady progress in the Government's increased resolve to combat trafficking, especially in the areas of enforcement, protection for victims, and prevention.<sup>388</sup>

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

The Government of Bolivia's policy framework to address child labor is the National Plan for the Progressive Eradication of Child Labor 2000-2010. The plan identifies mining, sugarcane harvesting, and urban work as priority areas to combat exploitive child labor.<sup>389</sup> The National Commission for the Progressive Eradication of Child Labor implements action programs under three subcommittees, each dedicated to one sector.<sup>390</sup> An independent evaluation conducted on the implementation of the first half of the National Plan found that financing has been lacking.<sup>391</sup>

The Vice Ministry of Gender and Adolescence (formerly the Vice Ministry of Youth, Childhood, and Senior Citizens) implements a Plan for the Prevention of and Attention to Commercial Sexual Exploitation, with a focus on efforts in the country's largest cities.<sup>392</sup> The Government has also made efforts to increase public awareness of trafficking by airing television segments at airports, and launching a National Police campaign targeting children, parents, and local authorities.<sup>393</sup> The Government of La Paz operates an emergency shelter for youth victims of sexual exploitation that provide 3-day services to trafficking victims.<sup>394</sup>

The law prohibits trafficking for the purpose of prostitution of minors and imposes penalties of 8 to 12 years of imprisonment, which increase by 25 percent if the victim is under 18 years of age.<sup>384</sup> Since 2007, authorities opened 118 anti-trafficking

The Government of Bolivia is working with NGOs and foreign governments to provide free birth registration and identity documentation to citizens in order to facilitate their access to social services such as education, and reduce their vulnerability to

<i>Selected Statistics and Indicators on Child Labor</i> <sup>383</sup>	
Working children, 7-14 years (%), 2002:	23.2
Working boys, 7-14 years (%), 2002:	23.9
Working girls, 7-14 years (%), 2002:	22.5
Working children by sector, 7-14 years (%), 2002:	
- Agriculture	76.3
- Manufacturing	4.2
- Services	18.8
- Other	0.7
Minimum age for work:	14
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2004:	113
Net primary enrollment rate (%), 2004:	95
School attendance, children 7-14 years (%), 2002:	93.5
Survival rate to grade 5 (%), 2003:	85
ILO-IPEC participating country:	Yes

trafficking.<sup>395</sup> The IOM is working with the government to implement projects that address the trafficking of women and minors and to build the country's capacity to prevent it.<sup>396</sup> The municipal Defender of Children and Adolescents offices assists victims of trafficking, sometimes in cooperation with NGOs.<sup>397</sup>

The Bolivian Government is implementing a cash subsidy program called Bono Juancito Pinto for all primary school students, conditioned on school attendance. Children grades 1 through 6 receive USD 15 at the completion of the school term.<sup>398</sup>

The Government of Bolivia and the other government members and associates of MERCOSUR are conducting the "Niño Sur" ("Southern Child") initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking and child labor; mutual technical assistance in adjusting domestic legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.<sup>399</sup>

Since October 2007 and until December 2010, USDOL is funding a USD 3.4 million project implemented by Desarrollo y Autogestión and the Bolivian Swiss Red Cross to improve access to basic education for working children in Bolivia. The project aims to withdraw 2,900 children who are working and prevent 2,900 children at risk of entering exploitive labor in Santa Cruz and Chuquisaca.<sup>400</sup> Bolivia is also part of a 460,000 Euros ILO-IPEC global initiative funded by the Netherlands to combat child domestic work.<sup>401</sup>

USAID, the Secretary of State of Economy of the Swiss Confederation, UNICEF, and the Bolivian Institute of Foreign Trade are collaborating in a corporate social responsibility effort with the sugar sector in Santa Cruz. The activities targeting the welfare of families working in the sugar plantations include child labor prevention actions such as distribution of school materials for school-aged children.<sup>402</sup>

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<sup>367</sup> UNICEF, *Caña dulce, vida amarga: El trabajo de los niños, niñas y adolescentes en la zafra de caña de azúcar*, 2004, 11; available from

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[http://www.oit.org.pe/ipecc/boletin/documentos/zafr\\_a\\_final\\_bo.pdf](http://www.oit.org.pe/ipecc/boletin/documentos/zafr_a_final_bo.pdf). See also U.S. Department of State, "Bolivia," in *Country Reports on Human Rights Practices-2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100629.htm>. See also CEACR, *Solicitud directa individual sobre el Convenio sobre las peores formas de trabajo infantil*, 1999 (núm. 182) Bolivia (ratificación: 2003) Envío: 2007, CEACR 2006/77a reunión, 2007; available from <http://www.ilo.org/ilolex/cgi-lex/pdconvs2.pl?host=status01&textbase=iloilc&document=238&chapter=18&query=C182%40ref%2B%23ANO%3D2007&highlight=&querytype=bool&context=0>.

<sup>368</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 6d.

<sup>369</sup> Victor Mezza Rosso, Carmen Ledo García, and Isabel Quisbert Arias, *Trabajo Infantil en Bolivia*, National Institute of Statistics and UNICEF, La Paz, 2004, 31-32. See also Noel Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa de medio término, informe preliminar*, May 2005, 11. See also UNICEF, *Buscando la luz al final del túnel: niños, niñas y adolescentes en la minería artesanal en Bolivia*, 2004; available from [http://www.oit.org.pe/ipecc/boletin/documentos/mineria\\_final\\_bo.pdf](http://www.oit.org.pe/ipecc/boletin/documentos/mineria_final_bo.pdf).

<sup>370</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 6d.

<sup>371</sup> Ibid. See also Erick Roth U. and Erik Fernandez R., *Evaluación del tráfico de mujeres, adolescentes y niños/as en Bolivia*, IOM, OAS, and Scientific Consulting SRL, La Paz, 2004, 10,51.

<sup>372</sup> UNICEF, *La niñez clausurada: La explotación sexual comercial de niñas, niños y adolescentes en Bolivia*, 2004, 11,17; available from [http://www.oit.org.pe/ipecc/boletin/documentos/esci\\_final\\_bo.pdf](http://www.oit.org.pe/ipecc/boletin/documentos/esci_final_bo.pdf). See also U.S. Department of State, "Country Reports- 2007: Bolivia," section 5.

<sup>373</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 5. See also U.S. Department of State, "Bolivia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>374</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 5.

<sup>375</sup> Roth U. and Erik Fernandez R., *Evaluación del tráfico de mujeres*, 47.

<sup>376</sup> Government of Bolivia, *Ley del Código del Niño, Niña y Adolescente*, article 126. See also Government of Bolivia, *Ley General de Trabajo*, (December 8, 1942); available from <http://www.ilo.org/dyn/natlex/docs/WBTEXT/46218/65057/S92BOL01.htm#t4c6>.

<sup>377</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 6d.

<sup>378</sup> Government of Bolivia, *Ley General de Trabajo*, article 8.

<sup>379</sup> Government of Bolivia, *Ley del Código del Niño, Niña y Adolescente*, 134, 146, 147.

<sup>380</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 6c.

<sup>381</sup> Government of Bolivia, *Constitución Política del Estado*, article 5.

<sup>382</sup> Coalition to Stop the Use of Child Soldiers, "Bolivia," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=811](http://www.child-soldiers.org/document_get.php?id=811).

<sup>383</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Bolivia, *Ley del Código del Niño, Niña y Adolescente*, Ley No. 2026, (October 27, 1999), article 126; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/55837/68387/S99BOL01.htm>. See also Government of Bolivia, *Constitución Política del Estado*, Ley 1615, (February 6, 1995), article 177; available from <http://www.geocities.com/bolilaw/legisla.htm>.

<sup>384</sup> Government of Bolivia, *Ley 3325: Trata y Trafico de Personas y Otros Delitos Relacionados*, (January 18, 2006); available from <http://www.bolivialegal.com/modules/Sileg/pdfphp.php?numero=6&dbname=slb402>.

<sup>385</sup> U.S. Embassy- La Paz official, E-mail communication to USDOL official, July 28, 2008.

<sup>386</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 5. See also U.S. Embassy- La Paz official, E-mail communication to USDOL official, April 2, 2007.

<sup>387</sup> Government of Bolivia, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (July 25, 2005) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC,

August 31, 2005.

<sup>388</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Bolivia." See also U.S. Department of State, "Country Reports- 2007: Bolivia," section 6d.

<sup>389</sup> CEACR, *Bolivia (ratificación: 1997)*, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displaycomment.cfm?hdroff=1&ctry=0080&year=2006&type=R&conv=C138&lang=ES>.

<sup>390</sup> CEACR, *Solicitud directa individual sobre el Convenio sobre las peores formas de trabajo infantil*, 1999 (núm. 182) *Bolivia (ratificación: 2003) Envío: 2007*.

<sup>391</sup> Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa*, 36.

<sup>392</sup> Aguirre Ledezma, *Plan Nacional de erradicación progresiva del trabajo infantil: Evaluación externa*, 22, 31.

<sup>393</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Bolivia."

<sup>394</sup> *Ibid.* See also U.S. Department of State, "Country Reports-2007: Bolivia," section 5.

<sup>395</sup> U.S. Department of State, "Country Reports- 2006: Bolivia," section 5.

<sup>396</sup> IOM, *Bolivia*, [online] [cited December 10, 2007]; available from <http://www.iom.int/jahia/page447.html>.

<sup>397</sup> U.S. Department of State, "Country Reports- 2007: Bolivia," section 5.

<sup>398</sup> U.S. Embassy- La Paz, *reporting*, January 24, 2008.

<sup>399</sup> CRIN, *MERCOSUR*, [online] 2007 [cited December 26, 2007]; available from <http://www.crin.org/espanol/RM/mercosur.asp>. See also Government of Argentina, *Iniciativa Niñ@SUR*, [online] 2008 [cited March 16, 2008]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>.

<sup>400</sup> Desarrollo y Autogestión, *Project Summary: Combating Exploitive Child Labor Through Education in Bolivia*, 2007.

<sup>401</sup> ILO-IPEC, *ILO-IPEC Table of Non USDOL-funded Projects, USDOL Questions*, February 16, 2007.

<sup>402</sup> U.S. Embassy- La Paz official, E-mail communication, April 2, 2007.

## Bosnia and Herzegovina

### *Selected Statistics and Indicators on Child Labor<sup>403</sup>*

Working children, 5-14 years (%), 2000:	17.5
Working boys, 5-14 years (%), 2000:	19.3
Working girls, 5-14 years (%), 2000:	15.7
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2000:	76.3
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

Children in Bosnia and Herzegovina work on family farms.<sup>404</sup> A significant number of children, especially ethnic Roma, live or work on the streets and are often forced to do exploitive work such as participating in begging rings.<sup>405</sup> Roma children, especially, have been known to beg on the streets of the larger cities.<sup>406</sup> The majority of street children are under 14 years and most of them do not attend school.<sup>407</sup>

Children in Bosnia and Herzegovina were found to be trafficked for sexual exploitation.<sup>408</sup> Roma children, in particular, were reportedly trafficked within the country for forced labor.<sup>409</sup>

### **Child Labor Laws and Enforcement**

The 1995 Dayton Accords, formally known as the General Framework Agreement for Peace, established two distinct entities within Bosnia and

Herzegovina (BiH): the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS).<sup>410</sup> The BiH constitutional law supersedes entity laws where provisions are not uniform.<sup>411</sup>

The minimum age for work in both FBiH and RS is 15 years.<sup>412</sup> In both FBiH and RS, minors 15 to 18 years must provide a valid health certificate in order to work.<sup>413</sup> Both entities prohibit minors from performing overtime work.<sup>414</sup> The law also prohibits minors from working jobs that could have harmful effects on their health, life, or psychophysical development.<sup>415</sup> Night work by minors is banned, although temporary exemptions may be granted by the labor inspectorate in cases of machine breakdowns, acts of God, and threats to the country's two political entities.<sup>416</sup> In both FBiH and RS, employers found to be in violation of these prohibitions on child labor must pay a fine.<sup>417</sup>

The law prohibits forced or compulsory labor.<sup>418</sup> For voluntary military service in either entity, the minimum age is 17 years. Conscription into the Armed Forces was abolished in January 2006.<sup>419</sup>

Under the Criminal Codes of both entities, trafficking of minors can result in punishments ranging from 3 to 10 years of imprisonment.<sup>420</sup> Also, under the laws of the two entities, procuring a juvenile or seeking opportunity for illicit sexual relations with a juvenile is specifically prohibited and is punishable with up to 5 years imprisonment.<sup>421</sup> In FBiH, persons caught recruiting or luring juvenile females into prostitution face imprisonment of between 1 and 10 years.<sup>422</sup> Under the RS Criminal Code, imprisonment of 1 to 12 years is authorized for individuals who, for profit, compel or lure persons under the age of 21 years into offering sexual services, including by threat or use of force, or by taking advantage of a person's stay in another country.<sup>423</sup>

FBiH and RS entity Governments are responsible for enforcing child labor laws; violations of child labor laws are investigated as part of a general labor inspection. According to the labor inspectorates of both entities, no significant

violations of child labor laws were found in the workplace.<sup>424</sup>

The State Prosecutor's Office has sole jurisdiction over all trafficking cases and has the authority to decide which cases to prosecute at the State level and which ones to send to the entity level. A nationwide interagency anti-trafficking "strike force" coordinated efforts in 2006, resulting in a successful raid of three well-known bars in central Bosnia which led to four arrests and criminal charges against 11 people suspected of involvement in trafficking.<sup>425</sup>

The Government conducted 26 investigations relating to violations of trafficking in persons for sexual exploitation, from April 2007 to March 2008.<sup>426</sup> According to USDOS, there were reports of public officials' involvement in trafficking, but no reported actions were taken against public officials.<sup>427</sup>

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

In order to create a unified strategy for the protection of children, the BiH Council of Ministers adopted on June 20, 2007, the Strategy to Combat Violence on Children in Bosnia and Herzegovina for the period of 2007-2012.<sup>428</sup>

The Government is also collaborating with the IOM to implement anti-trafficking assistance and prevention programs within the country. These efforts include raising media and public awareness of trafficking through a major national public awareness campaign that includes brochures, billboards, and a documentary.<sup>429</sup> The IOM has also assisted the Government in its management of counter-trafficking efforts, such as developing a network of shelters for protecting victims, and the prosecution of traffickers.<sup>430</sup> The Government has continued to fight trafficking by registering 41 new individuals in its trafficking victim referral system; working with local NGOs to provide services to trafficking victims; producing an anti-trafficking manual for use in schools; and providing training for police, prosecutors, judges, teachers, and social workers.<sup>431</sup> Police and border officers have also been given materials to assist them in evaluating victims.<sup>432</sup>

The Government of Bosnia and Herzegovina participated in a USD 2.22 million regional program, funded by the Government of Germany and implemented by ILO-IPEC. The program aimed to combat the worst forms of child labor and was completed in July 2007.<sup>433</sup>

UNICEF is working in Bosnia and Herzegovina in assessing services available to trafficking victims to ensure that efforts to remove trafficked persons from exploitive situations do not result in further victimization. Specifically, UNICEF has worked to develop medical, legal, and counseling support services for children and minors.<sup>434</sup>

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<sup>403</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, Issue No. 43, (October 28, 1999), article 15. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, (November 8, 2000), article 14. See also U.S. Department of State, "Bosnia and Herzegovina," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100551.htm>.

<sup>404</sup> U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 6d.

<sup>405</sup> U.S. Embassy- Sarajevo, *reporting*, March 7, 2007.

<sup>406</sup> U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 6d.

<sup>407</sup> United Nations Committee on the Rights of the Child, *Concluding Observations on the Rights of the Child, Bosnia and Herzegovina*, CRC/C/15/Add.260, September 21, 2005, para. 65; available from [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/dd9baddc520d9878c1257018002db47e/\\$FILE/G0544039.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/dd9baddc520d9878c1257018002db47e/$FILE/G0544039.pdf).

<sup>408</sup> U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," sections 5 and 6d.

<sup>409</sup> U.S. Department of State, *Trafficking in Persons Report- 2007: Bosnia and Herzegovina*, Washington, DC, June 12, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>.

<sup>410</sup> U.S. Department of State, *Background Note: Bosnia and Herzegovina*, [online] October 2007 [cited December 17, 2007]; available from <http://www.state.gov/r/pa/ei/bgn/2868.htm>.

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<sup>411</sup> Government of Bosnia and Herzegovina, *Constitution of Bosnia and Herzegovina*, (December 14, 1995), article III, section 3, para. b.; available from [http://www.ohr.int/print/?content\\_id=372](http://www.ohr.int/print/?content_id=372).

<sup>412</sup> Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, article 15. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 14.

<sup>413</sup> *Ibid.*

<sup>414</sup> Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, articles 32 and 51. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 42.

<sup>415</sup> Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, articles 15 and 51. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 69.

<sup>416</sup> Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, article 36. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 46.

<sup>417</sup> Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, article 140. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 150.

<sup>418</sup> U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 6c.

<sup>419</sup> U.S. Central Intelligence Agency, *The World Factbook: Military Service Age and Obligation*, [online] [cited December 17, 2007]; available from <https://www.cia.gov/library/publications/the-world-factbook/print/bk.html>.

<sup>420</sup> Government of Bosnia and Herzegovina, *Criminal Code of the Federation of Bosnia and Herzegovina*, (November 20, 1998), article 184; available from [http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content\\_id=5130#18](http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content_id=5130#18). See also Government of Bosnia and Herzegovina, *Criminal Code of the Republika Srpska (excerpts)*, (July 31, 2000), article 144; available from <http://www.legislationline.org//legislation.php?tid=178&lid=2935>.

<sup>421</sup> Government of Bosnia and Herzegovina, *Statute of the Brcko District of Bosnia and Herzegovina*, (September 2000),

article 209; available from <http://www.ohr.int/ohr-dept/legal/const/doc/brcko-statute.doc>. See also Government of Bosnia and Herzegovina, *Criminal Code (FBiH)*, articles 224 and 228. See also Government of Bosnia and Herzegovina, *Criminal Code of the Republika Srpska*, (July 31, 2000), article 185; available from [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).

<sup>422</sup> Government of Bosnia and Herzegovina, *Criminal Code (FBiH)*, articles 224 and 229.

<sup>423</sup> Government of Bosnia and Herzegovina, *Criminal Code (RS)*, article 188.

<sup>424</sup> U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 6d.

<sup>425</sup> *Ibid.*, section 5. See also U.S. Embassy- Sarajevo, *reporting. March 7, 2007*.

<sup>426</sup> U.S. Embassy- Sarajevo, *reporting*, March 3, 2008.

<sup>427</sup> U.S. Department of State, *Trafficking in Persons Report- 2007: Bosnia and Herzegovina*.

<sup>428</sup> U.S. Embassy - Sarajevo, E-mail communication to USDOL official, July 22, 2008.

<sup>429</sup> IOM, *Counter-trafficking in BiH*, [online] [cited December 17, 2007]; available from <http://www.iom.ba/CT4.html>. See also U.S. Department of State, *Trafficking in Persons Report- 2007: Bosnia and Herzegovina*.

<sup>430</sup> IOM, *Counter-trafficking in BiH*.

<sup>431</sup> U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 5. See also U.S. Embassy - Sarajevo, E-mail communication, July 22, 2008.

<sup>432</sup> U.S. Department of State, *Trafficking in Persons Report- 2007: Bosnia and Herzegovina*.

<sup>433</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>434</sup> UNICEF, *FACTSHEET: TRAFFICKING The facts*, [online] [cited December 17, 2007]; available from <http://www.unicef.org/protection/trafficking.pdf>.

# Botswana

<i>Selected Statistics and Indicators on Child Labor</i> <sup>435</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	Not compulsory
Free public education:	No
Gross primary enrollment rate (%), 2005:	108
Net primary enrollment rate (%), 2005:	86
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2003:	90
ILO-IPEC participating country:	Yes

## Incidence and Nature of Child Labor

Children in Botswana work in agriculture, predominately in subsistence farming, in family businesses in the retail sector, and in the informal sector as street vendors and car washers.<sup>436</sup> In remote areas, young children also work as domestic servants.<sup>437</sup> Reports indicate that some children are exploited into prostitution, particularly along transit routes to South Africa.<sup>438</sup> In addition, there are unconfirmed reports that Botswana is a country of transit for East African children trafficked into South Africa.<sup>439</sup>

## Child Labor Laws and Enforcement

The law sets the minimum age for basic employment at 14 years and for hazardous work at 18 years.<sup>440</sup> Under the law, children not attending school who have attained the age of 14 may be

employed by family members or, as approved by the Commissioner of Labor, in light work that is not harmful to their health and development for no more than 6 hours per day and 30 hours per week.<sup>441</sup> Children, defined as those under 15 years, and young persons, defined as those between 15 and 17 years, may not be employed in underground work, night work, or any work that is harmful to their health and development.<sup>442</sup> Children may not work more than 3 consecutive hours, and young persons no more than 4 hours, in industrial undertakings without a rest period of 30 minutes, absent the express permission of the Commissioner of Labor. The maximum penalty for illegally employing a child is imprisonment for up to 12 months and/or a fine.<sup>443</sup>

The law prohibits forced labor.<sup>444</sup> The law does not explicitly prohibit trafficking in persons, although separate statutes make kidnapping, slave trafficking, and procuring women and girls for prostitution illegal.<sup>445</sup> USDOS reports that law enforcement and immigration officials receive regular training on anti-trafficking methods.<sup>446</sup> Child prostitution and pornography are criminal offenses, and “defilement” of persons less than 16 years is punishable by a 10-year minimum prison sentence.<sup>447</sup> The law specifically protects adopted children from being exploited for labor, and orphans from being coerced into prostitution.<sup>448</sup> Military service is voluntary and the minimum age for enlisting in the Armed Forces is 18 years.<sup>449</sup>

The Ministry of Labor and Home Affairs is tasked with enforcing child labor laws and the law authorizes the Commissioner of Labor to terminate the unlawful employment of children.<sup>450</sup> According to USDOS, although its resources for oversight of remote areas in the country were limited, in general, the Ministry was effective.<sup>451</sup> The child welfare divisions of the district and municipal councils are also responsible for enforcing child labor laws.<sup>452</sup> The Government has also established an Advisory Committee on Child Labor comprised of NGOs, government agencies, and worker and employer organizations to provide oversight on child labor issues.<sup>453</sup>

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

During the reporting period, the Government collaborated with local organizations to raise public awareness of child labor and child trafficking issues through workshops and conferences.<sup>454</sup> The Government of Botswana is participating in a USD 5 million USDOL-funded regional child labor project in Southern Africa implemented by ILO-IPEC. Activities under this project in Botswana include research on the nature and incidence of exploitive child labor and efforts to build the capacity of the Government to address child labor issues.<sup>455</sup> The American Institutes for Research, with the support of the Government of Botswana, are implementing another regional USDOL-funded project. This USD 9 million project aims to improve the quality and access to education for children who are working in, or are at risk of working in, the worst forms of child labor.<sup>456</sup> Over its lifetime, the project intends to prevent 10,000 children in five countries, including Botswana, from engaging in exploitive labor.<sup>457</sup>

The government included a module on children's activities in its 2005/2006 National Labor Force Survey. The preliminary results of the survey, released in 2007, have helped identify the extent and location of child labor in Botswana.<sup>458</sup>

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<sup>455</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Botswana, *Employment Act*, 29, (1982), article 107; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/842/64792/E82BWA01.htm>. See also U.S. Department of State, "Botswana," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100467.htm>. See also U.S. Embassy-Gaborone, *reporting*, November 29, 2007, para 8.

<sup>456</sup> Government of Botswana, *Preliminary 2005/2006 Labour Force Survey Results*, Gaborone, November 2006; available from [http://www.cso.gov.bw/html/labour/Stats\\_brief%20Nov%2030%202006.pdf](http://www.cso.gov.bw/html/labour/Stats_brief%20Nov%2030%202006.pdf). See also Eva Procek, *Discussion Document on Child Labor in Botswana*, Botswana Ministry

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of Labor and Social Security, International Labor Organization (ILO) and Programme Towards the Elimination of the Worst Forms of Child Labor (TECL), October 2006, section 8. See also Duma Gideon Boko, *Scoping Study on Child Labour in Botswana*, Dawie Bosch and Associates, Pretoria, August 2003, chapter 4.

<sup>457</sup> U.S. Embassy- Gaborone, *reporting*, December 5, 2006, para 13.

<sup>458</sup> Procek, *Discussion Document on Child Labor in Botswana*, section 3. See also Iwani Mothobi-Tapela, *A Rapid Assessment of Commercial Sexual Exploitation of Children in Botswana*, Botswana Ministry of Labor and Social Security, International Labor Organization (ILO) and Programme Towards the Elimination of the Worst forms of Child Labor (TECL), July 2007, 39. See also U.S. Department of State, "Country Reports- 2007: Botswana," section 5.

<sup>439</sup> U.S. Department of State, "Country Reports- 2007: Botswana," section 5. See also ECPAT International CSEC Database, *Botswana*, accessed November 20, 2007; available from <http://www.ecpat.net>.

<sup>440</sup> Government of Botswana, *Employment Act*, article 107. See also U.S. Embassy- Gaborone, *reporting*, November 29, 2007, para 2.

<sup>441</sup> Government of Botswana, *Employment Act*, article 107. See also U.S. Embassy- Gaborone, *reporting*, November 29, 2007, para 2.

<sup>442</sup> Government of Botswana, *Employment Act*, articles 108-109. See also Duma Gideon Boko, *Scoping Study on Child Labour in Botswana*, 12. See also U.S. Embassy-Gaborone, *reporting*, November 29, 2007, para 2.

<sup>443</sup> Government of Botswana, *Employment Act*, articles 111, 172. See also U.S. Embassy- Gaborone, *reporting*, December 5, 2006, para 2, 4.

<sup>444</sup> Government of Botswana, *Employment Act*, article 71. See also U.S. Embassy- Gaborone, *reporting*, November 29, 2007, para 3.

<sup>445</sup> U.S. Department of State, "Country Reports- 2007: Botswana," section 5. See also Government of Botswana, *Children's Act*, 5, (1981), chapter IV; available from <http://www.laws.gov.bw/Docs/Principal/Volume3/Chapter28/Chpt28-04%20Children%27s.pdf>.

<sup>446</sup> U.S. Embassy- Gaborone, *reporting*, February 26, 2008, para 29i.

<sup>447</sup> U.S. Department of State, "Country Reports- 2007: Botswana," section 5. See also Government of Botswana, "Botswana," in *Legislation of Interpol Member States on Sexual Offences Against Children*, 2006; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaBotswana.asp>.

<sup>448</sup> U.S. Department of State, "Country Reports- 2007: Botswana," section 6d. See also U.S. Embassy-Gaborone, *reporting*, November 29, 2007, para 5.

<sup>449</sup> Government of Botswana, *Botswana Defence Force*, 23,

(1977), article 17; available from <http://www.laws.gov.bw/Docs/Principal/Volume3/Chapter21/Chpt21-05%20Botswana%20Defence%20Force.pdf>.

<sup>450</sup> U.S. Embassy- Gaborone, reporting, November 29, 2007, para 4. See also U.S. Department of State, "Country Reports- 2007: Botswana," section 6d. See also Government of Botswana, *Employment Act*, article 113.

<sup>451</sup> U.S. Department of State, "Country Reports- 2007: Botswana," section 6d.

<sup>452</sup> Ibid. See also U.S. Embassy- Gaborone, reporting, November 29, 2007, para 4.

<sup>453</sup> U.S. Department of State, "Country Reports- 2007: Botswana," section 6d.

<sup>454</sup> Ibid. See also U.S. Embassy- Gaborone, reporting,

February 26, 2008.

<sup>455</sup> ILO-IPEC, *Supporting the Timebound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, project document, Geneva, September, 2003.

<sup>456</sup> American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, project document, Washington, DC, September 8, 2005, 17-18.

<sup>457</sup> Ibid., 19.

<sup>458</sup> U.S. Embassy- Gaborone, reporting, November 29, 2007, para 13. See also Government of Botswana, *Preliminary 2005/2006 Labour Force Survey Results*.

## Brazil

### *Selected Statistics and Indicators on Child Labor<sup>459</sup>*

Working children, 5-14 years (%), 2004:	5.2
Working boys, 5-14 years (%), 2004:	7
Working girls, 5-14 years (%), 2004:	3.3
Working children by sector, 5-14 years (%), 2004:	
- Agriculture	57.8
- Manufacturing	7.2
- Services	33.7
- Other	1.4
Minimum age for admission to work:	16
Age to which education is compulsory:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2004:	140
Net primary enrollment rate (%), 2004:	95
School attendance, children 5-14 years (%), 2004:	93.9
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes

### **Incidence and Nature of Child Labor**

The rate of child work is higher in northeastern Brazil than in any other region, and it is equally common in rural and urban areas throughout the

country.<sup>460</sup> More minors of African descent are working than of any other race or ethnicity.<sup>461</sup> Ninety percent of working children work in the informal sector. From that population, 20 percent of the 10 to 14 year old girls perform third-party domestic work for which they are paid half the minimum wage for more than 40 hours per week.<sup>462</sup> Children work in approximately 116 activities, including mining, fishing, raising livestock, producing charcoal and footwear, and harvesting corn, manioc, sugarcane, sisal, and other crops in rural areas. In urban areas, common activities for working children include shining shoes, street peddling, begging, and working in restaurants, construction, and transportation.<sup>463</sup> In the Amazon region, children are victims of CSEC in mining settlement brothels.

Children work with their parents in forced labor activities such as charcoal production. Girls are trafficked overseas for commercial sexual exploitation, using fake personal identification documents. Boys are trafficked internally as slave laborers.<sup>464</sup> Child sex tourism is a serious problem in 26 percent of the tourist destinations in the northern coast of Brazil, with children being sexually exploited by foreign pedophiles mostly from Europe and North America.<sup>465</sup> Child sex tourism often involves a ring of travel agents, hotel workers, taxi drivers, and traffickers.<sup>466</sup>

## **Child Labor Laws and Enforcement**

The minimum age for general employment in Brazil is 16 years. However, the law establishes that younger children can work in family workshops under parent or guardian supervision and under certain conditions, without specifying a minimum age. The minimum age for apprenticeships is 14 years.<sup>467</sup> Minors who work as apprentices are required to attend school through the primary grades and to provide proof of parental permission to work.<sup>468</sup> The law prohibits employees under 18 years from working in unhealthy, dangerous, painful, or arduous conditions; at night; or in settings where their physical, moral, or social well-being is adversely affected.<sup>469</sup>

The law establishes that introducing a child of 14 to 18 years to prostitution is punishable by imprisonment of 3 to 8 years, and in cases of violence or fraud, 4 to 10 years. Running a brothel is punishable by 2 to 5 years of imprisonment and fines.<sup>470</sup> The law also provides for fines and prison terms of 4 to 10 years for anyone convicted of trafficking children 14 to 18 years internally or across national borders for prostitution, with penalties of 5 to 12 years in cases of violence or fraud.<sup>471</sup> The law does not address forced labor directly, but establishes imprisonment from 2 to 8 years and a fine for subjecting a person to slave-like conditions, with penalties increasing by one-half if the crime is committed against a child. Transporting workers by force from one locale to another within the national territory is punishable by imprisonment for 1 to 3 years and fines; penalties increase by one-sixth to one-third if the victim is under 18 years.<sup>472</sup> The minimum age for conscription into military service is 18 years.<sup>473</sup>

The Ministry of Labor and Employment (MTE) is responsible for inspecting work sites for child labor violations, while its regional offices gather data from the inspections to develop plans to combat child labor. Most inspections result from complaints to labor inspectors by workers, NGOs, teachers, the media, and other sources. While inspections mostly take place in the informal sector, most children work in farms and private homes. The MTE found 7,812 children working during inspections in 2007, which is more than double the amount from the previous year.<sup>474</sup>

Government authorities involved in combating trafficking include the Ministry of Social Development and Combating Hunger (MDS), the Special Human Rights Secretariat, the MTE, the Ministry of Justice, and the Ministry of Tourism.<sup>475</sup> The Federal Police monitor sex traffickers through the internet, and launched operations to combat trafficking which resulted in 38 arrests for international trafficking and one for internal trafficking during the period from April 2006 to March 2007.<sup>476</sup> A "code of conduct to combat sex tourism and sexual exploitation" is being implemented by local governments from the States of Pernambuco, Espirito Santo, Amazonas, Parana, Rio de Janeiro, Bahia, and the Federal District. Under this code, businesses are required to display public warnings of the criminal punishments for sexually exploiting children.<sup>477</sup> The Highway Federal Police reported a drop in the number of places considered hot spots for commercial sexual exploitation of children, along the highways of nine states across Brazil.<sup>478</sup>

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

The Brazilian Government's efforts are coordinated around seven actions: supporting institutions and activities related to child labor eradication, providing scholarships to working children and adolescents, providing social services to working children and adolescents, conducting child labor focused inspections, conducting public awareness campaigns, updating the Map of Areas with Child Labor, and providing technical assistance to the School of the Future Worker Program.<sup>479</sup>

A Subcommittee of Brazil's National Commission to Eradicate Child Labor (CONAETI), composed of members from the Federal Government, worker and employer organizations, and civil society,<sup>480</sup> is currently revising the country's list of the worst forms of child labor, as stipulated by ILO Convention No. 182 on the Worst Forms of Child Labor.<sup>481</sup> The MTE implements the School of the Future Worker Program that benefits more than 70,000 children who learn about occupational safety and health and worker's rights in more than 547 schools.<sup>482</sup> The MTE periodically publishes the Map of Areas with Child Labor. With the support of the ILO, MTE is currently designing a new

format and methodology for the map that will expedite the collection and consolidation of data.<sup>483</sup>

The national program to remove children from working in the most hazardous forms of child labor is the Program to Eradicate Child Labor (PETI), administered by the MDS in conjunction with State and local authorities. Through PETI, families with children working in selected hazardous activities receive stipends to remove their children from work and maintain them in school. In addition, PETI offers an after-school program to prevent children from working during non-school hours, which provides tutoring, nutritional snacks, sports, art, and cultural activities. Children between 7 and 15 years are eligible to participate.<sup>484</sup> While PETI focuses on removing children from hazardous work, the Family Grant (*Bolsa Família*) program aims to prevent child labor and promote education by supplementing family income and encouraging at-risk children and adolescents to attend school regularly.<sup>485</sup> The Government recently integrated PETI into the more comprehensive Family Stipend Program in order to simplify the cash transfer process, include pre-school age children, and in general, expand the PETI benefits to a higher number of families in need.<sup>486</sup>

The Government of Brazil, in coordination with ILO-IPEC, is implementing a USDOL-funded USD 6.5 million Timebound Program to eliminate the worst forms of child labor in domestic service, prostitution, hazardous work in agriculture, and other informal sector activities. The project aims to withdraw 4,026 children from exploitive labor and prevent an additional 1,974 from becoming involved in such activities.<sup>487</sup> Another USDOL-funded USD 5 million program, implemented by Partners of the Americas in coordination with the Government of Brazil, ended in 2007. The program worked to eliminate the worst forms of child labor in both illicit drug cultivation and the commercial sexual exploitation of children, by providing basic quality education in areas of northeastern Brazil. The project targeted 10,000 children for withdrawal and prevention from exploitive labor.<sup>488</sup> USAID provides more than USD 3.5 million to fund efforts to combat trafficking of persons including children, for the purpose of commercial sexual exploitation.<sup>489</sup>

The Government of Brazil and the other governments of MERCOSUL (the Brazilian acronym for the “Common Market of the South”) are conducting the “Niño Sur” (“Southern Child”) initiative to defend the rights of children and adolescents in the region.<sup>490</sup> The initiative includes unified public campaigns against commercial sexual exploitation, trafficking and child labor; mutual technical assistance in adjusting the legal framework to international standards on those issues; and the exchange of best practices related to victim protection and assistance.<sup>491</sup>

One of the main Government programs to assist child victims of commercial sexual exploitation is the Social Assistance Specialized Reference Centers Program (CREAS). These municipal Reference Centers provide psychological assistance and insertion into social benefits programs for children and their families. CREAS centers have been established in 1,300 municipalities.<sup>492</sup> The Secretariat of Human Rights established a telephone hotline in every State to report sexual exploitation.<sup>493</sup> The Government operates a national trafficking database designed to document and analyze trafficking-related statistics more effectively.<sup>494</sup>

The Ministry of Justice continued the second phase of a program managed by the UNODC that will design the National Plan to Combat Trafficking in Persons, raise awareness on the issue, and expand the country’s database on trafficking victims and perpetrators. UNODC aims to expand project implementation to all Brazilian States, and it has established centers in the principal national airports with personnel trained to receive possible trafficking victims.<sup>495</sup>

The Government of Brazil is funding a USD 200,000 ILO-IPEC initiative to combat the Worst Forms of Child Labor in Lusophone countries in Africa, including Angola, Cape Verde, and Mozambique.<sup>496</sup>

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<sup>489</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Ministry of Labor and Employment, *National Plan - Prevention and Eradication of Child Labor and Protection of*

*Adolescent Workers*, 2004; available from [http://www.mte.gov.br/trab\\_infantil/plan\\_prevencao\\_erradicacao.asp](http://www.mte.gov.br/trab_infantil/plan_prevencao_erradicacao.asp). See also Presidência da República, *Lei N. 11.274, de 6 de Fevereiro de 2006, Article 32*, [online] [cited November 30, 2007]; available from [https://www.planalto.gov.br/ccivil\\_03/\\_Ato2004-2006/2006/Lei/L11274.htm](https://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2006/Lei/L11274.htm).

<sup>460</sup> Ministry of Labor and Employment, *Mapa de Indicativos do Trabalho da Criança e do Adolescente*, [online], December 4, 2007; available from [http://www.mte.gov.br/trab\\_infantil/pub\\_7746.pdf](http://www.mte.gov.br/trab_infantil/pub_7746.pdf).

<sup>461</sup> *Ibid.*

<sup>462</sup> U.S. Department of State, "Brazil," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100630.htm>.

<sup>463</sup> *Ibid.* See also U.S. Department of State, "Brazil," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78882.htm>. See also CONAETI, *Lista Tip*, Brasília, October 2, 2006.

<sup>464</sup> U.S. Department of State, "Country Reports- 2007: Brazil," section 5.

<sup>465</sup> U.S. Department of State, "Brazil (Tier 2)," in *Trafficking in Persons Report- 2007: Brazil*, Washington, DC, June 5, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>466</sup> U.S. Department of State, "Country Reports- 2007: Brazil," section 5.

<sup>467</sup> ILO Committee of Experts, *Direct Request, Minimum Age, 1973, (No. 138) Brazil (ratification: 2001)*, [online], 2005; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>468</sup> U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

<sup>469</sup> Ministry of Labor and Employment, *National Plan*.

<sup>470</sup> Government of Brazil, *Código Penal Brasil*, Lei No. 2,848, modified by Lei No. 9,777 of 1998, articles 227-229; available from [http://www.oas.org/juridico/mla/pt/bra/pt\\_bra-int-text-cp.pdf](http://www.oas.org/juridico/mla/pt/bra/pt_bra-int-text-cp.pdf).

<sup>471</sup> UNODC, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, [online] November 6, 2007 [cited March 15, 2008], article 231; available from <http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-traffickingprotocol.html>.

<sup>472</sup> Presidência da República, *Decreto-Lei n° 2.848 de*

*07.12.1940 alterado pela Lei n° 9.777 em 26/12/98*, [cited December 4, 2007, articles 149,207; available from <http://www.planalto.gov.br/CCIVIL/Decreto-Lei/Del2848.htm>.

<sup>473</sup> Ministério da Defesa, *Serviço Militar*, [online] [cited December 4, 2007]; available from [https://www.defesa.gov.br/servico\\_militar/index.php?page=historico\\_servico\\_militar](https://www.defesa.gov.br/servico_militar/index.php?page=historico_servico_militar).

<sup>474</sup> U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

<sup>475</sup> *Ibid.*, section 5.

<sup>476</sup> *Ibid.* See also U.S. Department of State, "Brazil (Tier 2)," in *Trafficking in Persons Report- 2007: Brazil*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>477</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Brazil."

<sup>478</sup> Ministry of Justice, *Exploração sexual de menores diminui nas rodovias do país*, 2007; available from <http://www.mj.gov.br/data/Pages/MJ27337B92ITEMI D6E5944945A1C48909075E85AA344F4FDPTBRIE.htm>.

<sup>479</sup> Government of Brazil, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (December 5, 2006) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, December 17, 2007.

<sup>480</sup> Ministry of Labor and Employment, *Órgãos e Entidades que compõem a CONAETI*, [online] [cited December 10, 2007]; available from [http://www.mte.gov.br/trab\\_infantil/composicao.asp#](http://www.mte.gov.br/trab_infantil/composicao.asp#).

<sup>481</sup> Government of Brazil, *Request for Information*.

<sup>482</sup> Ministério Público de União, *Estado pode ter direitos trabalhistas e saúde do trabalhador como matéria de Ensino Fundamental*, [online] 2005 [cited February 28, 2008]; available from [http://www.prt12.mpt.gov.br/prt/noticias/2005\\_10/2005\\_10\\_10.php](http://www.prt12.mpt.gov.br/prt/noticias/2005_10/2005_10_10.php). See also Sentidos, *Escola do Futuro*, [online] 2002 [cited February 28, 2008]; available from <http://sentidos.uol.com.br/canais/imprimir.asp?codpag=1966&canal=educacao>.

<sup>483</sup> Government of Brazil, *Request for Information*.

<sup>484</sup> Ministry of Social Development and Combating Hunger, *Programa de Erradicação do Trabalho Infantil - PETI*; available from [http://www.portaltransparencia.gov.br/curso\\_PETI.pdf](http://www.portaltransparencia.gov.br/curso_PETI.pdf).

<sup>485</sup> U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

<sup>486</sup> ILO-IPEC, *Avaliação da integração do programa de erradicação do trabalho infantil (PETI) ao programa bolsa-família (PBF)*, 2007.

<sup>487</sup> USDOL, *ILAB Technical Cooperation Project Summary: Eliminating the Worst Forms of Child Labor in Brazil- Support for the Time-bound Program on the Elimination of*

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*the Worst Forms of Child Labor*, project summary.

<sup>488</sup> USDOL, *ILAB Technical Cooperation Project Summary: EDUCAR-Combating the Worst Forms of Child Labor through Education in Brazil*, project summary.

<sup>489</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>490</sup> Presidência da República, *Países do Mercosul anunciam campanha de Combate à Exploração Sexual de Crianças* [online] [cited December 5, 2007]; available from [http://www.presidencia.gov.br/noticias/ultimas\\_noticias/expoloracrianca2/](http://www.presidencia.gov.br/noticias/ultimas_noticias/expoloracrianca2/).

<sup>491</sup> Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited December 5, 2007]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia.htm#>.

<sup>492</sup> Presidência da República, *Países do Mercosul anunciam campanha de Combate à Exploração Sexual de Crianças* See

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<sup>493</sup> U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

<sup>494</sup> U.S. Department of State, *Trafficking in Persons Interim Assessment: Brazil*, online, January 19 2007; available from <http://www.state.gov/g/tip/rls/rpt/78948.htm>.

<sup>495</sup> UNODC, *Programa de Combate ao Tráfico de Seres Humanos*, [online] [cited December 7, 2007]; available from [http://www.unodc.org/brazil/programasglobais\\_tsh.html?print=yes](http://www.unodc.org/brazil/programasglobais_tsh.html?print=yes).

<sup>496</sup> ILO-IPEC Geneva official, E-mail communication, December 12, 2007.

## Burkina Faso

### **Incidence and Nature of Child Labor**

The majority of economically active children in Burkina Faso are found in the agricultural sector, usually working on family farms, and in some cases as paid laborers.<sup>497</sup> Work on farms, especially cotton farms, can involve exposure to harmful pesticides.<sup>498</sup> Children work in hazardous conditions in the mining sector, especially gold mines.<sup>499</sup> Children also work as domestic servants.<sup>500</sup> The practice of sending boys to Koranic teachers to receive education is a tradition in various countries, including Burkina Faso.<sup>501</sup> While some boys receive lessons, others are forced by their teachers to beg and surrender the money that they have earned or to work in fields.<sup>502</sup>

Burkina Faso is a destination, transit and source country for children trafficked for the purpose of forced labor and commercial sexual exploitation.<sup>503</sup>

Children are trafficked to work in domestic service, agriculture, prostitution, mining, and work in quarries. Burkina Faso is also a destination country for children trafficked from Nigeria and Mali. Children from Burkina Faso are trafficked into Benin, Côte d'Ivoire, Ghana, Mali, Niger, Nigeria, and Togo.<sup>504</sup> Children from West and Northwest

Burkina Faso, especially from the Dogon, Samo and Dafing ethnic groups, have a higher risk of being trafficked.<sup>505</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 15 years. Children under 18 years are prohibited from working at night. However, in an instance of *force majeure*, children aged 16 or older are permitted to do so.<sup>506</sup> A decree lists the types of work and enterprises in which children under 18 years are forbidden to work in such as work in slaughterhouses or with explosives.<sup>507</sup> Under the law, children and adolescents under 20 years may not undertake work that could harm their reproductive abilities.<sup>508</sup> Violations of minimum age laws are subject to imprisonment of up to 5 years.<sup>509</sup>

The law defines and prohibits the worst forms of child labor for children following ILO Convention 182. Slavery and slavery-like practices, inhumane and cruel treatment, and physical or emotional abuse of children are forbidden by the Constitution.<sup>510</sup> The law also prohibits forced and compulsory labor.<sup>511</sup> Violations of forced labor laws

are subject to imprisonment of up to 10 years.<sup>512</sup> The minimum age for voluntary recruitment into the military is 20 years, and 18 years for compulsory recruitment.<sup>513</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>514</sup>	
Working children, 5-14 years (%), 2003:	47
Working boys, 5-14 years (%), 2003:	46.4
Working girls, 5-14 years (%), 2003:	47.7
Working children by sector, 5-14 years (%), 2003:	
- Agriculture	97.4
- Manufacturing	0.4
- Services	2.0
- Other	0.2
Minimum age for work:	15
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	56
Net primary enrollment rate (%), 2005:	44
School attendance, children 5-14 years (%), 2003:	27.2
Survival rate to grade 5 (%), 2004:	76
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses	

The law prohibits child trafficking for economic or sexual exploitation; illegal adoption; early or forced marriage; or any other purpose that is harmful to a child's health, well-being, or physical or mental development. Anyone who engages in child trafficking, or who is aware of a child trafficking case and does not report it, is subject to 1 to 5 years of imprisonment. The penalty is increased to 5 to 10 years of imprisonment if the child is under 15 years or if the act was committed using fraud or violence.<sup>515</sup> These penalties also apply to violations of laws prohibiting the worst forms of child labor.<sup>516</sup>

The penal code forbids any involvement in prostitution, explicitly prohibiting the prostitution of persons less than 18 years old and the debauchery of a minor; such violations are punishable by 2 to 5 years of imprisonment and fines.<sup>517</sup> Penalties specified for these crimes apply

regardless of the country in which the offenses are committed.<sup>518</sup>

The Ministry of Labor and Social Security and the Ministry of Social Action and National Solidarity are responsible for enforcing child labor laws.<sup>519</sup> Labor inspectors, police, *gendarmes*, and customs service agents share responsibility for investigating child labor violations. Burkina Faso employs 39 labor inspectors, one of whom acts to coordinate on child labor issues in each region. However, none of the inspectors are dedicated exclusively to child labor.<sup>520</sup> The Office for the Protection of Infants and Adolescents reported in 2007-2008 that security forces rescued 312 trafficked children and arrested 23 child traffickers. By the end of 2007, five of these traffickers had been sentenced, while eight had been cleared of any charges.<sup>521</sup>

Burkina Faso was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>522</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>523</sup>

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

On April 11, 2007, the Government adopted a National Action Plan against Trafficking in Persons as part of its National Social Action Policy.<sup>524</sup> With funding from UNICEF, the Government undertook awareness raising activities regarding the worst forms of child labor, including trafficking in gold mines and cotton fields.<sup>525</sup> The Government also created a call center for children in Ouagadougou within the framework of its fight against the worst forms of child labor.<sup>526</sup>

There is one reintegration center in the capital for at-risk children, and Burkina Faso operates 21 transit centers throughout the country for trafficked children. The Government cooperates with NGOs and international organizations to reintegrate child trafficking victims. The

Government also supports Vigilance and Surveillance Committees throughout the country and has trained them on how to identify and assist trafficking victims.<sup>527</sup>

In 2007, Burkina Faso participated in the Combating the Trafficking in Children for Labor Exploitation in West and Central Africa, Phases 1 & 2 (LUTRENA) regional project, funded by USDOL at USD 9.28 million and implemented by ILO-IPEC, to combat the trafficking of children for exploitive labor. During Phase II, from July 2001 to December 2007 (when the project ended) the project withdrew 4,240 children and prevented 7,213 children from trafficking in the region.<sup>528</sup> The Government also took part in a USD 3 million USDOL-funded child labor education project that ended in September 2007. The project reached 2,285 victims of child trafficking and children at risk of being trafficked through the promotion of education, including the building of 20 schools.<sup>529</sup> The Government continues to participate in a USD 3 million USDOL-funded regional ILO-IPEC project to combat child labor in small-scale gold mining. The project targets 1,500 children to be withdrawn and 2,500 children to be prevented from exploitive work in gold mining in Burkina Faso and Niger.<sup>530</sup>

The Government of Burkina Faso is cooperating on a USD 325,000 regional ILO-IPEC project funded by the Government of Denmark to combat the trafficking of children for labor purposes. Additionally, Burkina Faso cooperated on two French-funded ILO-IPEC projects, one regional and one inter-regional, that ended in December 2007. The funding levels were respectively USD 3.1 and 3.6 million.<sup>531</sup> The Government of Burkina Faso continues to participate in a USD 4.9 million French-funded regional ILO-IPEC project that runs until December 31, 2009.<sup>532</sup> These French-funded projects aim to eliminate child labor by improving vocational training, apprenticeships, and government capacity building.<sup>533</sup>

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[http://www.childlabour.net/docs/Education%20Summaries\\_final\\_21NOV2007.pdf](http://www.childlabour.net/docs/Education%20Summaries_final_21NOV2007.pdf).

<sup>498</sup> Albertine de Lange, "Going to Kompienga" *A Study on Child Labour Migration and Trafficking in Burkina Faso's South-Eastern Cotton Sector* International Research on Working Children, 2006, 23 and 27; available from [http://www.childlabour.net/docs/Education%20Summaries\\_final\\_21NOV2007.pdf](http://www.childlabour.net/docs/Education%20Summaries_final_21NOV2007.pdf).

<sup>499</sup> ILO-IPEC, *Prevention and Elimination of Child Labor in Mining in West Africa*, Project Document, Geneva, September 30, 2005, 1-5 and 36.

<sup>500</sup> Lange, *Education in Rural Areas*, 49. See also ILO-IPEC, *Hazardous Child Domestic Work: A Briefing Sheet*, Briefing Sheet, Geneva, 2007, 20; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=4044>.

<sup>501</sup> Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>502</sup> Save the Children-Canada, *Training and Education Against Trafficking (TREAT)*, Technical Progress Report, Toronto, March 3, 2007, 22 and 32.

<sup>503</sup> U.S. Department of State, "Burkina Faso (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also Brad Kress, *Burkina Faso: Testing the Tradition of Circular Migration*, Migration Policy Institute, May, 2006; available from <http://www.migrationinformation.org/Profiles/print.cfm?ID=399>.

<sup>504</sup> U.S. Embassy- Ouagadougou, *reporting*, May 7, 2007. See also Kress, *Burkina Faso: Testing the Tradition of Circular Migration*. See also ILO-IPEC LUTRENA, *La Traite des Enfants Aux Fins D'Exploitation De Leur Travail Dans Les Mines d'Or D'Issia Cote D'Ivoire*, Research Report, Cote D'Ivoire, 2005.

<sup>505</sup> U.S. Embassy- Ouagadougou, *reporting*, March 3, 2008, para 2a.

<sup>506</sup> Government of Burkina Faso, *Code du travail*, articles 146, 147. Government of Burkina Faso, *Décret n° 2004-451-PRES du 15 octobre 2004 promulguant la loi n° 033-2004/AN du 14 septembre 2004 portant Code du travail*, (October 15, 2004); available from [http://www.legiburkina.bf/jo/jo2004/no\\_spécial\\_02/Décret\\_PRES\\_2004\\_00451.htm](http://www.legiburkina.bf/jo/jo2004/no_spécial_02/Décret_PRES_2004_00451.htm).

<sup>507</sup> Government of Burkina Faso, *Code du travail*, articles 147 and 148. See also ILO-IPEC, *Combating the Trafficking*

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<sup>497</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007. See also Albertine de Lange, "Burkina Faso" *Education in Rural Area: Obstacles and Relevance*, International Research on Working Children, 2007, 48-49; available from

of Children for Labour Exploitation in West and Central Africa (LUTRENA) - Responses to ICLP Comments, IPEC Responses, Geneva, March 2005, 1.

<sup>508</sup> Government of Burkina Faso, *Code du travail*, article 145.

<sup>509</sup> *Ibid.*, article 388. See also U.S. Embassy-Ouagadougou, reporting, May 7, 2007.

<sup>510</sup> Government of Burkina Faso, *Constitution du Burkina Faso*, Loi N° 002/97/ADP, (January 27, 1997), article 2.

<sup>511</sup> Government of Burkina Faso, *Code du travail*, articles 5 and 6.

<sup>512</sup> *Ibid.*, articles 388 and 390. See also U.S. Embassy-Ouagadougou, reporting, May 7, 2007.

<sup>513</sup> Coalition to Stop the Use of Child Soldiers, "Burkina Faso," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=760](http://www.child-soldiers.org/document_get.php?id=760).

<sup>514</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Burkina Faso, *Loi n° 033-2004/AN portant code du travail au Burkina Faso*, (September 14, 2004), article 147; available from [http://www.legiburkina.bf/jo/jo2004/no\\_spécial\\_02/Loi\\_AN\\_2004\\_00033.htm](http://www.legiburkina.bf/jo/jo2004/no_spécial_02/Loi_AN_2004_00033.htm). See also Government of Burkina Faso, *Loi n° 13-96 ADP du 9 mai portant loi d'orientation de l'éducation*, (May 9, 1996), article 2, 6.

<sup>515</sup> Government of Burkina Faso, *Loi n° 038-2003/AN portant définition et répression du trafic d'enfant(s)*, (May 27, 2003), articles 3-6; available from [http://www.legiburkina.bf/jo/jo2003/no\\_31/Loi\\_AN\\_2003\\_00038.htm](http://www.legiburkina.bf/jo/jo2003/no_31/Loi_AN_2003_00038.htm).

<sup>516</sup> Government of Burkina Faso, *Code du travail*, articles 148 and 390. See also U.S. Embassy- Ouagadougou, reporting, May 7, 2007.

<sup>517</sup> Government of Burkina Faso, *Penal Code, Section IV-Offenses against Public Morals*, (April 13, 1946), articles 334 and 334-1; available from <http://209.190.246.239/protectionproject/statutesPDF/BURKINAFASO.pdf>. U.S. Embassy- Ouagadougou official, E-mail communication to USDOL official, July 31, 2007.

<sup>518</sup> Government of Burkina Faso, *Penal Code*, articles 334 and 334-1.

<sup>519</sup> U.S. Department of State, "Burkina Faso," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100468.htm>. See also Government of Burkina Faso, *Code du travail*, articles 388 and 390.

<sup>520</sup> U.S. Embassy- Ouagadougou, reporting, March 3, 2008, para 1b.

<sup>521</sup> U.S. Department of State, "Country Reports- 2007: Burkina Faso," section 5.

<sup>522</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>523</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical progress Report, 10-11.

<sup>524</sup> U.S. Embassy- Ouagadougou, reporting, May 7, 2007, para 2. See also U.S. Embassy- Ouagadougou, reporting, March 3, 2008, para 5f.

<sup>525</sup> ILO-IPEC, *Prevention and Elimination of Child Labour in Artisanal Gold Mining in West Africa*, Technical Progress Report, Geneva, September 12, 2007.

<sup>526</sup> Save the Children-Canada, *TREAT, March 2007 Technical Progress Report*, 16.

<sup>527</sup> U.S. Embassy- Ouagadougou, reporting, March 3, 2008, para 4b.

<sup>528</sup> ILO-IPEC, *Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (LUTRENA)* project document, Geneva, 2001, cover page. See also ILO-IPEC, *Amendment to Project Document "Combating the Trafficking of Children for Labour Exploitation in West and Central Africa"*, Project Document Amendment Geneva, September 3, 2004. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2007, 1-3. See also ILO-IPEC Geneva official, LUTRENA Project Table III.C. Final Report March 2008 E-mail communication to USDOL official, March 24, 2008.

<sup>529</sup> Save the Children -Canada, *Training and Education Against Trafficking (TREAT)*, Project Document, Toronto, 2004. See also Save the Children - Canada, *Training and Education Against Trafficking (TREAT)*, Technical Progress Report, Toronto, August 7, 2007.

<sup>530</sup> ILO-IPEC, *Regional Mining, Project Document*, cover page.

<sup>531</sup> ILO-IPEC official, E-mail communication to USDOL official, December 13, 2007. See also ILO-IPEC official, E-mail communication to USDOL official, February 27, 2008.

<sup>532</sup> ILO-IPEC official, E-mail communication, December 13, 2007. See also ILO-IPEC official, E-mail communication, February 27, 2008.

<sup>533</sup> ILO-IPEC official, E-mail communication, February 27, 2008.

## Burundi

### *Selected Statistics and Indicators on Child Labor*<sup>534</sup>

Working children, 5-14 years (%), 2000:	31.2
Working boys, 5-14 years (%), 2000:	32.3
Working girls, 5-14 years (%), 2000:	30.1
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	12
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	82
Net primary enrollment rate (%), 2005:	58
School attendance, children 5-14 years (%), 2000:	41.9
Survival rate to grade 5 (%), 2007:	67
ILO-IPEC participating country:	Associated
*Must pay for miscellaneous school expenses	

### Incidence and Nature of Child Labor

Children in Burundi work in subsistence agriculture, family-based businesses, construction, mining and brick-making, and in the informal sector.<sup>535</sup> Increasing rates of HIV/AIDS have led to greater numbers of orphans and, consequently, street children.<sup>536</sup> Street children are involved in activities such as hawking goods, or working as porters, which may involve heavy loads.<sup>537</sup> Children also work as domestic servants, and some have reported not being paid for wages.<sup>538</sup> There

have also been reports that children are engaged in commercial sexual exploitation.<sup>539</sup>

Despite signing a cease-fire agreement with the Government, during the reporting period the rebel group, Party for the Liberation of the Hutu People/National Liberation Front continued to recruit children, sometimes forcibly.<sup>540</sup> UNICEF reported that Government's armed forces did not use children as combatants, but there were reports that the military used children for menial tasks.<sup>541</sup> Reports also indicate that the Government has illegally detained former child soldiers who served in rebel groups rather than provide them with services such as demobilization and reintegration.<sup>542</sup>

There are conflicting reports that Burundi remains a source country for the internal trafficking of children for the purpose of child soldiers.<sup>543</sup> Children in Burundi are trafficked within the country for the purposes of domestic servitude and commercial sexual exploitation.<sup>544</sup>

### Child Labor Laws and Enforcement

The minimum age for employment in Burundi is 16 years.<sup>545</sup> Children 12 to 16 years are permitted to engage in light work or apprenticeships that do not jeopardize their health, development, or ability to attend and benefit from school.<sup>546</sup> Children under 16 years may work a maximum of 6 hours per day, are prohibited from working at night, and must have rest periods of at least 12 hours between work sessions.<sup>547</sup> The law allows for medical examinations to determine if a child's work causes undue physical stress.<sup>548</sup> Employers found in violation of the provisions for the work of young persons are subject to fines and, for repeat offenses, closure of the place of employment.<sup>549</sup>

The law prohibits forced labor, except in special circumstances such as military service, civic obligations in the public interest, or as a result of a judicial decision.<sup>550</sup> Inciting, exploiting, or facilitating the prostitution of persons under 21 years are subject to fines and imprisonment of up to 10 years. Offenses against the decency of a child are punishable by prison terms of 5 to 15 years.<sup>551</sup> The law does not specifically prohibit trafficking; however, traffickers can be prosecuted under laws against assault, fraud, kidnapping, rape, prostitution, and slavery, and may face up to 20 years in prison.<sup>552</sup> By law, the minimum age for military recruitment is 16 years, although the Government reports that it does not recruit those under 18 years in practice.<sup>553</sup> The Ministry of Defense has issued instructions that soldiers found to be forcing children to perform menial work be disciplined, with punishments ranging from a reduction in pay to confinement.<sup>554</sup>

The Ministry of Labor is responsible for enforcing child labor laws.<sup>555</sup> According to USDOS, enforcement is based on the filing of complaints due, at least in part, to a lack of labor inspectors.<sup>556</sup>

Burundi was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>557</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>558</sup>

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

In 2007, the Government of Burundi continued to counter the prostitution of children through its Special Unit for the Protection of Underage Children and Social Ethics and the Brigade for the Protection of Women and Children, which investigates instances of forced prostitution and works to improve the living conditions of affected children.<sup>559</sup> The Government also supported awareness raising activities and organized seminars with NGOs to address the issue of street

children and internal trafficking.<sup>560</sup> The Ministry of National Solidarity and Human Rights also raised awareness about the forced labor nature of child soldiers to dispel the negative stigma that some associate with former child soldiers.<sup>561</sup>

Further, the Government of Burundi's National Demobilization, Reinsertion, and Reintegration Program continued activities that demobilize child soldiers and prevent the recruitment of ex-combatant child soldiers. These activities were originally funded under a World Bank umbrella grant; and since June 2006, the Government and UNICEF have continued to provide support so these children may receive education and vocational training.<sup>562</sup> The Government has also helped to provide income-generating projects for former child soldiers.<sup>563</sup>

The Government participated in a global USD 7 million USDOL-funded project, implemented by ILO-IPEC, to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers. The project withdrew 4,335 children from child soldiering and prevented 4,560 children from involvement with armed groups in seven countries, including Burundi.<sup>564</sup>

In 2007, the Government of Norway also launched a year-long, USD 1.275 million regional project in the Democratic Republic of Congo and Burundi, implemented by ILO-IPEC, to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers.<sup>565</sup> The Government is also participating in the implementation of a monitoring system on the use of children in armed conflict under UN Security Council Resolution 1612.<sup>566</sup>

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<sup>554</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Burundi, *Décret loi no. 1/037 du 7 juillet 1993 portant révision du Code du travail*, title I chapter I article 3; available from <http://natlex.ilo.org/txt/F93BDI01.htm>. See also U.S. Department of State, "Burundi," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008; available from

<http://www.state.gov/g/drl/rls/hrrpt/2007/100469.htm>.

<sup>535</sup> U.S. Department of State, "Country Reports- 2007: Burundi," section 6d. See also U.S. Embassy- Bujumbura, *reporting*, October 5, 2007. See also U.S. Embassy - Bujumbura, *reporting*, October 5, 2007.

<sup>536</sup> U.S. Department of State, "Country Reports- 2007: Burundi." See also International AIDS Society, "Burundi's experience in the reduction of the HIV/AIDS impact on orphans", [previously online], July 12, 2004 [cited December 11, 2007]; available from [http://www.iasociety.org/abstract/show.asp?abstract\\_id=2171384](http://www.iasociety.org/abstract/show.asp?abstract_id=2171384).

<sup>537</sup> Iteka, *Bulletin d'Information de la Ligue Burundaise des Droits de l'Homme ITEKA*, July, 2007, 11; available from [http://www.ligue-iteka.africa-web.org/IMG/pdf/Bulletin\\_ITEKA\\_no99\\_juillet\\_2007.pdf](http://www.ligue-iteka.africa-web.org/IMG/pdf/Bulletin_ITEKA_no99_juillet_2007.pdf). See also Integrated Regional Information Networks, "Burundi: Focus on Street Children", IRINnews.org, [online], June 15, 2004 [cited December 11, 2007]; available from <http://www.irinnews.org/report.aspx?reportid=50237>.

<sup>538</sup> Human Rights Watch, *Paying the Price: Violations of the Rights of Children in Detention in Burundi*, New York, March, 2007; available from <http://hrw.org/reports/2007/burundi0307>.

<sup>539</sup> U.S.-Embassy-Bujumbura, *reporting December 3, 2007*, para 2. See also Integrated Regional Information Networks, "Burundi: Humanitarian Country Profile", IRINnews.org, [online], February 1, 2007 [cited December 11, 2007]; available from <http://www.irinnews.org/country-profile.aspx>. See also U.S. Department of State, "Country Reports- 2007: Burundi," section 6d.

<sup>540</sup> UN Secretary-General, *Report of the Secretary-General on Children and Armed Conflict in Burundi*, November 28, 2007, para 7, 16, and 18; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/593/11/PDF/N0759311.pdf?OpenElement>. See also ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Programme*, Technical Progress Report, Geneva, September 2006, 2. See also U.S. Department of State, "Country Reports- 2007: Burundi," section 5.

<sup>541</sup> U.S. Department of State, "Country Reports- 2007: Burundi," section 1g. See also U.S. Embassy - Bujumbura, *reporting*, October 5, 2007, para IV, B.

<sup>542</sup> UN Secretary-General, *Report of the Secretary-General 2007*, para 29-32. See also Human Rights Watch, *Burundi: Former Child Soldiers Languish in Custody*, New York, June 16, 2006; available from [http://hrw.org/english/docs/2006/06/15/burund13554\\_txt.htm](http://hrw.org/english/docs/2006/06/15/burund13554_txt.htm).

<sup>543</sup> U.S. Embassy- Bujumbura, *reporting*, February 29, 2008, para 3. See also U.S. Embassy- Bujumbura, *reporting*, October 5, 2007, para 3.

<sup>544</sup> U.S. Embassy -Bujumbura, *reporting*, June 7, 2007, para 8. See also U.S. Department of State, "Burundi (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also ECPAT International CSEC Database, *Burundi*, accessed December 2, 2007; available from <http://www.ecpat.net>.

<sup>545</sup> Government of Burundi, *Décret loi no. 1/037 du 7 juillet 1993 portant révision du Code du travail*, title V, chapter VI, article 126.

<sup>546</sup> ILO Committee of Experts, *Individual Direct Request, Minimum Age Convention, 1973 (No. 138) Burundi (ratification: 2000)*, [online] 2006 [cited October 3, 2006]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=18479&chapter=9&query=%28C138%2CC182%29+%40ref+%2B+%28Burundi%29+%40ref&highlight=&querytype=bool&context=0>. See also U.S. Department of State, "Country Reports- 2007: Burundi," section 5.

<sup>547</sup> ILO Committee of Experts, *Individual Direct Request C138: Burundi*. See also Government of Burundi, *Décret loi no. 1/037 du 7 juillet 1993 portant révision du Code du travail*, title V, chapter 4, articles 119-120.

<sup>548</sup> Government of Burundi, *Décret loi no. 1/037 du 7 juillet 1993 portant révision du Code du travail*, title V, chapter 6, article 128.

<sup>549</sup> ILO Committee of Experts, *Individual Direct Request C138: Burundi*.

<sup>550</sup> Government of Burundi, *Décret loi no. 1/037 du 7 juillet 1993 portant révision du Code du travail*, title I, section 1, article 2.

<sup>551</sup> Government of Burundi, *Offenses Against Public Morals*, articles 372 and 382; available from <http://209.190.246.239/protectionproject/statutesPDF/BurundiF.pdf>. See also ECPAT International CSEC Database, *Burundi*.

<sup>552</sup> U.S. Department of State, "Country Reports- 2007: Burundi," section 5.

<sup>553</sup> U.S. Embassy- Bujumbura, *reporting*, October 5, 2007, para 2.

<sup>554</sup> U.S. Department of State, "Country Reports- 2007: Burundi," section 1g. See also U.S. Embassy- Bujumbura, *reporting*, October 5, 2007.

<sup>555</sup> Government of Burundi, *Décret loi no. 1/037 du 7 juillet 1993 portant révision du Code du travail*, title V, chapter VI, article 128.

<sup>556</sup> U.S.-Embassy-Bujumbura, *reporting December 3, 2007*, para 2. See also U.S. Department of State, "Country Reports- 2007: Burundi," section 6d.

<sup>557</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006, ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>558</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa*, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, 10-11.

<sup>559</sup> U.S. Embassy- Bujumbura, *reporting, February 29, 2008*, para 13. See also U.S. Department of State, "Country Reports- 2007: Burundi," section 5.

<sup>560</sup> U.S. Department of State, "Country Reports- 2007: Burundi," section 5. See also U.S. Embassy- Bujumbura, *reporting, February 29, 2008*, para 14.

<sup>561</sup> U.S. Embassy- Bujumbura, *reporting, February 29, 2008*, para 15.

<sup>562</sup> Multi-Country Demobilization and Reintegration Program, *MRDP Fact Sheet: Burundi*, [online] February 2008 [cited March 12, 2008]; available from

[http://www.mdrp.org/PDFs/MDRP\\_BUR\\_FS\\_0208.pdf](http://www.mdrp.org/PDFs/MDRP_BUR_FS_0208.pdf). See also Multi - Country Demobilization and Reintegration Program, *The Social and Economic Status of Beneficiaries of the Burundi Child Soldier Demobilization, Social Reintegration and Recruitment Prevention Special Project* 2007, 1; available from [http://www.mdrp.org/in\\_focus\\_right.htm](http://www.mdrp.org/in_focus_right.htm). See also Olalekan Ajia, *UN Special Representative Commends Demobilization of Child Soldiers in Burundi*, [online] March 27, 2007 [cited April 1, 2007]; available from [http://www.unicef.org/protection/burundi\\_39232.html?q=printme](http://www.unicef.org/protection/burundi_39232.html?q=printme).

<sup>563</sup> U.S. Embassy- Bujumbura, *reporting, October 5, 2007*, para 2. See also U.S. Embassy- Bujumbura, *reporting, February 29, 2008*, para 12.

<sup>564</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Program*, Project Document, ILO, Geneva, September 17, 2003. See also ILO-IPEC Geneva official, E-mail communication to USDOL official, March 14, 2008.

<sup>565</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>566</sup> Olalekan Ajia, *UN Special Representative Commends Demobilization of Child Soldiers in Burundi*, Bujumbura, March 27, 2007; available from [http://www.unicef.org/protection/burundi\\_39232.html](http://www.unicef.org/protection/burundi_39232.html).

## Cambodia

### Incidence and Nature of Child Labor

Children in Cambodia work in exploitive conditions, on commercial rubber and tobacco plantations, in salt production, in fish processing, in portering, in brick making, and as rubbish pickers.<sup>567</sup> They also work processing sea products; breaking, quarrying or collecting stones; in gem and coal mining; in garment factories; and in restaurants.<sup>568</sup> Children work in restaurants and as domestic servants. Most child domestics are girls 14 to 17 years old, though it is not uncommon to find workers as young as 6 or 7 years; they typically work 12 to 16 hour days, 7 days a week.<sup>569</sup>

Cambodia is a country of origin, transit, and destination for trafficking in children. Children are trafficked internally for purposes of commercial

sexual exploitation, work in garment factories, begging, in construction, as domestics, and porters. Cambodian children are trafficked to Thailand for the purposes of commercial sexual exploitation, domestic work, begging, street hawking, flower selling, and for work in the construction and agricultural sectors.<sup>570</sup> Children are also trafficked into Vietnam for begging.<sup>571</sup> Vietnamese girls are trafficked into Cambodia for the purpose of sexual exploitation.<sup>572</sup>

### Child Labor Laws and Enforcement

The Labor Law sets the minimum age for wage employment at 15 years,<sup>573</sup> although a later 1999 ministerial decree sets the minimum age at 14 years.<sup>574</sup> The law allows children 12 to 15 years to perform light work that is not hazardous and does

*Selected Statistics and Indicators  
on Child Labor<sup>575</sup>*

Working children, 10-14 years (%), 2003-2004:	48.9
Working boys, 10-14 years (%), 2003-2004:	49.6
Working girls, 10-14 years (%), 2003-2004:	48.1
Working children by sector, 10-14 years (%), 2003-2004:	
- Agriculture	82.3
- Manufacturing	4.2
- Services	12.9
- Other	0.6
Minimum age for work:	14/15*
Compulsory education age:	Not compulsory
Free public education:	Yes
Gross primary enrollment rate (%), 2005	126
Net primary enrollment rate (%), 2005:	96
School attendance, children 5-14 years (%), 2003-2004:	76.8
Survival rate to grade 5 (%), 2004:	63
ILO-IPEC participating country:	Yes
*Laws are inconsistent	

not affect regular school attendance or participation in other training programs.<sup>576</sup> A 2007 ministerial decree limits the working hours of children ages 12 to 14 years to 7 hours on non-school days and 4 hours on school days, between the hours of 6:00 a.m. to 8:00 p.m.<sup>577</sup> Cambodian law prohibits work that is hazardous to the mental or physical development of children under 18 years.<sup>578</sup> Employers who hire children less than 18 years to work in hazardous labor are liable to a fine of 31 to 60 days of the daily wage.<sup>579</sup> The law lists 38 types of hazardous work, such as tanning, logging, using chemicals in textile production, in which children under 18 years are not permitted to work. The law separately identifies domestic work as hazardous and states that children under 12 years shall not carry out domestic work; it also sets guidelines for children 12 to 14 years undertaking domestic work.<sup>580</sup> The law states that no one under 18 years

shall work in underground mines or quarries, or work from 10 p.m. to 5 a.m. Lists of working children must be kept by employers and must be submitted to labor inspectors, and children with parents or guardians must document their consent in order to work.<sup>581</sup> In December 2007, the Government adopted additional child labor protections through the passage of six ministerial decrees.<sup>582</sup>

The law prohibits all forced or compulsory labor.<sup>583</sup> The law also prohibits hiring people to work to pay debts.<sup>584</sup> The minimum age for conscription into military service is 18 years.<sup>585</sup>

The Constitution prohibits prostitution and the trafficking of human beings.<sup>586</sup> Penalties for brothel owners, operators, and individuals who prostitute others include prison terms of between 10 to 20 years, depending on the age of the victim.<sup>587</sup> The 2008 Suppression of Human Trafficking and Commercial Sexual Exploitation Law stipulates 15 to 20 years of imprisonment for traffickers if the victim is under 18 years old.<sup>588</sup> Acts of debauchery are outlawed, and although the legal definition of debauchery does not explicitly include pornography, the courts have prosecuted several cases of child pornography under the law.<sup>589</sup>

The Ministry of Labor and Vocational Training (MOLVT) is responsible for enforcing the child-related provisions of the Cambodian Labor Law.<sup>590</sup> However, the Labor Law only applies to formal employer-employee relationships and does not cover many areas of informal sector work such as family businesses and farms, begging, scavenging, hauling, and day labor, where the most serious child labor problems exist.<sup>591</sup> In 2007, no employer was prosecuted for violating child labor laws.<sup>592</sup> Local police are responsible for enforcing laws against child trafficking and prostitution.<sup>593</sup> According to USDOS, although the Government has increased arrests and prosecutions of traffickers, anti-trafficking efforts continue to be hampered by reported corruption and a weak judicial system.<sup>594</sup> From April 2007 to February 2008, the police arrested 57 offenders for cross border and domestic trafficking.<sup>595</sup> In 2007, six foreign nationals were convicted of the commercial sexual exploitation of Cambodian children.<sup>596</sup>

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

The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) Action Program 2004-2008 includes specific goals to combat child labor and trafficking, develop national plans to address these issues, and improve enforcement mechanisms for violators of child labor and trafficking laws.<sup>597</sup> The MOLVT's Strategic Plan 2006-2010 makes the elimination of the worst forms of child labor a priority.<sup>598</sup>

Along with Burma, Laos, the People's Republic of China, Thailand, and Vietnam, Cambodia is signatory to the "Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)," aimed at creating a sustained and effective system of cross-border cooperation and collaboration to combat human trafficking.<sup>599</sup> The Government of Cambodia has signed MOUs on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking with the Governments of Thailand and Vietnam.<sup>600</sup> In April 2007, the Government established a National Task Force to implement all agreements and MOUs between the Government of Cambodia and other countries on the elimination of trafficking in persons and assisting victims of trafficking.<sup>601</sup> In July 2007, the Government established a "Leading Task Force" on human trafficking activities as a support structure for the National Task Force.<sup>602</sup>

The Ministry of Tourism (MOT) conducted workshops for the hospitality industry on the commercial sexual exploitation of children.<sup>603</sup> The MOT continues to work with the ILO to promote "Child Safe" tourism policies to prevent trafficking of women and children for labor and sexual exploitation.<sup>604</sup> The Ministry of Interior operates an anti-trafficking hotline and MOSAVY operates temporary shelters for victims of trafficking.<sup>605</sup>

The Government of Cambodia is participating in a USD 4 million USDOL-funded program, implemented by Winrock International, to reduce the number of children in Cambodia engaged in exploitive child labor in subsistence and commercial agriculture. The project targets 3,750 children for withdrawal and 4,500 children for prevention from work in hazardous labor in

subsistence and commercial agriculture, including fresh water fishing in 150 villages in the provinces of Siem Reap, Pursat, Kampong Cham, and Prey Veng.<sup>606</sup> The Government is also participating in a USD 4.75 million USDOL-funded Timebound Program, supported by ILO-IPEC, to eliminate child labor in specified worst forms and to create a platform for eliminating all forms of child labor. The program targets 4,260 children to be withdrawn and 5,650 to be prevented from work in brick-making, portering, rubber-making, domestic work, salt production, fish processing, and service sectors.<sup>607</sup> Cambodia is also part of a USDOL-funded global project, implemented by Winrock International, which aims to substantially reduce the engagement of children in the worst forms of child labor.<sup>608</sup> The Government also participated in a 4-year USD 3 million USDOL-funded project which concluded in September 2007. The project, implemented by World Education, prevented 18,353 children from engaging in commercial sexual exploitation and trafficking through the provision of educational opportunities in the provinces of Banteay Meanchey, Kampong Cham, and Prey Veng, as well as Phnom Penh.<sup>609</sup> USDOL also funded a Hagar International project through July 2007 that reintegrated trafficked women with the provision of counseling services and vocational training in the Phnom Penh area.<sup>610</sup>

The Government of Cambodia is participating in a USD 4.5 million USAID funded project to combat trafficking.<sup>611</sup> In 2007, USAID began to fund the Counter-Trafficking in Persons Project (CTIP). The CTIP project brings together nine government ministries to collaborate on counter-trafficking issues.<sup>612</sup> The Government is also participating in several Australian Aid Agency supported activities in Cambodia. The *Mobilizing Communities for Child Protection* project and *A Child Safe Cambodia* project work to protect the rights of children against commercial sexual exploitation and abuse. These projects total almost USD 3 million and will last through 2010.<sup>613</sup>

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<sup>567</sup> ILO-IPEC, *Support to the Cambodian National Plan of Action on the Elimination of the Worst Forms of Child Labour: A Timebound Approach*, Project Document, Geneva, September 2004, vi.

<sup>568</sup> ILO, UNICEF, and World Bank, *Children's Work in Cambodia: A Challenge for Growth and Poverty Reduction*, December 2006, 19, 20; available from [http://www.crin.org/docs/WB\\_Child\\_labour.pdf](http://www.crin.org/docs/WB_Child_labour.pdf).

<sup>569</sup> Eleanor Brown, *Out of Sight, Out of Mind? Child Domestic Workers and Patterns of Trafficking in Cambodia*, IOM, January 2007, 19, 47; available from [http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published\\_docs/books/CDW%20report.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/CDW%20report.pdf). See also ILO, UNICEF, and World Bank, *Children's Work in Cambodia*, 22. See also ILO, *Child Domestic Labour in Cambodia: Why It Has to Stop and How We Can Stop It*, Phnom Penh, 2004, 5, 9; available from <http://www.ilo.org/public/english/region/asro/bangkok/library/download/pub04-12.pdf>.

<sup>570</sup> ILO, UNICEF, and World Bank, *Children's Work in Cambodia*, 19. See also U.S. Department of State, "Cambodia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children Cambodia*, Bangkok, 2006, 11; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/EAP/Global\\_Monitoring\\_Report-CAMBODIA.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/EAP/Global_Monitoring_Report-CAMBODIA.pdf).

<sup>571</sup> U.S. Embassy- Phnom Penh, *reporting* February 28, 2008, 3.

<sup>572</sup> *Ibid.*

<sup>573</sup> Government of Cambodia, *Cambodian Labor Law*, article 177(1). See also U.S. Embassy- Phnom Penh, *reporting*, January 7, 2008, para 4.

<sup>574</sup> U.S. Embassy- Phnom Penh, *reporting*, January 7, 2008, para 3, 4.

<sup>575</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Cambodia, *Cambodian Labor Law*, (March 13, 1997), article 177(1); available from [http://www.bigpond.com.kh/Council\\_of\\_Jurists/Travel/trv001g.htm](http://www.bigpond.com.kh/Council_of_Jurists/Travel/trv001g.htm). See also U.S. Embassy- Phnom Penh, *reporting* January 7, 2008, para 3-4. See also U.S. Embassy- Phnom Penh, *reporting*, January 7, 2008, para 6. See also U.S. Department of State, "Cambodia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100516.htm>.

<sup>576</sup> Government of Cambodia, *Cambodian Labor Law*, article 177(4).

<sup>577</sup> U.S. Embassy- Phnom Penh, *reporting*, January 7, 2008, para 5.

<sup>578</sup> Government of Cambodia, *Cambodian Labor Law*, article 177(2).

<sup>579</sup> U.S. Embassy- Phnom Penh, *reporting* March 5, 2007, para 3c. See also U.S. Embassy- Phnom Penh, *reporting*, February 28, 2008, 8.

<sup>580</sup> Government of Cambodia, *Prakas on the Prohibition of Hazardous Child Labor*, Prakas No. 106, (April 28, 2004).

<sup>581</sup> *Ibid.*

<sup>582</sup> ILO- IPEC, *Support to the Cambodia National Plan of Action on the Elimination of the Worst Forms of Child Labor: A TimeBound Approach Technical Progress Report*, Geneva, March 2008.

<sup>583</sup> Government of Cambodia, *Cambodian Labor Law*, articles 15-16.

<sup>584</sup> *Ibid.*

<sup>585</sup> Coalition to Stop the Use of Child Soldiers, "Cambodia," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=848](http://www.child-soldiers.org/document_get.php?id=848).

<sup>586</sup> Government of Cambodia, *Constitution of the Kingdom of Cambodia*, (September 21, 1993), article 46; available from [http://www.oefre.unibe.ch/law/icl/cb00000\\_.html](http://www.oefre.unibe.ch/law/icl/cb00000_.html). See also ILO, *C138 Minimum Age Convention, 1973*, accessed November 19, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/applyConvYear.cfm?hdroff=1&ang=EN&conv=C138>.

<sup>587</sup> ILO, *C138 Minimum Age Convention, 1973*, article 3.

<sup>588</sup> U.S. Embassy- Phnom Penh, *reporting*, February 28, 2008, 7, 8. See also U.S. Embassy - Phnom Penh, *reporting* February 19, 2008, para 2.

<sup>589</sup> U.S. Embassy- Phnom Penh, *reporting*, August 30, 2005, 8.

<sup>590</sup> *Ibid.*

<sup>591</sup> U.S. Embassy- Phnom Penh, *reporting*, November 6, 2003, 8. See also U.S. Department of State, "Country Reports- 2007: Cambodia," section 6d.

<sup>592</sup> U.S. Department of State, "Country Reports- 2007: Cambodia," section 6d.

<sup>593</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cambodia," 27. See also U.S. Department of State, "Country Reports- 2007: Cambodia," section 5.

<sup>594</sup> U.S. Department of State, "Country Reports- 2007: Cambodia," section 5. See also U.S. Embassy- Phnom Penh, *reporting*, March 5, 2007.

<sup>595</sup> U.S. Embassy- Phnom Penh, *reporting*, February 28, 2008, 2.

<sup>596</sup> *Ibid.*, 8.

<sup>597</sup> Veterans and Youth Rehabilitation (MOSAVY) Kingdom of Cambodia's Ministry of Social Affairs, *Action Program 2004-2008*.

<sup>598</sup> Ministry of Labour and Vocational Training (MOLVT), *Strategic Plan 2006-2010*, 10. See also ILO-IPEC, *Support to the Cambodia National Plan of Action on the Elimination of the Worst Forms of Child Labor: A Timebound Approach* Technical Progress Report, Geneva, March 2007, 16.

<sup>599</sup> UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region (UNIAP), *COMMIT Process*, [online] 2007 [cited December 13 2007]; available from [http://no-trafficking.org/content/COMMIT\\_Process/commit\\_background.html#01](http://no-trafficking.org/content/COMMIT_Process/commit_background.html#01). See also U.S. Department of State, "Country Reports- 2007: Cambodia," section 5.

<sup>600</sup> U.S. Embassy- Phnom Penh, *reporting, February 28, 2008*, 11.

<sup>601</sup> U.S. Embassy - Phnom Penh, *reporting* November 20, 2007, para 3.

<sup>602</sup> World Education, *OPTIONS: Combating Child Trafficking and Commercial Sexual Exploitation through Education in Cambodia*, Technical Progress Report, September 2007, 3.

<sup>603</sup> U.S. Embassy- Phnom Penh, *reporting, February 28, 2008*, 17.

<sup>604</sup> Ministry of Tourism and ILO, *Ministry of Tourism of the Kingdom of Cambodia and ILO Team Up to Advocate Promotion of "Child Safe" Tourism Policies to Prevent Trafficking in Children and Women*, September 22, 2005; available from <http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/camtourismnews.pdf>. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Cambodia."

<sup>605</sup> U.S. Embassy- Phnom Penh, *reporting, March 5, 2007*, para 4a. See also U.S. Embassy- Phnom Penh, *reporting, August 30, 2005*, para 27. See also Human Trafficking.org, *Ministry of Women's and Veteran's Affairs (MWVA) Profile*, [online] 2007 [cited December 13, 2007]; available from <http://www.humantrafficking.org/organizations/44>.

<sup>606</sup> U.S. Department of Labor, *Children's Empowerment through Education Services: Eliminating the Worst Forms of*

*Child Labor in Cambodia*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007.

<sup>607</sup> ILO -IPEC, *Support to the Cambodian National Plan of Action on the Elimination of the Worst Forms of Child Labour: A Timebound Approach*, Project Document, Geneva, September 2004.

<sup>608</sup> Winrock International, *Child Labor Reduction through Community Based Education*, [online] 2007 [cited December 13, 2007]; available from <http://www.winrock.org/fact/facts.asp?CC=5519&bu=>

<sup>609</sup> U.S. Department of Labor, *OPTIONS: Combating Child Trafficking and Commercial Sexual Exploitation through Education*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007.

<sup>610</sup> U.S. Department of Labor, *Reintegration of Trafficked Women*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007.

<sup>611</sup> HumanTrafficking.org, *U.S. Promises Funding to Counter Human Trafficking in Cambodia*, [online] October 27, 2006 [cited December 13, 2007]; available from <http://www.humantrafficking.org/updates/442>.

<sup>612</sup> World Education, *OPTIONS: Combating Child Trafficking and Commercial Sexual Exploitation through Education in Cambodia*, Technical Progress Report, March 2007, 3. See also USAID, *USAID Counter Trafficking in Persons Project Summary*, August 2005; available from [http://www.usaid.gov/kh/One\\_Pager/counter\\_trafficking\\_in\\_persons.pdf](http://www.usaid.gov/kh/One_Pager/counter_trafficking_in_persons.pdf). See also Asia Foundation, *In Cambodia: Ending Violence against Women*, [online] 2007 [cited December 13, 2007]; available from <http://asiafoundation.org/in-asia/2007/11/21/in-cambodia-ending-violence-against-women/>.

<sup>613</sup> Australian Agency for International Development (AusAID), *Aid Activities in Cambodia*, [online] 2007 [cited December 13, 2007]; available from [http://www.ausaid.gov.au/country/cbrief.cfm?DCon=1061\\_5593\\_8716\\_8236\\_8498&CountryID=34&Region=EastAsia](http://www.ausaid.gov.au/country/cbrief.cfm?DCon=1061_5593_8716_8236_8498&CountryID=34&Region=EastAsia).

## Cameroon

### Incidence and Nature of Child Labor

Children in Cameroon work in agriculture and the informal sector. Children work in fisheries, raising livestock, and on family cocoa farms.<sup>614</sup> In urban areas, children work in the informal sector as street vendors (selling goods such as tissues and water),

car washers, and domestic servants.<sup>615</sup> A large number of displaced children reside in urban areas, including Yaoundé, and Douala, and perform work in the informal sector.<sup>616</sup> Children may also work in mines, and a number of girls are forced into commercial sexual exploitation.<sup>617</sup>

**Selected Statistics and Indicators  
on Child Labor<sup>618</sup>**

Working children, 10-14 years (%), 2001:	15.9
Working boys, 10-14 years (%), 2001:	14.5
Working girls, 10-14 years (%), 2001:	17.4
Working children by sector, 10-14 years (%), 2001:	
- Agriculture	88.2
- Manufacturing	2.1
- Services	7.1
- Other	2.6
Minimum age for work:	14
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	109
Net primary enrollment rate (%):	-
School attendance, children 10-14 years (%), 2001:	84.6
Survival rate to grade 5 (%), 2004:	64
ILO-IPEC participating country:	Yes
* Must pay miscellaneous school expenses.	

Cameroon is a source, transit, and destination country for the trafficking of children for the purposes of commercial sexual exploitation and forced labor. However, most of the trafficking in Cameroon occurs internally.<sup>619</sup> Girls are trafficked from Adamawa, North, Far North, and Northwest provinces to Douala and Yaoundé to work as street vendors, domestic servants, and for commercial sexual exploitation. Boys and girls are trafficked internally for forced labor in restaurants, bars, sweatshops, and on tea plantations.<sup>620</sup> Children are trafficked from Nigeria, Chad, the Central African Republic, Congo, Benin, and Niger for forced labor in street vending and agriculture. Cameroon also serves as a country of transit for children trafficked between Gabon and Nigeria, and from Nigeria to Saudi Arabia.<sup>621</sup>

### **Child Labor Laws and Enforcement**

The minimum age for admission to work in Cameroon is 14 years, which is the same minimum age for entering into an apprenticeship.<sup>622</sup> Children are prohibited from working at night; moving heavy weights; performing dangerous and

unhealthy tasks; or working in confined areas.<sup>623</sup> Children are prohibited from working longer than 8 hours a day.<sup>624</sup> The law specifies that children cannot work in any job that exceeds their physical capacity, and the Labor Inspectors can require child laborers to take a medical exam to determine if such a situation exists.<sup>625</sup> Violations of child labor provisions are punishable by fines.<sup>626</sup>

The law prohibits slavery and servitude.<sup>627</sup> The penalty for a person who subjects a child to debt bondage is 5 to 10 years in prison and a fine.<sup>628</sup> Cameroon's anti-trafficking law defines child trafficking as the act of moving or helping to move a child within or outside Cameroon to reap financial or material benefit.<sup>629</sup> The law requires authorization from a parent in order for a child to travel.<sup>630</sup> Under the law, individuals who traffic or enslave a child are subject to the punishment of a prison sentence of 10 to 20 years and a fine; if the child is under 15 years or if the offender is the victim's parent, the punishment increases to 15 to 20 years of imprisonment.<sup>631</sup>

Cameroonian law prohibits procuring prostitutes or sharing the profits from another person's prostitution, and sets the penalty as a fine and imprisonment for 6 months to 5 years, which may double if the crime involves a person less than 21 years.<sup>632</sup> Military service is not compulsory in Cameroon. The minimum age for voluntary recruitment is 18 years, although volunteering before 18 years is permitted with parental consent.<sup>633</sup>

Cameroon was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>634</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>635</sup>

The country has 58 labor inspectors who are responsible for investigating child labor cases.<sup>636</sup>

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

In May of 2008, the Minister of Social Affairs launched a program to support 150 street children, which also returns them to their families. In June, the Government signed an Anti-Sex Tourism Charter that outlines ethics rules for tourist activity management. The Minister of Social Affairs continued to participate in a project with France and UNICEF that aims to establish a legal protection system for children.<sup>637</sup>

The Government appoints Child Parliamentarians to provide recommendations on issues related to children. While resolutions by the Child Parliamentarians are not legally binding, in 2007, the Child Parliamentarians passed resolutions to distribute information on legal provisions for children, strengthen infrastructure to support child victims of trafficking, and integrate child rights into school curriculum.<sup>638</sup> During 2007, the Government continued its awareness raising activities to prevent child labor. In addition, the Government also continued to work with UNICEF and local and international NGOs to assist trafficking victims by placing them in temporary shelters.<sup>639</sup>

USAID and the international cocoa industry continued to fund the Sustainable Tree Crops Program in Cameroon, a public-private partnership that promotes sustainable tree crop systems including coffee, cocoa, and cashews, and contains a component to prevent and eliminate the worst forms of child labor on farms.<sup>640</sup>

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<sup>614</sup> Ibid., section 6d.

<sup>615</sup> Ibid. See also Mengue M. Therese, *Commercial Sexual Exploitation of Children in Cameroon*, July 2006, 8; available from [http://www.ecpat.net/eng/pdf/Cameroon/Cameroon\\_CSEC\\_Report%20Eng.pdf](http://www.ecpat.net/eng/pdf/Cameroon/Cameroon_CSEC_Report%20Eng.pdf). See also U.S. Embassy-Yaounde, *reporting*, November 30, 2007, para 21.

<sup>616</sup> International Trade Union Confederation, *Internationally-Recognized Core Labour Standards in Gabon and Cameroon: Report for the WTO General Council Review of the Trade Policies of Gabon and Cameroon*, Geneva, October 2 and 4, 2007, 8. See also U.S. Embassy-Yaounde, *reporting*, November 30, 2007, 21.

<sup>617</sup> U.S. Embassy-Yaounde, *reporting*, November 30, 2007, para 21. See also U.S. Embassy-Yaounde official, E-mail communication to USDOL official, July 24, 2008.

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<sup>618</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Cameroon," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/c25283.htm>.

<sup>619</sup> U.S. Department of State, "Cameroon (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>620</sup> Ibid. See also ILO-IPEC, *La Traite des Enfants aux Fins d'Exploitation de leur Travail au Cameroun*, Geneva, 2005, section 2.2.2; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=5170>. See also U.S. Embassy-Yaounde, *reporting*, November 30, 2007, para 21. See also International Trade Union Confederation, *Review of the Trade Policies of Gabon and Cameroon*, 10. See also U.S. Department of State, "Country Reports- 2007: Cameroon," section 5 and 6d.

<sup>621</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cameroon." See also ILO-IPEC, *La Traite des Enfants* section 2.2.2. See also U.S. Embassy-Yaounde, *reporting*, November 30, 2007, para 21. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Cameroon."

<sup>622</sup> Government of Cameroon, *Labour Code*, Law no. 92/007, (August 14, 1992), section 86(1); available from <http://www.ilo.org/dyn/natlex/docs/WBTEXT/31629/64867/E92CMR01.htm>.

<sup>623</sup> Ibid., section 82(2). See also U.S. Department of State, "Country Reports- 2007: Cameroon," section 6d.

<sup>624</sup> U.S. Department of State, "Country Reports- 2007: Cameroon," section 6d.

<sup>625</sup> Government of Cameroon, *Labour Code*, section 87.

<sup>626</sup> Ibid., section 167.

<sup>627</sup> Government of Cameroon, *Constitution of the Republic of Cameroon*, Law no. 96-06, (January 18, 1996), article 4. See also Government of Cameroon, *Labour Code*, section 2(3).

<sup>628</sup> Government of Cameroon, *Law relating to the Fight against Child Trafficking and Slavery*, Law No. 2005/015, (December 29, 2005), chapter II, section 3.

<sup>629</sup> Ibid., chapter I, section 2.

<sup>630</sup> Government of Cameroon, *Document d'Information sur les Mesures de lutte contre les Pires Formes de Travail des Enfants au Cameroon*, Submitted in Response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts

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by Certain Countries to Eliminate the Worst Forms of Child Labor", April 30, 2008.

<sup>631</sup> Government of Cameroon, *Law relating to the Fight against Child Trafficking and Slavery*, chapter II, sections 4-5.

<sup>632</sup> The Protection Project, "Cameroon," in *2005 Human Rights Report on Trafficking in Persons, especially Women and Children*, Washington, DC, 2005; available from <http://www.protectionproject.org>.

<sup>633</sup> Coalition to Stop the Use of Child Soldiers, "Cameroon," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/home>.

<sup>634</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2006, 2.

<sup>635</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *LUTRENA, Technical Progress Report*, 10-11.

<sup>636</sup> U.S. Embassy- Yaounde, *reporting, November 30, 2007*, para 6.

<sup>637</sup> *Ibid.*, para 2, 4, 10, 15, and 20. See also U.S. Department of State, "Country Reports- 2007: Cameroon," section 5.

<sup>638</sup> U.S. Embassy- Yaounde, *reporting, November 30, 2007*, para 11. See also U.S. Department of State, "Country Reports- 2007: Cameroon," section 5. See also U.S. Embassy- Yaounde official, E-mail communication, July 24, 2008.

<sup>639</sup> U.S. Department of State, "Country Reports- 2007: Cameroon," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Cameroon." See also Government of Cameroon, *Response to FRN, April 30, 2008*.

<sup>640</sup> USAID, *Chocolate Companies Help West African Farmers Improve Harvest*, Washington, DC, September 2005; available from [http://www.usaid.gov/press/frontlines/fl\\_sep05/pillars.htm](http://www.usaid.gov/press/frontlines/fl_sep05/pillars.htm). See also International Institute of Tropical Agriculture, *Sustainable Tree Crops Program*, [online] n.d. [cited December 13, 2007]; available from <http://www.treecrops.org/index.htm>. See also World Cocoa Foundation, *Sustainable Tree Crops Program - Cameroon*, [online] n.d. [cited December 31, 2007]; available from [http://www.worldcocoafoundation.org/difference/STCPCameroon\\_Summary.asp](http://www.worldcocoafoundation.org/difference/STCPCameroon_Summary.asp).

## Cape Verde

### Incidence and Nature of Child Labor

Children in urban areas of Cape Verde, including Mindelo, Praia, and Sal, work primarily in carpentry, auto mechanic workshops, and small shops. They also work as car washers and street vendors.<sup>641</sup> Children in rural areas work in agriculture and animal husbandry and perform domestic work.<sup>642</sup> Reports indicate that some children are exploited in prostitution, particularly on the island of Sal and in other tourist destinations.<sup>643</sup> A recent Government-sponsored study found that children in Cape Verde are used in the sale of illicit substances.<sup>644</sup>

### Child Labor Laws and Enforcement

In October 2007, Cape Verde adopted a supplement to the existing labor law that states the minimum age for employment is 15 years or upon the

completion of compulsory education.<sup>645</sup> The minimum age for apprentice contracts is 14 years, and only businesses that have not been convicted of specific child labor violations may take on an apprentice, unless pardoned by the Director-General for Labor. Employment contracts entered into by children under 18 years can be invalidated at the request of the parents or legal representatives.<sup>646</sup> The normal working hours for youths under 18 years may not exceed 38 hours per week and 7 hours a day, and minors are entitled to a period of 12 hours of uninterrupted rest daily.<sup>647</sup> Minors between 16 and 18 years may work overtime, not exceeding 2 hours daily and 30 hours annually.<sup>648</sup>

The law prohibits children under 16 years from working in enterprises that produce toxic products or in maritime-related activities. Youths under 18 years are allowed to work at night only when it is

essential to their professional development and when authorized by the Director-General for Labor.<sup>649</sup> The law specifies that minors may work in movies, dance, and music if parents or legal representatives ensure that the education and physical, mental, and moral development of the child are uninterrupted. Minors may engage in domestic and agricultural work if it contributes to their subsistence or moral and physical development.<sup>650</sup> The law specifies that parents who exploit their children for labor or abuse the dependence of a minor are subject to a fine equivalent to a year's salary of an adult worker.<sup>651</sup> The legal remedies for violating child labor laws include compensation for victims and criminal penalties from 9 to 19 years of imprisonment if the victim is under 14 years, and 2 to 8 years if the victim is 14 to 16 years.<sup>652</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>653</sup>	
Working children, 10-14 years (%), 2001-2002:	3.2
Working boys, 10-14 years (%), 2001-2002:	3.8
Working girls, 10-14 years (%), 2001-2002:	2.6
Working children by sector, 10-14 years (%), 2001-2002:	
- Agriculture	79.2
- Manufacturing	1.0
- Services	13.7
- Other	6.2
Minimum age for work:	15
Compulsory education age:	11
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	108
Net primary enrollment rate (%), 2005:	90
School attendance, children 5-14 years (%), 2001-2002:	90.1
Survival rate to grade 5 (%), 2004:	93
ILO-IPEC participating country:	No

The law prohibits forced or compulsory labor.<sup>654</sup> The compulsory recruitment age for military service is 18 years, but 17-year-olds may volunteer

with parental consent.<sup>655</sup> The trafficking of youths under 18 years is illegal, and sentences for trafficking in children have ranged from 2 to 16 years of imprisonment.<sup>656</sup> Trafficking of children for commercial sexual exploitation is penalized by 12 to 16 years imprisonment.<sup>657</sup> The Government monitors potential trafficking cases; however, efforts are hindered by inadequate funding of enforcement agencies.<sup>658</sup> The law prohibits the facilitation and procurement of children under 16 years for the purpose of prostitution, a crime that is punishable by 2 to 8 years imprisonment.<sup>659</sup> However, according to the U.S. Department of State (USDOS), laws against prostitution are rarely enforced.<sup>660</sup> Criminal penalties are increased in cases where the perpetrator exploits a victim's economic hardship, uses violence, or abuses a position of authority. More severe penalties are also imposed in cases of procurement that involve pregnancy, the transmission of disease, and suicide or death.<sup>661</sup>

The Ministries of Justice and Labor, specifically the offices of the Director General and Inspector General for Labor, are responsible for enforcing child labor laws; however, according to the USDOS, such laws are seldom enforced.<sup>662</sup>

Cape Verde was 1 of 24 countries to adopt the Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>663</sup> As part of the Multilateral Cooperative Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>664</sup>

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

The Government of Cape Verde sponsored a study on child labor and publicly released the results of the survey in 2007.<sup>665</sup> The purpose of the study was to raise public awareness and create a plan of action to prevent child labor and its worst forms.<sup>666</sup>

<sup>641</sup> Gabriel Fernandes, Jose Pina Delgado, Liriam Tiujo Delgado, and Orlando Borja, *Criança e Trabalho em Cabo Verde: Um Estudo Jurídico e Sociológico*, Government of Cape Verde- Ministry of Labor, Family and Solidarity, Cape Verdian Institute of Child and the Adolescent, Praia, July 2007, 28. See also U.S. Embassy- Praia, *reporting, November 30, 2007*, para 6. See also U.S. Department of State, "Country Reports- 2007: Cape Verde."

<sup>642</sup> Gabriel Fernandes, Jose Pina Delgado, Liriam Tiujo Delgado, and Orlando Borja, *Criança e Trabalho em Cabo Verde*, 28. See also U.S. Department of State, "Country Reports- 2007: Cape Verde," section 6d.

<sup>643</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Cape Verde (ratification: 2001)*, [online] 2007 [cited November 21, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>. See also Gabriel Fernandes, Jose Pina Delgado, Liriam Tiujo Delgado, and Orlando Borja, *Criança e Trabalho em Cabo Verde*, 52. See also International Regional Information Networks, "Cape Verde: Sex tourism on the rise?" IRINnews.org, [online], August 8, 2007 [cited November 23, 2007]; available from <http://www.irinnews.org/printreport.aspx?reportId=73637>.

<sup>644</sup> Gabriel Fernandes, Jose Pina Delgado, Liriam Tiujo Delgado, and Orlando Borja, *Criança e Trabalho em Cabo Verde*, 53.

<sup>645</sup> Government of Cape Verde, *Boletim Oficial Suplemento*, article 249, 261. See also U.S. Embassy- Praia, *reporting, November 30, 2007*, para 2a. See also U.S. Department of State official, E-mail communication, December 14, 2007.

<sup>646</sup> Government of Cape Verde, *Boletim Oficial Suplemento*, article 27, 249, 252. See also Library of Congress, Letter to USDOL official, March 13, 2008, section II.

<sup>647</sup> Government of Cape Verde, *Boletim Oficial Suplemento*, article 266.

<sup>648</sup> *Ibid.*, article 268.

<sup>649</sup> *Ibid.*, article 238, 267. See also Library of Congress, Letter, March 13, 2008, section II.

<sup>650</sup> Government of Cape Verde, *Boletim Oficial Suplemento*, articles 261a and 262.

<sup>651</sup> *Ibid.*, article 408.

<sup>652</sup> U.S. Embassy- Praia, *reporting, November 30, 2007*, para 3b. See also U.S. Embassy- Praia, *reporting, September 27, 2007*, para 4a.

<sup>653</sup> For statistical data not cited here, please see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, please see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Cape Verde, *Boletim Oficial Suplemento*, 5/2007, (October 16, 2007), article 261.

See also U.S. Department of State official, E-mail communication to USDOL official, December 14, 2007. See also U.S. Embassy- Praia, *reporting, November 30, 2007*, para 4d. See also U.S. Department of State, "Cape Verde," in *Country Reports on Human Rights Practices- 2007*, Washington, DC March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100471.htm>. See also Government of Cape Verde, *The Constitution of the Republic of Cape Verde*, 1/V/99, (November 23, 1999), article 73; available from <http://www.stj.cv/constituicao.html#>. See also U.S. Embassy- Praia, *reporting, November 30, 2007*, para 4d.

<sup>654</sup> Government of Cape Verde, *Boletim Oficial Suplemento*, article 14. See also U.S. Department of State, "Country Reports- 2007: Cape Verde," section 6c. See also ILO Committee of Experts, *Direct Request C182: Cape Verde*.

<sup>655</sup> ILO Committee of Experts, *Direct Request C182: Cape Verde*. See also U.S. Embassy- Praia, *reporting, November 30, 2007*, para 2a.

<sup>656</sup> U.S. Department of State, "Country Reports- 2007: Cape Verde," section 5.

<sup>657</sup> U.S. Embassy- Praia, *reporting, February 29, 2008*.

<sup>658</sup> *Ibid.*

<sup>659</sup> Library of Congress, Letter, March 13, 2008, section III. See also International Regional Information Networks, "Cape Verde: Sex tourism".

<sup>660</sup> U.S. Embassy- Praia, *reporting, February 29, 2008*.

<sup>661</sup> The Protection Project, "Cape Verde," in 2005 *Human Rights Report on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, Washington, DC, 2007; available from <http://www.protectionproject.org/pub.htm>. See also

Library of Congress, Letter, March 13, 2008, section III.

<sup>662</sup> Government of Cape Verde, *Boletim Oficial Suplemento*, article 394. See also U.S. Department of State, "Country Reports- 2007: Cape Verde," section 6d. See also U.S. Embassy- Praia, *reporting, November 30, 2007*, para 1b, 3b.

<sup>663</sup> See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, technical progress report, Washington, DC, September 1, 2006, 2.

<sup>664</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, *Technical progress Report*, 10-11, ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa*.

<sup>665</sup> Government of Cape Verde, *Written Communication*, submitted in response to U.S. Department of Labor

Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, January 25, 2008. See also Government of Cape Verde, *MTFS realiza Workshop Nacional sobre Combate ao Trabalho Infantil e suas piores formas* Press Release, November 19, 2007; available from [http://www.governo.cv/index.php?option=com\\_content&task=view&id=527&Itemid=1](http://www.governo.cv/index.php?option=com_content&task=view&id=527&Itemid=1). See also Vozdipovo On-line, "Governo e Parceiros

Analisa Plano de Ação de Combate ao Trabalho Infantil", [online], November 20, 2007 [cited November 29, 2007]; available from [http://www.vozdipovo-online.com/conteudos/sociedade/governo\\_e\\_parceiros\\_analisa\\_plano\\_de\\_accao\\_de\\_combate\\_ao\\_trabalho\\_infantil/](http://www.vozdipovo-online.com/conteudos/sociedade/governo_e_parceiros_analisa_plano_de_accao_de_combate_ao_trabalho_infantil/).

<sup>666</sup> U.S. Department of State, "Country Reports- 2007: Cape Verde," section 6d.

## Central African Republic

<i>Selected Statistics and Indicators on Child Labor<sup>667</sup></i>	
Working children, 5-14 years (%), 2000:	61.1
Working boys, 5-14 years (%), 2000:	60.4
Working girls, 5-14 years (%), 2000:	61.7
Working children by sector, 5-14 years (%)	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for admission to work:	14
Age to which education is compulsory:	12-14*
Free public education:	Yes**
Gross primary enrollment rate (%), 2005	54
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2000:	38.5
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	
** Compulsory for 6 years, entrance age may vary	

### Incidence and Nature of Child Labor

Children in the Central African Republic work in agriculture, domestic service, fishing, and mining.<sup>668</sup> They also reportedly work alongside adult relatives in diamond fields.<sup>669</sup> It has been reported that

children have been employed in public works projects.<sup>670</sup>

The large number of street children in the Central African Republic is a problem, particularly in the capital Bangui.<sup>671</sup> These children, many orphaned by HIV/AIDS, are engaged in various economic activities including hauling, street vending, washing dishes in small eateries, and begging.<sup>672</sup>

Some girls in the Central African Republic are reportedly involved in prostitution.<sup>673</sup> Children from some indigenous groups are forced into agricultural, domestic, and other forms of labor by other ethnic groups.<sup>674</sup>

Some boys have been reportedly recruited as child soldiers into rebel forces fighting the Government in the northwest and northeast regions of the country.<sup>675</sup> It is also reported that girls have been abducted as wives for rebel fighters.<sup>676</sup>

The Central African Republic is both a source and destination for children trafficked for forced labor and commercial sexual exploitation. Children are trafficked to and from Cameroon, Nigeria, Chad, the Republic of Congo, and the Democratic Republic of Congo.<sup>677</sup> Children from Rwanda are also reportedly trafficked to the Central African Republic.<sup>678</sup> In addition to commercial sexual exploitation, trafficked children work in domestic service and as forced laborers in diamond mines, shops, and other commercial enterprises.<sup>679</sup> Traveling merchants, herders, and others working in and transiting through the country sometimes

bring boys and girls with them. Some trafficked children did not attend school and were not paid for their work.<sup>680</sup> Anecdotal evidence also suggests that children may be trafficked to other nearby countries to work in agriculture.<sup>681</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 14 years<sup>682</sup> and states that children must be over the age of 14 years to be employed as an apprentice, and the business owner himself must be over the age of 18 years.<sup>683</sup> However, children who are at least 12 years old may engage in light work, such as traditional agriculture or domestic services.<sup>684</sup> Children under 18 years are forbidden to work between 10 p.m. and 5 a.m. or to perform certain kinds of work--including work in mines--that involves carrying heavy loads.<sup>685</sup> The law permits a labor inspector to require a young worker to undergo a medical examination to determine whether the work for which they are employed exceeds their physical strength.<sup>686</sup> The law prohibits a company or parent from employing children in mining. Violators are subject to imprisonment of 6 months to 3 years and/or a fine.<sup>687</sup>

Forced labor is prohibited under the law.<sup>688</sup> The minimum age for compulsory or voluntary recruitment into the Armed Forces is 18 years.<sup>689</sup>

The law prohibits the procurement of individuals for sexual purposes, including assisting in or profiting from prostitution, with penalties that include imprisonment of 1 month and 1 day to 1 year. Those found guilty of engaging in such acts with young persons, which the law defines as persons less than 15 years of age, face penalties of imprisonment from 1 to 5 years and/or a fine.<sup>690</sup> The law also establishes penalties including imprisonment from 2 to 5 years and/or a fine if a school official commits a sex offense involving a female student.<sup>691</sup> The ILO's Committee of Experts has raised questions about whether the country's laws adequately protect children under 18 from prostitution.<sup>692</sup>

The law does not specifically prohibit trafficking, but traffickers can be prosecuted under anti-slavery laws, laws against sexual exploitation, mandatory school-age laws, the labor code, and laws against

prostitution.<sup>693</sup> Trafficking victims can collect compensation through civil suits.<sup>694</sup> In addition, the law establishes a penalty of imprisonment from 5 to 10 years for any person who abducts or causes the abduction of a child younger than 15 years old.<sup>695</sup> The law prohibits trafficking in persons for sexual exploitation and stipulates a penalty of 5 to 10 years imprisonment, and offenses including rape and forcible assault against minors younger than 18 are punishable by hard labor.<sup>696</sup> USDOS reports that the Government has investigated and made arrests in trafficking cases during the reporting period.<sup>697</sup>

The Labor Inspection body of the Ministry of Civil Service, Labor and Social Security, is tasked with implementing and enforcing child labor laws.<sup>698</sup> However, the Ministry has only 47 labor inspectors and lacks sufficient resources for enforcement. USDOS reports that enforcement of child labor laws occurs infrequently. Community brigades have been established to punish persons responsible for forcing children into prostitution. The Government has established a mobile border unit to monitor trans-border movement of minors.<sup>699</sup> During the reporting period the Government of the Central African Republic established an Inter-Ministerial Committee to Fight Child Exploitation and will focus efforts on developing an anti-trafficking national policy.<sup>700</sup>

The Central African Republic was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>701</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>702</sup>

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

The Ministry of Social Affairs is implementing a National Action Plan to prevent child sexual abuse, including child sex trafficking.<sup>703</sup> During the reporting period the Government conducted awareness campaigns and provided training to Ministry of Justice personnel on trafficking in persons.<sup>704</sup> The Government operates two children's shelters in Bangui that provide services to street children, former working children, and trafficked children.<sup>705</sup> The Government of the Central African Republic has made efforts to demobilize child soldiers with the support of international agencies.<sup>706</sup> In 2007, the Government of the Central African Republic and UNICEF negotiated with rebel groups for the demobilization and reintegration of an estimated 400 child soldiers from the Northeastern region.<sup>707</sup>

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<sup>667</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of the Central African Republic, *Loi N° 61/221, Instituant le Code du Travail de la République Centrafricaine*, (June 15, 1961), Chapter III, article 125. See also ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Central African Republic (ratification: 2000)*, [online] 2007 [cited November 26, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>. See also Central African Republic official, Interview with USDOL official, March 10, 2008. See also U.S. Embassy- Bangui, *reporting*, December 3, 2007, paras 1a, 1c. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Central African Republic (ratification: 2000)*, [online] 2007 [cited November 26, 2007]. See also U.S. Department of State, "Central African Republic," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100472.htm>.

<sup>668</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 6d. See also U.S. Department of State, "Central African Republic (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

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<sup>669</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 6d. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Central African Republic."

<sup>670</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 6d.

<sup>671</sup> Government of the Central African Republic, *Analyse causale des problèmes de protection des enfants de la rue en Centrafrique*, Ministry of Family and Social Affairs, Bangui, April 2004, 2. See also U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5.

<sup>672</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5. See also Government of the Central African Republic, *Analyse causale des problèmes de protection des enfants de la rue en Centrafrique*.

<sup>673</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor*.

<sup>674</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5, 6c. See also U.S. Embassy- Bangui, *reporting*, October 2, 2007, para 4b.

<sup>675</sup> United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict Sixty Second Session, A/62/609-S/2007/757*, December 21, 2007, section 28; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/656/04/PDF/N0765604.pdf?OpenElement>. See also Integrated Regional Information Networks, "CAR: Conflict forces children into insurgency", IRINnews.org, [online], February 23, 2007 [cited December 4, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=70329>. See also Human Rights Watch, *Central African Republic: State of Anarchy, Rebellion and Abuses Against Civilians*, September 2007, 70; available from <http://hrw.org/reports/2007/car0907/>.

<sup>676</sup> United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict*, section 32.

<sup>677</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Central African Republic." See also U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5. See also U.S. Embassy- Bangui, *reporting*, March 5, 2008, para 27a.

<sup>678</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Central African Republic." See also U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5.

<sup>679</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Central African Republic." See also U.S.

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Embassy- Bangui, *reporting*, March 5, 2008, para 27a, b.

<sup>680</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5.

<sup>681</sup> *Ibid.*

<sup>682</sup> Government of the Central African Republic, *Loi N° 61/221, Instituant le Code du Travail de la République Centrafricaine*, article 125. See also ILO Committee of Experts, *Direct Request, Minimum Age*. See also U.S. Embassy- Bangui, *reporting*, December 3, 2007, para 1a.

<sup>683</sup> Government of the Central African Republic, *Loi N° 61/221, Instituant le Code du Travail de la République Centrafricaine*, article 61. See also UN Committee on the Rights of the Child, *Initial Reports of States Parties due in 1994: Central African Republic*, CRC/C/11/Add.18, prepared by Government of the Central African Republic, pursuant to Article 44 of the Convention on the Rights of the Child, November 18, 1998; available from

[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/fb066e7732d518c0802567a6003b7aad?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/fb066e7732d518c0802567a6003b7aad?Opendocument).

<sup>684</sup> ILO NATLEX National Labor Law Database, *Central African Republic: Elimination of Child Labour, Protection of Children and Young Persons*, November 26, 2007; available from

[http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home).

See also U.S. Embassy- Bangui, *reporting*, December 3, 2007, para 1a.

<sup>685</sup> ILO NATLEX National Labor Law Database, *Central African Republic: Elimination of Child Labour, Protection of Children and Young Persons*.

<sup>686</sup> ILO Committee of Experts, *Direct Request, Minimum Age*. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor*.

<sup>687</sup> U.S. Embassy- Bangui, *reporting*, December 3, 2007, para 1a and 1b. See also Government of the Central African Republic, *Le Code Miner*, (February 1, 2004), article 153.

<sup>688</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 6c.

<sup>689</sup> Coalition to Stop the Use of Child Soldiers, "Central African Republic," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/library/global-reports?root\\_id=159&directory\\_id=165](http://www.child-soldiers.org/library/global-reports?root_id=159&directory_id=165).

<sup>690</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor*. See also U.S. Embassy- Bangui, *reporting*, December 3, 2007, para 1b.

<sup>691</sup> U.S. Embassy- Bangui, *reporting*, December 3, 2007, para 1b.

<sup>692</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor*.

<sup>693</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5.

<sup>694</sup> U.S. Embassy- Bangui, *reporting*, March 5, 2008, para 29g.

<sup>695</sup> Government of the Central African Republic, *Code Pénal de la République Centrafricaine*, (2000), articles 212-214. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor*.

<sup>696</sup> U.S. Embassy- Bangui, *reporting*, March 5, 2008, para 28b.

<sup>697</sup> *Ibid.*, section 28f.

<sup>698</sup> U.S. Embassy- Bangui, *reporting*, December 3, 2007, para 1b. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor*.

<sup>699</sup> U.S. Embassy- Bangui, *reporting*, December 3, 2007, para 1b.

<sup>700</sup> U.S. Embassy- Bangui, *reporting*, March 5, 2008, para 27b, 27c, and 30e.

<sup>701</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>702</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, 10-11.

<sup>703</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Central African Republic."

<sup>704</sup> U.S. Embassy- Bangui, *reporting*, March 5, 2008, para 27d, 27e, and 30b.

<sup>705</sup> U.S. Department of State, "Country Reports- 2007: Central African Republic," section 5 and 6d.

<sup>706</sup> UNICEF, *Central African Republic signed child soldiers reintegration agreement*, Press Release, June 16, 2007; available from [http://www.unicef.org/infobycountry/media\\_40015.html](http://www.unicef.org/infobycountry/media_40015.html).

<sup>707</sup> *Ibid.* See also Integrated Regional Information Networks, "CAR: Negotiations Under Way for Demobilisation of Child Soldiers", IRINnews.org, [online], May 21, 2007 [cited December 4, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=72265>. See also Human Rights Watch, *CAR: State of Anarchy*, 98.

# Chad

## *Selected Statistics and Indicators on Child Labor<sup>708</sup>*

Working children, 5-14 years (%), 2004:	53
Working boys, 5-14 years (%), 2004:	56.1
Working girls, 5-14 years (%), 2004:	49.7
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	Sources conflict
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	76
Net primary enrollment rate (%), 2003:	60
School attendance, children 5-14 years (%), 2004:	39.6
Survival rate to grade 5 (%), 2004:	33
ILO-IPEC participating country:	No
* Must pay miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

Children work in agriculture and herding throughout Chad, and as street vendors, manual laborers, helpers in small shops, and domestic servants.<sup>709</sup> There have been reports of children who have been subjected to forced labor after being contracted by their parents to work for nomadic herders.<sup>710</sup> Anecdotal evidence suggests that some children are exploited into prostitution in the Southern oil-producing region.<sup>711</sup>

Chad is a country of origin, transit, and destination for children trafficked for sexual exploitation and forced labor. The majority of children are trafficked within Chad for work in domestic service, begging, and herding.<sup>712</sup> Children may be trafficked from the Central African Republic and Cameroon to Chad's oil-producing regions for

commercial sexual exploitation. Chadian children are also trafficked to the Central African Republic, Nigeria, and Cameroon for cattle herding<sup>713</sup> and to Saudi Arabia for involuntary servitude as forced beggars and street vendors.<sup>714</sup> The practice of sending boys to Koranic teachers to receive education is a common tradition. While some boys are cared for and receive lessons, many are forced to beg for money or food by their teachers and surrender the money that they have earned.<sup>715</sup>

There have been reports of child soldiering in the Chadian National Army and its affiliated forces, as well as in opposition militia forces.<sup>716</sup> It is reported that children are recruited to work as body guards, drivers, and cooks, as well as fighters and lookouts in the conflicts in Chad.<sup>717</sup> In eastern Chad, it has also been reported that children were forcibly recruited and taken away from their families from within refugee camps by Sudanese fighters.<sup>718</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment in Chad at 14 years. Apprenticeships, however, can begin at 13 years.<sup>719</sup> In addition, other exceptions can be made with the permission of the Minister of Public Health, the Minister of Labor and Social Security, and the permission of the legal representative of the child.<sup>720</sup> Night work by children under 18 years is prohibited.<sup>721</sup> Children under age 18 years are prohibited from performing hazardous work and work likely to harm their health, safety, or morals.<sup>722</sup> Labor inspectors may require an examination of young workers to determine if the tasks for which they are employed exceed their strength.<sup>723</sup> The law distinguishes which occupations are considered to be worst forms of child labor, including domestic servitude, child herders, and victims of trafficking.<sup>724</sup> Violation of child labor laws is subject to a fine for the first offense; repeat offenders are subject to a fine and/or 6 days to 3 months in prison.<sup>725</sup> The law stipulates that punishment will not be incurred for child labor offenses committed as a result of inaccurate age determination if the employer is not at fault.<sup>726</sup>

The law prohibits forced labor.<sup>727</sup> According to the law, children must be at least 18 years to volunteer for the Armed Forces and 20 years to be conscripted.<sup>728</sup> Under the law, prostitution is illegal and those who procure a prostitute are subject to more stringent penalties if the offense is related to a minor.<sup>729</sup> Offenders may be fined and imprisoned for 2 months to 2 years. If an offender is a relative or guardian, the punishment is increased to 5 to 10 years in prison.<sup>730</sup> The law does not specifically prohibit trafficking,<sup>731</sup> but traffickers can be prosecuted under charges of kidnapping, sale of children, and violations of labor statutes.<sup>732</sup>

The Office of Labor Inspection is responsible for implementing and enforcing child labor laws.<sup>733</sup> Although, the Office of Labor Inspection has 16 labor inspectors, reportedly it has not received funding to carry out labor inspections in the past three years.<sup>734</sup> According to USDOS, child labor laws are not enforced due to a lack of resources.<sup>735</sup> The Government has increased efforts to enforce children's rights laws to combat child trafficking in the absence of a child trafficking law. Efforts included rapid response to and punishment for child trafficking offenses and increased efforts to defend the rights of children.<sup>736</sup>

Chad was 1 of 24 countries to adopt the Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>737</sup> As part of the Multilateral Cooperative Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>738</sup>

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

During the reporting period the Government focused efforts on preventing trafficking and child labor through awareness raising, sponsoring educational media campaigns to inform parents and children about the dangers of child trafficking.<sup>739</sup> The Government also conducted awareness campaigns on the worst forms of child labor, particularly focusing on child herders.<sup>740</sup> In

response to the child abduction case with the NGO Zoe's Arc, during the reporting period the Government of Chad increased efforts to defend the rights of children and combat trafficking in persons.<sup>741</sup>

The problem of child soldiers is being addressed by the Government along with UNICEF, through a comprehensive survey on child soldiers conducted in 2007.<sup>742</sup> Early in the year the Government of Chad and UNICEF signed an agreement to demobilize child soldiers among the various armed groups engaged in the conflict throughout Chad, and to repatriate Sudanese children who have been forcibly recruited.<sup>743</sup> However, an initial 452 children were released from the Chadian Armed Forces in July 2007.<sup>744</sup>

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<sup>708</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Chad, *Code du travail*, Loi No. 96/PR/038, (December 11, 1996), article 52; available from <http://droit.francophonie.org/df-web/publication.do?publicationId=2945>. See also U.S. Department of State, "Chad," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100473.htm>. See also U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 26.

<sup>709</sup> U.S. Department of State, "Country Reports- 2007: Chad," section 6d. See also United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in Chad*, July 3, 2007, section 17; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/390/23/PDF/N0739023.pdf?OpenElement>. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182) Chad (ratification: 2000)*, [online] [cited December 5, 2007]; available from <http://www.ilo.org/ilolex/>.

<sup>710</sup> U.S. Department of State, "Country Reports- 2007: Chad," section 6d. See also United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict in Chad*, section 17. See also ILO Committee of Experts, *Direct Request WFCL: Chad*, article 3 section 2.

<sup>711</sup> U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 4b.

<sup>712</sup> U.S. Department of State, "Chad (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC,

June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Embassy- N'djamena, *reporting*, October 11, 2007, para 4b. See also U.S. Department of State, "Country Reports- 2007: Chad," section 5.

<sup>713</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Chad." See also U.S. Department of State, "Country Reports- 2007: Chad," section 5.

<sup>714</sup> U.S. Department of State, "Saudi Arabia (Tier 3)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>.

<sup>715</sup> U.S. Department of State, "Country Reports- 2007: Chad," section 5, 6d. See also U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 3. See also Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>716</sup> United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict in Chad*, section 18, 22, 23, 31, 33. See also United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict: Sixty Second Session*, A/62/609-S/2007/757, December 21, 2007, section 107-108; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/65/6/04/PDF/N0765604.pdf?OpenElement>. See also Human Rights Watch, *Early to War: Child Soldiers in the Chad Conflict*, July, 2007, 3, 19, 21; available from <http://hrw.org/reports/2007/chad0707/>.

<sup>717</sup> United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict in Chad*, section 18. See also Human Rights Watch, *Early to War*, 3, 19.

<sup>718</sup> United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict in Chad*, sections 28-29. See also United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict*, section 7, 109. See also Human Rights Watch, *Early to War*, 17. See also U.S. Department of State, "Country Reports- 2007: Chad," section 1g.

<sup>719</sup> Government of Chad, *Code du travail*, article 18.

<sup>720</sup> *Ibid.*, article 52. See also U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 32.

<sup>721</sup> Government of Chad, *Code du travail*, article 206.

<sup>722</sup> U.S. Department of State, "Country Reports- 2007: Chad," section 6d. See also ILO Committee of Experts, *Direct Request WFCL: Chad*, article 7.

<sup>723</sup> ILO Committee of Experts, *Direct Request WFCL: Chad*, article 5.

<sup>724</sup> U.S. Embassy- N'djamena, *reporting*, November 21, 2007, para A.

<sup>725</sup> Government of Chad, *Code du travail*, article 190. See also U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 32.

<sup>726</sup> Government of Chad, *Code du travail*, article 190.

<sup>727</sup> *Ibid.*, article 5. See also ILO Committee of Experts, *Direct Request WFCL: Chad*, article 7.

<sup>728</sup> ILO Committee of Experts, *Direct Request WFCL: Chad*, article 3, section 3. See also United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict in Chad*, section 22.

<sup>729</sup> ILO Committee of Experts, *Direct Request WFCL: Chad*, article 3, section 3. See also U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 36.

<sup>730</sup> U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 32, 36.

<sup>731</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Chad." See also Integrated Regional Information Networks, "Chad-Sudan: Legal Framework a Hindrance in 'Child Trafficking' Case", IRINnews.org, [online], November 1, 2007 [cited December 4, 2007]; available from <http://www.irinnews.org/printreport.aspx?reportId=75096>.

<sup>732</sup> U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 32.

<sup>733</sup> U.S. Embassy- N'djamena, *reporting*, November 21, 2007, para B.

<sup>734</sup> *Ibid.*

<sup>735</sup> U.S. Department of State, "Country Reports- 2007: Chad," section 6d. See also U.S. Embassy- N'djamena, *reporting*, November 21, 2007, para B.

<sup>736</sup> U.S. Embassy- N'djamena, *reporting*, November 21, 2007, para E.

<sup>737</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, technical progress report, Washington, DC, September 1, 2006, 2.

<sup>738</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, *Technical progress Report*, 10-11.

<sup>739</sup> U.S. Embassy- N'djamena, *reporting*, November 21, 2007, para D. See also U.S. Embassy- N'djamena, *reporting*, January 30, 2007, para 40. See also U.S. Department of State, "Country Reports- 2007: Chad," section 6d.

<sup>740</sup> U.S. Embassy- N'djamena, *reporting*, November 21,

2007, para D. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Chad." See also U.S. Department of State, "Country Reports- 2007: Chad," section 6d.

<sup>741</sup> U.S. Embassy- N'djamena, reporting, November 21, 2007, para E. See also U.S. Department of State, "Country Reports- 2007: Chad," section 5.

<sup>742</sup> U.S. Embassy- N'djamena, reporting, January 30, 2007, para 9.

<sup>743</sup> UNICEF, *UNICEF and Government of Chad Reach Accord Raising Hopes for Children in Armed Conflict*, Press

Release, May 11, 2007; available from [http://www.unicef.org/infobycountry/chad\\_39619.html](http://www.unicef.org/infobycountry/chad_39619.html). See also UNICEF, *UNICEF and Chad Sign Agreement to Demobilize Child Soldiers*, Press Release, May 9, 2007; available from [http://www.unicef.org/infobycountry/media\\_39603.html](http://www.unicef.org/infobycountry/media_39603.html). See also Human Rights Watch, *Early to War*.

<sup>744</sup> U.S. Department of State, "Country Reports- 2007: Chad," section 1g. See also United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict*, section 107.

## Chile

### *Selected Statistics and Indicators on Child Labor*<sup>745</sup>

Working children, 5-14 years (%), 2003:	3.5
Working boys, 5-14 years (%), 2003:	4.4
Working girls, 5-14 years (%), 2003:	2.6
Working children by sector, 5-14 years (%), 2003:	
- Agriculture	24.7
- Manufacturing	6.6
- Services	66.6
- Other	2
Minimum age for work:	15
Compulsory education age:	17-18
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	104
Net primary enrollment rate (%), 2005:	90
School attendance, children 5-14 years (%), 2003:	97.2
Survival rate to grade 5 (%), 2004:	100
ILO-IPEC participating country:	Yes

### **Incidence and Nature of Child Labor**

In Chile, child labor is mainly a problem in the informal sector. Children in urban areas work as baggers in supermarkets and wait tables in restaurants. They also sell goods on the street, care for parked automobiles, and assist in construction activities. Children in rural areas are involved in

harvesting, collecting and selling crops, and caring for farm animals.<sup>746</sup>

Commercial sexual exploitation of children is a problem in Chile, especially in urban areas.<sup>747</sup> Most victims of commercial sexual exploitation have been trafficked internally. Some children are also trafficked internationally for labor and sexual exploitation.<sup>748</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment without restrictions at 18 years. Under legislation passed in 2007, children 15 to 18 years may only perform light work that will not affect their health or school attendance, and only with parental permission.<sup>749</sup> Children between 15 and 18 years must also have documentation of enrollment or completion of secondary education to work. If the child has not completed secondary schooling, he or she may not work more than 30 hours per week during the school year, and the work day may not exceed 8 hours.<sup>750</sup> Children under 18 years are also not permitted to work at night between the hours of 10 p.m. and 7 a.m., with the exception of work in a family business. Children under 15 years may only work in artistic events with the permission of parents and local authorities.<sup>751</sup> In September 2007, Chile established a list of 23 types of work that are dangerous due to their nature, and four types of work that are dangerous due to their conditions. Dangerous work includes work with explosives; work that involves repetitive movements; work

with dangerous substances or equipment; work at sea, underwater, or underground; work in establishments that sell alcohol, tobacco, or exhibit sexually explicit material; and work that requires crossing country borders or transporting valuable goods or money.<sup>752</sup>

Chilean laws prohibit slavery and forced labor.<sup>753</sup> The trafficking of a minor across national boundaries for the purpose of sexual exploitation is punishable by 5 to 20 years in prison.<sup>754</sup> The prostitution of children is punishable by 3 to 5 years in prison, with penalties of up to 20 years in the case of involvement of family members or authorities. The law establishes punishments for the production, sale, importation, exportation, distribution, and exhibition of pornography using minors.<sup>755</sup> The minimum age for compulsory military service in Chile is 18 years. The voluntary recruitment age is 17 years with parental permission, and is 16 years in exceptional circumstances.<sup>756</sup> The UNCRC urged Chile to increase the minimum age for military service to 18 years in all circumstances.<sup>757</sup>

The Ministry of Interior coordinates efforts to combat trafficking in persons with NGOs and other government agencies. The Public Ministry takes the lead on issues related to the investigation and prosecution of trafficking in persons.<sup>758</sup> Not all forms of trafficking in persons are criminalized in Chile, such as internal trafficking and trafficking for labor exploitation.<sup>759</sup>

The Ministry of Labor enforces labor laws, and USDOS reports that Chile is allocating considerable resources and oversight to child labor policies. Between January and October 2007, there were 343 new cases of the worst forms of child labor registered.<sup>760</sup>

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

As part of its National Policy on Childhood (2001-2010), the Government of Chile has adopted a national child labor action plan that focuses on raising awareness; collecting data; promoting legislative reform in compliance with ILO conventions; developing targeted intervention

programs; and conducting ongoing monitoring and evaluation.<sup>761</sup>

The Government of Chile participated in an ILO-IPEC USDOL-funded USD 5.5 million regional project to eliminate exploitive child labor in the domestic service and in commercial sex sectors in four countries including Chile.<sup>762</sup> The project ended in 2007, withdrawing 2,036 children from exploitive work and preventing 3,582 children from entering such activities.<sup>763</sup> The Government of Chile also participated in two regional projects, a Phase II USD 2.6 million and a Phase III USD 3 million project to eradicate child labor in Latin America, funded by the Government of Spain.<sup>764</sup>

Based on the list of hazardous types of work for children and adolescents, the Ministry of Justice's Service for Minors maintains a register of documented worst forms of child labor cases, with input from the Chilean police and the Ministry of Labor and Social Welfare.<sup>765</sup> However, the UNCRC has recommended that Chile strengthen prevention measures and law enforcement to combat commercial sexual exploitation of children.<sup>766</sup> The Service for Minors works with its 105 local offices, international organizations, local NGOs, and neighboring countries to ensure that children rescued from trafficking are not returned to high-risk and abusive situations.<sup>767</sup> The Service for Minors also set up a toll-free helpline for children who are victims of commercial sexual exploitation.<sup>768</sup> The Government also collaborated with neighboring countries to ensure safe repatriation of trafficking victims. The Government's Service for Minors oversees 15 projects to prevent commercial sexual exploitation of children.<sup>769</sup>

The Government of Chile and other associate and member governments of MERCOSUR conducted the *Niño Sur* (Southern Child) initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in adjusting domestic legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.<sup>770</sup>

<sup>745</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Chile, *Código del Trabajo de Chile*, (November 15, 2007), article 13; available from [http://www.dt.gob.cl/legislacion/1611/article-59096.html#h2\\_1](http://www.dt.gob.cl/legislacion/1611/article-59096.html#h2_1). See also Government of Chile, *Constitución Política de 1980 incluidas las Reformas hasta el 2005*, (2005), article 19 No. 10; available from <http://pdba.georgetown.edu/Constitutions/Chile/chile05.html>. See also Embassy of Chile official, E-mail communication to USDOL official, March 14, 2008.

<sup>746</sup> ILO-IPEC and Ministry of Work and Social Provision, *Trabajo infantil y adolescente en cifras: Síntesis de la primera encuesta nacional y registro de sus peores formas*, ILO-IPEC, Santiago, 2004, 17; available from <http://www.oit.org.pe/ippec/documentos/chile.pdf>. See also U.S. Department of State, "Chile," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100632.htm>.

<sup>747</sup> ILO-IPEC, *Estudio de la explotación sexual comercial infantil y adolescente en Chile*, Lima, 2004, 43; available from [http://white.oit.org.pe/ippec/boletin/documentos/dt\\_191\\_esci\\_chile.pdf](http://white.oit.org.pe/ippec/boletin/documentos/dt_191_esci_chile.pdf).

<sup>748</sup> U.S. Department of State, "Country Reports- 2007: Chile," section 5.

<sup>749</sup> Government of Chile, *Código del Trabajo*, article 13.

<sup>750</sup> *Ibid.*

<sup>751</sup> *Ibid.*, articles 15 and 18.

<sup>752</sup> Government of Chile, *Aprueba Reglamento para la aplicación del artículo 13 del Código del Trabajo*, (September 11, 2007); available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/77036/81487/F1662015800/Decreto%20Supremo%20N%2050%20de%202007%20Reglamento%20Menores.pdf>.

<sup>753</sup> Government of Chile, *Constitución Política*, article 19, no. 2. See also Government of Chile, *Código del Trabajo*, article 2.

<sup>754</sup> Government of Chile, *Código Penal de la República de Chile*, (March 1, 1875), article 367; available from [http://www.cajpe.org.pe/rij/bases/legisla/chile/codp\\_enh.htm](http://www.cajpe.org.pe/rij/bases/legisla/chile/codp_enh.htm).

<sup>755</sup> *Ibid.*, articles 30, 367. See also Government of Chile, *Modifica el Código Penal, El Código de Procedimiento Penal, y el Código Procesal Penal en Materia de Delitos de Pornografía Infantil*, 19,927, (January 5, 2004); available from [http://www.anuariocdh.uchile.cl/anuario/documentos/10.Ley%2019927\\_DelitoPornografiaInfantil\\_CHILE.pdf](http://www.anuariocdh.uchile.cl/anuario/documentos/10.Ley%2019927_DelitoPornografiaInfantil_CHILE.pdf). See also El Senado de la República de Chile, *Sesión 74a, Ordinaria, en martes 11 de diciembre de*

2007, [online] December 13, 2007 [cited March 14, 2008]; available from [http://www.senado.cl/prontus\\_senado/site/artic/20071213/pags/20071213184108.html?0.45802423846622014](http://www.senado.cl/prontus_senado/site/artic/20071213/pags/20071213184108.html?0.45802423846622014).

<sup>756</sup> Coalition to Stop the Use of Child Soldiers, "Chile," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=819](http://www.child-soldiers.org/document_get.php?id=819).

<sup>757</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State 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*, February 1, 2008; available from <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-OPAC-CHL-CO-1.pdf>.

<sup>758</sup> U.S. Department of State, "Country Reports- 2007: Chile," section 5.

<sup>759</sup> U.S. Department of State, "Chile (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>760</sup> U.S. Department of State, "Country Reports- 2007: Chile," section 6d.

<sup>761</sup> Comisión Nacional para la Erradicación del Trabajo Infantil and ILO-IPEC, *Plan de Prevención y Erradicación Progresiva del Trabajo Infantil y Adolescente en Chile*, Lima, 2001; available from [http://www.ministeriodeltrabajo.cl/descargar/trabajo\\_inf/PlanNacionaldePrevencion.pdf](http://www.ministeriodeltrabajo.cl/descargar/trabajo_inf/PlanNacionaldePrevencion.pdf). See also Ministry of Labor and Social Welfare, *Contexto en Chile y el mundo*, [online] 2007 [cited December 11, 2007]; available from [http://www.trabajoinfantil.cl/en\\_chile.html](http://www.trabajoinfantil.cl/en_chile.html).

<sup>762</sup> ILO-IPEC, *Prevention and elimination of child domestic labour (CDL) and of commercial sexual exploitation of children (CSEC) in Chile, Colombia, Paraguay and Peru*, Project Document, Geneva, 2004.

<sup>763</sup> ILO-IPEC, *Prevention and elimination of child domestic labour (CDL) and of commercial sexual exploitation of children (CSEC) in Chile, Colombia, Paraguay and Peru*, Technical Progress Report, Geneva, September 12, 2007, 54.

<sup>764</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>765</sup> Ministry of Labor and Social Welfare, *Sistema de registro*, [online] [cited December 12, 2007]; available from [http://www.trabajoinfantil.cl/peores\\_definiciones.html](http://www.trabajoinfantil.cl/peores_definiciones.html).

<sup>766</sup> UN Committee on the Rights of the Child, *Consideration of Reports of States Parties: Chile*, para 69.

<sup>767</sup> U.S. Department of State, "Country Reports- 2007: Chile," section 6d. See also IOM, *Estudio exploratorio sobre Trata de personas con fines de explotación sexual en Argentina, Chile y Uruguay*, December 2006; available from <http://www.oimuruguay.org/Documentos/>

OIM%20Estudio%20Exploratorio%20sobre%20Trata%20de%20Personas%202006.pdf.

<sup>768</sup> UN Committee on the Rights of the Child, *Consideration of Reports of States Parties: Chile*, para. 36.

<sup>769</sup> U.S. Embassy- Santiago, *reporting*, November 30, 2007.

<sup>770</sup> Ministry of Justice and Human Rights of Argentina,

*Iniciativa Niñ@ Sur*, [online] [cited March 16, 2008]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>. See also Child Rights Information Network, *MERCOSUR*, [online] 2007 [cited December 26, 2007]; available from <http://www.crin.org/espanol/RM/mercosur.asp>.

## Colombia

<i>Selected Statistics and Indicators on Child Labor<sup>771</sup></i>	
Working children, 5-14 years (%), 2001:	10.4
Working boys, 5-14 years (%), 2001:	14.1
Working girls, 5-14 years (%), 2001:	6.6
Working children by sector, 5-14 years (%), 2001:	
- Agriculture	35.6
- Manufacturing	12.6
- Services	49.9
- Other	1.9
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	116
Net primary enrollment rate (%), 2006:	88
School attendance, children 5-14 years (%), 2001:	90.4
Survival rate to grade 5 (%), 2005:	82
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses.	

### Incidence and Nature of Child Labor

In Colombia, children in urban areas work primarily in commerce and service industries. Specific urban sectors include work in domestic service in third party homes, bakeries, automobile repair, and food preparation.<sup>772</sup> In rural areas, children work in the production of coffee, sugar cane, fruits, and vegetables. Many children work as domestic servants or in family businesses, often without pay.<sup>773</sup> The Colombian Family Welfare Institute (ICBF) estimates that about 80 percent of

working children work in the informal sector.<sup>774</sup> Children mine emeralds, gold, clay, and coal under dangerous conditions.<sup>775</sup> According to the Colombia Department of National Statistics and the Colombian National Mining Company, estimates of children working in illegal mines range from 10,000 to 200,000.<sup>776</sup> Children are also used in the cultivation of coca for illegal purposes and in the processing and transportation of illicit drugs.<sup>777</sup>

Many children are victims of commercial sexual exploitation, including pornography, prostitution, and sexual tourism. According to reports by the IOM and the Ministry of Social Protection (MSP), an estimated 25,000 minors work in the commercial sex trade in Colombia.<sup>778</sup> Colombia is a major source of girls trafficked for the purpose of commercial sexual exploitation. Children are trafficked internally from rural to urban areas.<sup>779</sup> According to the IOM report, Colombian children are trafficked for purposes of commercial sexual exploitation, forced labor in domestic service, agriculture, mines and factories, forced recruitment as child soldiers, begging, and servile matrimony.<sup>780</sup>

Children in Colombia are recruited, sometimes forcibly, by insurgent and paramilitary groups to serve as combatants and perform forced labor in the country's ongoing conflict. An estimated 6,000 to 16,000 children are child combatants.<sup>781</sup> Many are forced to participate in and are victims of human rights violations such as torture and murder. Girl combatants are subject to sexual exploitation by other group members.<sup>782</sup> Children demobilized from the United Self-Defense Forces of Colombia (AUC) were not officially delivered to the Colombian Institute for Family Welfare (ICBF) as required by the demobilization process.<sup>783</sup>

Reportedly, children have been used by government armed forces as informants.<sup>784</sup> Many demobilized children have been held by government forces and agencies much longer than the 36 hours required by law, before being turned over to ICBF.<sup>785</sup>

### **Child Labor Laws and Enforcement**

The minimum employment age in Colombia is 15 years. Adolescents under 15 may perform artistic or cultural work.<sup>786</sup> Authorization from a labor inspector or other designated authority is required for minors to work.<sup>787</sup> Adolescents ages 15 and 16 may only work 6 hours per day or 30 hours per week and until 6 p.m.; and those age 17 may work 8 hours per day, 40 hours per week, and until 8 p.m. The law also prohibits minors from work that is exploitive or hazardous.<sup>788</sup>

The MSP Resolution No. 4448 of 2005 identifies the worst forms of child labor that are prohibited for all minors under 18 years. Minors are not permitted to perform most forms of work related to agriculture, fisheries, lumber, mining, industrial manufacturing, utilities, construction, heavy equipment, and transportation. Unskilled labor such as shoe shining, domestic service, trash collection, work in clubs and bars, and street sales is also prohibited. Also, minors may not work under conditions that may harm their psychosocial development.<sup>789</sup> Individuals, businesses, and civic organizations must report child labor law violations.<sup>790</sup> The ILO CEACR has requested clarification on exceptions in Resolution No. 4448 that allow adolescents ages 16 and 17 to work at night.<sup>791</sup>

The Constitution prohibits slavery, servitude, and human trafficking.<sup>792</sup> The trafficking of children under 18 years is punishable by fines and 17 to 35 years incarceration. Trafficking children under 12 years is punishable by 20 to 35 years imprisonment.<sup>793</sup> Inducing prostitution is punishable by 2.7 to 6 years incarceration and fines. Penalties for forced prostitution range from 6.7 to 13.5 years incarceration and fines. Penalties increase by one-third to one-half for both induced and forced prostitution if the victim is under 14 years or if the crime involves international trafficking.<sup>794</sup> Crimes involving child pornography are punishable by 8 to 12 years incarceration and

fines. The use of the mail or the Internet for sexual contact with a minor is punishable by 6.7 to 15 years incarceration and fines, with increased penalties if the victim is under 12 years.<sup>795</sup>

Posting child pornography on the Internet is punishable by fines and the cancellation or suspension of the Web site. Tourist agencies can be penalized for involvement in child sex tourism by fines and the suspension or cancellation of services.<sup>796</sup> Forced prostitution and sexual slavery related to the country's ongoing armed conflict are punishable by imprisonment from 13.3 to 27 years and fines.<sup>797</sup>

Minors may not serve in the armed forces.<sup>798</sup> The law regards minors that participate in the country's hostilities as victims.<sup>799</sup> The recruitment of minors by armed groups in relation to the ongoing conflict is punishable by 8 to 15 years in prison and fines.<sup>800</sup> The commission of terrorist acts involving a minor is punishable by 16 to 30 years incarceration and fines.<sup>801</sup> Armed groups must place all minor recruits with ICBF in order to participate in the government's demobilization process.<sup>802</sup> Punishments for crimes involving illegal drugs, such as drug cultivation, manufacturing, and trafficking, are increased if the crimes involve a minor.<sup>803</sup>

The MSP's 276 inspectors are responsible for conducting formal sector child labor inspections. However, according to USDOS, the MSP does not have sufficient resources to enforce labor laws effectively.<sup>804</sup> ICBF, Family Commissioners, the Children and Adolescent Police, the Prosecutor General, and the National Ombudsman are responsible for enforcing laws related to children.<sup>805</sup>

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

The Plan for Childhood (2004-2015) contains provisions relating to child labor, and to specific worst forms including trafficking, recruitment into armed groups, and commercial sexual exploitation.<sup>806</sup> The recently adopted National Strategy to Eradicate the Worst Forms of Child Labor 2008-2015 identifies criteria for guiding future actions, such as making the family the center of intervention, considering the child's age when designing responses, reinforcing children's rights,

improving education services for working children so as to prevent the worst forms of child labor, concentrating resources on priority sectors, and coordinating actions across agencies.<sup>807</sup> The National Plan of Action for the Prevention and Eradication of Commercial Sexual Exploitation of Boys, Girls, and Adolescents Less than 18 Years of Age (2006-2011) has as objectives improved information and legislation, prevention, provision of services to children, institutional capacity-building, and participation of children.<sup>808</sup>

The Government of Colombia participates in projects to combat child labor with the assistance of foreign governments and international organizations. A 39-month USDOL-funded project for USD 5.1 million started in October 2007. This project, managed by an association led by Partners of the Americas, seeks to withdraw 3,663 and prevent 6,537 children from exploitive child labor in Colombia.<sup>809</sup> The Government participates in a USD 3.5 million, USDOL-funded 4-year project implemented by World Vision to combat exploitive child labor by improving basic education. This project seeks to withdraw 2,081 children from hazardous agricultural labor and prevent a further 2,419 children from entering that work.<sup>810</sup> The Colombian Institute of Geology and Mining implements a project with UNDP to eradicate child labor in mining. With financial support from the Governments of Canada and the United Kingdom, and technical assistance from ILO-IPEC, the Government is implementing a child labor survey and consolidating the National Policy for the Prevention and Elimination of Child Labor.<sup>811</sup> The Ministry of Education's Policy Guide for Vulnerable Populations includes strategies to address child labor.<sup>812</sup> The Government of Colombia also participated in a Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain and implemented by ILO-IPEC.<sup>813</sup>

ICBF, IOM, and the Ministry of Defense administer programs that provide services to former child soldiers and seek to prevent further recruitment of children by armed groups. These programs receive assistance from the United States and from several foreign governments.<sup>814</sup> The Colombian Government participated in a USD 7 million, 3-year

inter-regional ILO-IPEC project funded by USDOL to combat the involvement of children within armed groups. This project, which ended in 2007, withdrew 789 children from child soldiering and prevented an additional 673 children from becoming child soldiers in Colombia.<sup>815</sup> The military distributes educational kits to schools in areas where children are at risk for recruitment into armed groups, and awareness-raising materials for children to prevent their involvement in armed groups.<sup>816</sup>

The Government of Colombia participates in a USD 5.5 million USDOL-funded ILO-IPEC regional project to combat child domestic labor and commercial sexual exploitation. The goal of this project is to withdraw 2,185 children from exploitive child labor and prevent 2,920 children from entering such work in Colombia, Chile, Paraguay, and Peru.<sup>817</sup> The National Police conduct a family and community education program to prevent the commercial sexual exploitation of children.<sup>818</sup> The Inter-institutional Committee against Trafficking in Persons, the IOM, and various ministries have implemented anti-trafficking awareness-raising activities and are developing a database for tracking trafficking cases. The IOM and various NGOs provide support services to trafficking victims.<sup>819</sup> Colombian foreign missions provide assistance to trafficking victims.<sup>820</sup>

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<sup>771</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Colombia, *Código de la Infancia y la Adolescencia*, Ley 1098 of 2006, (August 29, 2006), article 35; available from [http://www.secretariasenado.gov.co/compendio\\_legislativo.htm](http://www.secretariasenado.gov.co/compendio_legislativo.htm). See also Government of Colombia, *Constitución Política de Colombia de 1991, con reformas hasta marzo 2005*, article 67; available from <http://www.georgetown.edu/pdba/>. See also Government of Colombia, *Código de la Infancia y la Adolescencia*, article 28. See also Government of Colombia, *Ley 715*, (December 21, 2001); available from [http://www.secretariasenado.gov.co/compendio\\_legislativo.htm](http://www.secretariasenado.gov.co/compendio_legislativo.htm). See also U.S. Department of State, "Colombia," in *Country Report on Human Rights Practices-*

2007, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/>.

<sup>772</sup> Comité Interinstitucional Nacional de Erradicación del Trabajo Infantil y Protección del Joven Trabajador, *Estrategia Nacional para Prevenir y Erradicar las Peores Formas de Trabajo Infantil y Proteger al Joven Trabajador-2008-2015*, Bogota, January 2008, 25-26; available from [http://www.crin.org/docs/estrategia\\_ti\\_colombia.pdf](http://www.crin.org/docs/estrategia_ti_colombia.pdf).

<sup>773</sup> *Ibid.*, 26.

<sup>774</sup> U.S. Department of State, "Country Reports- 2007: Colombia," section 6d.

<sup>775</sup> ILO-IPEC, *Diagnóstico sobre el Trabajo Infantil en el Sector Minero Artesanal en Colombia*, Lima, 2001, 49, 50, 61, and 62; available from [http://www.oit.org.pe/ipecc/documentos/http://www.oit.org.pe\\_ipecc\\_boletin\\_documentos\\_mineriacol.pdf](http://www.oit.org.pe/ipecc/documentos/http://www.oit.org.pe_ipecc_boletin_documentos_mineriacol.pdf).

<sup>776</sup> U.S. Department of State, "Country Reports- 2007: Colombia," section 6d.

<sup>777</sup> IOM, *Panorama sobre la trata de personas. Desafíos y Respuestas: Colombia, Estados Unidos y República Dominicana*, Bogota: IOM, 2006, 14, 20; available from <http://www.oim.org.co/modulos/contenido/default.asp?idmodulo=7&idlibro=115>. See also United Nations Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Colombia*, CRC/COL.CO/3, Forty-second session, June 8, 2006, para 82, 88; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/424/77/PDF/G0642477.pdf?OpenElement>.

<sup>778</sup> IOM, *Panorama sobre la trata de personas*, 18. See also Ministry of Social Protection, *Informe especial sobre violencia contra la infancia en Colombia*, Bogota, 2006, 231; available from <http://www.minproteccion-social.gov.co/entornoambiental/library/documents/DocNewsNo15086DocumentNo1819.PDF>.

<sup>779</sup> U.S. Department of State, "Colombia (Tier 1)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>780</sup> IOM, *Dimensiones de la trata de personas en Colombia*, Bogota: IOM, 2006, 20; available from <http://www.oim.org.co/modulos/contenido/default.asp?idmodulo=7&idlibro=114>.

<sup>781</sup> Ministry of Social Protection, *Informe especial sobre violencia contra la infancia en Colombia*, 188. See also Human Rights Watch, *You'll Learn Not to Cry: Child Combatants in Colombia*, Washington, DC, September 2003, 5; available from <http://www.hrw.org/reports/2003/colombia0903/>.

<sup>782</sup> Human Rights Watch, *You'll Learn Not to Cry*, 6-7, 57-58, 64-65. See also Guillermo González Uribe, *Los Niños*

*de la Guerra*, Bogota: Editorial Planeta, 2002.

<sup>783</sup> United Nations Security Council, *Children and armed conflict: Report of the Secretary-General*, New York, December 21, 2007, 26-27; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/656/04/PDF/N0765604.pdf?OpenElement>.

<sup>784</sup> United Nations Committee on the Rights of the Child, *Concluding Observations: Colombia*, para 80. See also United Nations Security Council, *Children and armed conflict: Report of the Secretary-General*, 26. See also Human Rights Watch, *You'll Learn Not to Cry*, 102-103.

<sup>785</sup> Defensoría del Pueblo, *Caracterización de las niñas, niños y adolescentes desvinculados de los grupos armados ilegales*, Bogota, November 2006, 44; available from <http://www.unicef.org/colombia/conocimiento/estudio-o-defensoria.htm>.

<sup>786</sup> Government of Colombia, *Código de la Infancia y la Adolescencia*, article 35.

<sup>787</sup> *Ibid.*, article 113.

<sup>788</sup> *Ibid.*, articles 114 and 117.

<sup>789</sup> Government of Colombia, *Resolución No 4448: Por la cual se desarrolla la facultad contenida en el numeral 23 del artículo 245 del Decreto 2737 de 1989 o Código del Menor*, (December 2, 2005); available from <http://www.minproteccion-social.gov.co/MseContent/images/news/DocNewsNo648901.doc>.

<sup>790</sup> Government of Colombia, *Código de la Infancia y la Adolescencia*, article 40.

<sup>791</sup> ILO Committee of Experts, *Direct Request, Night Work of Young Persons (Industry) Convention, 1919 (No. 6) Colombia (ratification: 1983)*, Geneva, 2007; available from <http://www.ilo.org/ilolex/>.

<sup>792</sup> Government of Colombia, *Constitución Política de Colombia*, article 17.

<sup>793</sup> Government of Colombia, *Código Penal, with modifications*, (July 24, 2000), articles 188-A and 188-B; available from [http://www.secretariasenado.gov.co/compendio\\_legislativo.htm](http://www.secretariasenado.gov.co/compendio_legislativo.htm).

<sup>794</sup> *Ibid.*, articles 213, 214, and 216.

<sup>795</sup> *Ibid.*, article 218 and 219. See also Government of Colombia, *Decree 1524*, (July 24, 2002), articles 4 and 9; available from [http://www.presidencia.gov.co/prensa\\_new/decretos/2002/julio/24/dec1524240702.pdf](http://www.presidencia.gov.co/prensa_new/decretos/2002/julio/24/dec1524240702.pdf).

<sup>796</sup> Government of Colombia, *Law 679*, (August 3, 2001), articles 7, 10, 16-20; available from [http://www.secretariasenado.gov.co/compendio\\_legislativo.htm](http://www.secretariasenado.gov.co/compendio_legislativo.htm).

<sup>797</sup> Government of Colombia, *Código Penal, with modifications*, article 141.

<sup>798</sup> Government of Colombia, *Resolución No. 4448*, article 1.

<sup>799</sup> Government of Colombia, *Ley 782*, (December 23,

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2002), article 6; available from [http://www.secretariasenado.gov.co/compendio\\_legislativo.htm](http://www.secretariasenado.gov.co/compendio_legislativo.htm).

<sup>800</sup> Government of Colombia, *Código Penal, with modifications*, article 162.

<sup>801</sup> *Ibid.*, articles 343 and 344.

<sup>802</sup> Government of Colombia, *Ley 975*, (July 25, 2005), article 10; available from [http://www.secretariasenado.gov.co/compendio\\_legislativo.htm](http://www.secretariasenado.gov.co/compendio_legislativo.htm).

<sup>803</sup> Government of Colombia, *Código Penal, with modifications*, articles 375 and 384.

<sup>804</sup> U.S. Department of State, "Colombia," in *Country Report on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/>.

<sup>805</sup> Government of Colombia, *Código de la Infancia y la Adolescencia*, articles 11, 79-95. See also IOM, *Dimensiones de la trata de personas en Colombia*, 27-28.

<sup>806</sup> Government of Colombia, *Plan Decenal de Infancia (2004-2015) para Colombia*, 20-41; available from [http://www.icbf.gov.co/ESPANOL/planes/plan\\_decenal/plan\\_decenal.html](http://www.icbf.gov.co/ESPANOL/planes/plan_decenal/plan_decenal.html).

<sup>807</sup> Comité Interinstitucional Nacional de Erradicación del Trabajo Infantil y Protección del Joven Trabajador, *Estrategia Nacional para las Peores Formas de Trabajo Infantil- 2008-2015*, 46-50.

<sup>808</sup> ICBF, UNICEF, ILO-IPEC, and Fundación Renacer, *Plan de acción para la prevención y erradicación de la explotación sexual comercial de niños, niñas y adolescentes menores de 18 años 2006-2011*, Bogotá, 2006, 43; available from <http://www.oit.org.pe/ipec/pagina.php?seccion=23&pagina=102>.

<sup>809</sup> U.S. Department of Labor, *Cooperative Agreement: Partners of the Americas and Associates*, September 27, 2007.

<sup>810</sup> World Vision, *Combating Exploitive Child Labor Through Education in Colombia*, project document, Washington, DC, 2005.

<sup>811</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>812</sup> Ministry of Education, *Lineamientos de política para la atención educativa a poblaciones vulnerables*, Bogotá, July

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2005, 32-35; available from <http://www.mineducacion.gov.co/cvn/1665/articulo-90668.html>.

<sup>813</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>814</sup> Colombian Family Welfare Institute, *Servicios del Instituto Colombiano de Bienestar Familiar*, [online] [cited December 11, 2007]; available from <http://www.icbf.gov.co/espanol/general1.asp>. See also, IOM, *Atención a niños, niñas y jóvenes desvinculados de los grupos armados ilegales*, [online] [cited December 11, 2007]; available from <http://www.oim.org.co/modulos/contenido/default.asp?idmodulo=190>. See also Ministry of Defense, *Reclutamiento de Menores: Otra agresión de los grupos ilegales contra la niñez colombiana*, December 11, 2007; available from <http://alpha.mindefensa.gov.co/index.php?page=181&id=3295>.

<sup>815</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Program*, project document, Geneva, September 17, 2003. See also ILO-IPEC official, E-mail communication to USDOL official, October 4, 2007.

<sup>816</sup> Ministry of Defense, *Reclutamiento de Menores*. See also UN Committee on the Rights of the Child, *Concluding Observations: Colombia*, para 80.

<sup>817</sup> ILO-IPEC, *Prevention and Elimination of Child Domestic Labour (CDL) and of Commercial Sexual Exploitation of Children (CSEC) in Chile, Colombia, Paraguay and Peru*, project document, Geneva, September 8, 2004, 27.

<sup>818</sup> ECPAT International CSEC Database, *Colombia*, accessed December 11, 2007; available from <http://www.ecpat.net/>.

<sup>819</sup> U.S. Department of State, "Country Reports- 2007: Colombia," section 5. See also National Police News Agency, *Que Nadie Dañe Tus Sueños*, Press Release, March 6, 2006; available from [http://www.policia.gov.co/\\_85256EA10053F753.nsf/0/AA9949A80C6E0D510525712C004BFCA9?Open](http://www.policia.gov.co/_85256EA10053F753.nsf/0/AA9949A80C6E0D510525712C004BFCA9?Open).

<sup>820</sup> U.S. Department of State, "Country Reports- 2007: Colombia," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Colombia."

# Comoros

## *Selected Statistics and Indicators on Child Labor<sup>821</sup>*

Working children, 5-14 years (%), 2000:	35.6
Working boys, 5-14 years (%), 2000:	35
Working girls, 5-14 years (%), 2000:	36.2
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	12*
Free public education:	No
Gross primary enrollment rate (%), 2005:	85
Net primary enrollment rate (%), 2000:	55
School attendance, children 5-14 years (%), 2000:	44.2
Survival rate to grade 5 (%), 2004:	80
ILO-IPEC participating country:	No
* Must pay miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

The majority of working children in Comoros are engaged in agriculture and activities in the informal sector.<sup>822</sup> The greatest proportion of children work in rural areas, and on the Island of Ndzuwani.<sup>823</sup> Children work in subsistence farming, cultivating cloves, vanilla, and *ylang ylang*; in animal husbandry; and fishing.<sup>824</sup> Children also sell goods along roadsides (such as peanuts, fish, and vegetables), and extract and sell marine sand.<sup>825</sup> Some children work as domestic servants in exchange for food, shelter, or educational opportunities; these children are often not paid for their work, are subject to abuse, and carry heavy loads for long distances.<sup>826</sup>

Some children work under forced labor conditions, including in domestic service and agriculture.<sup>827</sup> Some Koranic schools arrange for poor students to receive lessons in exchange for labor, which is sometimes forced.<sup>828</sup>

### **Child Labor Laws and Enforcement**

The minimum age for admission to work and apprenticeship in Comoros is 15 years.<sup>829</sup> Children in apprenticeships must be paid and the duration cannot be longer than 3 years.<sup>830</sup> Children must be at least 17 years of age to enter into a formal professional school.<sup>831</sup> Enterprises, such as stores and banks, are required to maintain a list of children they employ that are under 18 years.<sup>832</sup> The law requires that children work no more than 40 hours per week, and receive a break of a minimum of 12 consecutive hours per day.<sup>833</sup> A labor inspector can require a medical examination of a child to confirm if the work exceeds their strength.<sup>834</sup> The punishment for a third-time offense of employing a child under the age of 15 is imprisonment.<sup>835</sup>

The law protects children under 18 years from sexual exploitation, and child prostitution and pornography are illegal.<sup>836</sup> Punishment for involvement with the prostitution of a minor ranges from 2 to 5 years imprisonment and a fine, and penalties are doubled in cases of reoccurrence within 10 years.<sup>837</sup> These penalties also apply if the crime is committed in a different country.<sup>838</sup>

The law prohibits forced and bonded labor, except in instances of obligatory military service, work that is considered a civic duty to the community, and work that is required in times of accidents, fires, and calamities.<sup>839</sup> The punishment for exacting forced labor is 3 months to 3 years of imprisonment, and a fine.<sup>840</sup>

The Tribunal for Minors at the national level includes several judges who are responsible for protecting children before a court.<sup>841</sup> The Government has three labor inspectors, one for each main island.<sup>842</sup> One inspector reports averaging 10 labor inspections per year.<sup>843</sup> According to USDOS, the Government does not actively enforce child labor laws, or have a sufficient number of labor inspectors to effectively follow up on cases of child labor.<sup>844</sup>

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

Research has not identified any policies or programs by the Government of Comoros to address exploitive child labor.

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<sup>821</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Comoros, *Code du Travail*, Loi No. 84 - 018/PR portant Code du Travail, (1984), article 123; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/1515/64795/F84COM01.htm>. See also Government of Comoros, *Portant orientation sur l'éducation, Décret de promulogation No. 95-012/PR, Loi No. 94-035/AF*, (December 20, 1994), article 1. See also UNESCO, *EFA Global Monitoring Report 2008: Education for All by 2015 Will We Make it?*, France, 2007, 282; available from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=49591&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=49591&URL_DO=DO_TOPIC&URL_SECTION=201.html).

<sup>822</sup> Commissariat Général au Plan Union des Comores, Programme des Nations Unies pour le Développement, *Pauvreté, Inégalité et Marché du travail dans l'Union des Comores: Eléments d'analyse Fondés sur l'Enquête Intégrale Auprès des Ménages de 2004*, Moroni, December 2005, XX.

<sup>823</sup> Ministère du Plan Union des Comores, de l'Amenagement du Territoire, de l'Energie et de l'urbanisme, *Enfants et Adolescents aux Comores: Analyse des Données du Recensement Général de la Population et de l'Habitat 2003*, Moroni, September 2005, 27.

<sup>824</sup> U.S. Department of State, "Comoros," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/c25283.htm>. See also Ministère de la Santé. Direction Generale de la Condition feminine/Protection de l'enfant official, Interview with USDOL consultant, April 24, 2007. See also Ministère de la Justice de l'île d'Anjouan official, Interview with USDOL consultant, April 25, 2007. See also Ministère de la Fonction Publique et du Travail de l'Union des Comores official, Interview with USDOL consultant, May 1, 2007.

<sup>825</sup> Ministère de l'Economie de l'Union des Comores official, Interview with USDOL consultant, April 21, 2007. See also Ministère de la Justice de l'île d'Anjouan official, Interview, Ministère de la Justice de l'île d'Anjouan, April 25, 2007. See also Ministère de l'Economie de l'Union des Comores official, Interview, Ministère de l'Economie, April 21, 2007.

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<sup>826</sup> U.S. Department of State, "Country Reports- 2007: Comoros," section 6d. See also SOS ESPOIR official, Interview with USDOL consultant, April 25, 2007. See also Bureau de Réseau Femme et Développement official, Interview with USDOL consultant, May 1, 2007. See also Ministère de l'Economie de l'Union des Comores official, Interview, Ministère de l'Economie, April 21, 2007.

<sup>827</sup> Ministère de l'Economie de l'Union des Comores official, Interview, Ministère de l'Economie, April 21, 2007. See also Ministère de l'Economie de l'Emploi et du travail official, Interview with USDOL consultant, April 21, 2007.

<sup>828</sup> Ministère de la Santé. ODEROI, Interview with USDOL consultant, April 26, 2007. See also Union Internationale des Droits de l'Homme official, Interview with USDOL consultant, April 24, 2007.

<sup>829</sup> Government of Comoros, *Relative à l'apprentissage*, Loi No. 88-014/AF (December 10, 1980), articles 5, 10 and 16. See also Government of Comoros, *Code du Travail*, Loi No. 84 -018/PR portant Code du Travail, (1984), article 123; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/1515/64795/F84COM01.htm>.

<sup>830</sup> Government of Comoros, *Loi relative a l'apprentissage*, articles 5, 10 and 16. See also Government of Comoros, *Code du Travail*, article 123.

<sup>831</sup> Government of Comoros, *Fixant statut de la Formation Professionnelle et précisant ses modalités et son cadre d'exécution*, Loi No. 83-010/PR (November 4, 1983), article 2.

<sup>832</sup> Le Président du Conseil de Gouvernement, *Fixant un registre d'employeur pour les jeunes gens de moins de 18 ans qui travaillent dans les entreprises des Comores*, Arrête No. 67-18/IT/C, (January 5, 1967), article 1 and 3.

<sup>833</sup> Government of Comoros, *Code du Travail*, article 119. See also République Fédérale Islamique des Comoros, *Fixant les modalités d'application de la durée du travail et les majorations de salaire pour les heures effectuées au dela de la durée legale de 40 heures par semaine*, Arrête No. 01-386, (December 21, 2001), article 1.

<sup>834</sup> Government of Comoros, *Code du Travail*, article 124.

<sup>835</sup> *Ibid.*, article 252.

<sup>836</sup> U.S. Department of State, "Country Reports- 2007: Comoros," section 5. See also U.S. Embassy-Antananarivo, *reporting*, December 3, 2007, para 3a.

<sup>837</sup> Riziki Djabir, *Harmonization of laws relating to children: Comoros*, The Africa Policy Forum, Addis Ababa, 27; available from <http://www.africanchild.info/documents/Comoros%20report%20Sarah.doc>. See also Government of Comoros, *Portant Code pénal*, Loi No. 82/PAF - Loi 95-012/AF (November 19, 1982), article 323.

<sup>838</sup> The Protection Project, *Criminal Code of Comoros*,

[previously online] [cited December 14, 2007], articles 322, 323, and 324; available from <http://www.protectionproject.org> [hard copy on file].

<sup>839</sup> Government of Comoros, *Code du Travail*, article 2.

<sup>840</sup> *Ibid.*, article 237.

<sup>841</sup> Union des Comores, *Loi Relative à l'Organisation Transitoire des Juridictions pour Mineurs*, (December 31, 2005), article 1.

<sup>842</sup> Ministère de l'Economie de l'Union des Comores

official, Interview, Ministère de l'Economie, April 21, 2007. See also Ministère de la Sante official, Interview with USDOL consultant, April 24, 2007.

<sup>843</sup> Ministère de la Fonction Publique et du Travail de l'Union des Comores official, Interview, Ministère de la Fonction Publique et du Travail, May 1, 2007.

<sup>844</sup> U.S. Department of State, "Country Reports- 2007: Comoros," section 5 and 6d. See also U.S. Embassy-Antananarivo, *reporting, December 3, 2007*, para 3b.

## Congo, Democratic Republic of the

<i>Selected Statistics and Indicators on Child Labor</i> <sup>845</sup>	
Working children, 10-14 years (%), 2000:	39.8
Working boys, 5-14 years (%), 2000:	39.9
Working girls, 5-14 years (%), 2000:	39.8
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	Not compulsory
Free public education:	No
Gross primary enrollment rate (%), 2003:	61
Net primary enrollment rate (%):	-
School attendance, children 10-14 years (%), 2000:	65
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated

### Incidence and Nature of Child Labor

Children in the Democratic Republic of the Congo (DRC) work in subsistence agriculture and have been used as forced laborers in the mining of natural resources such as gold and diamonds.<sup>846</sup> According to Global Witness, children dig holes

and wash, sort, and carry minerals near copper and cobalt mines.<sup>847</sup> Children also work as dishwashers, guards, and grave diggers.<sup>848</sup>

During the reporting period, children continued to be involved with armed groups in the Ituri district, the two Kivu provinces, and other areas within the eastern Democratic Republic of the Congo.<sup>849</sup> Children associated with these groups are sexually exploited and forced to work as combatants, porters, and domestic laborers.<sup>850</sup>

Children are trafficked within the DRC for forced labor and sexual exploitation.<sup>851</sup> Armed groups continue to abduct Congolese children in Rwanda for military service in the eastern DRC.<sup>852</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years.<sup>853</sup> Children between 15 and 18 years may be employed with the permission of a parent or guardian. Children under 16 years, however, may work no more than 4 hours per day.<sup>854</sup> The law defines and prohibits the worst forms of child labor, and the penalty is imprisonment for a maximum of 6 months and a fine. The law bans forced or bonded labor, the recruitment of anyone under 18 years into the Armed Forces, and the use of children in hostilities.<sup>855</sup> The law also makes illegal the use of children as a means for trafficking drugs or engaging in other illicit activities such as prostitution or the production of pornographic materials.<sup>856</sup> According to USDOS, the enforcement of child labor laws, particularly in the mining sector, is inadequate.<sup>857</sup>

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

In 2007, the Government continued to implement a national plan for Disarmament, Demobilization, and Reintegration of combatants, including children supported by UNICEF and the World Bank.<sup>858</sup> With the Government's support, UNICEF and the UN Mission in the Democratic Republic of the Congo advocated for the release of all children associated with armed forces and groups.<sup>859</sup> UNICEF also managed a program to provide children working in mines with psychosocial support and access to education.<sup>860</sup> The Government also participated in a global USDOL-funded USD 7 million project implemented by ILO-IPEC to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers. The project withdrew 4,335 children from child soldiering and prevented 4,560 children from involvement with armed groups in seven countries, including the DRC.<sup>861</sup> In 2007, USDOL awarded a 4-year USD 5.5 million grant to Save the Children UK and the American Center for International Labor Solidarity to combat the worst forms of child labor and reintegrate war-affected children in the DRC.<sup>862</sup> The project targets 8,000 children for withdrawal and 4,000 children for prevention from entering exploitive child labor.<sup>863</sup> In 2007, the Government also participated in a USD 1.28 million project implemented by ILO-IPEC and funded by the Government of Norway to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers in the DRC and Burundi.<sup>864</sup>

The DRC was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>865</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>866</sup>

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<sup>845</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of the Democratic Republic of the Congo, *Loi no. 015/2002 du 16 Octobre 2002 portant Code du Travail*, article 133; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/62645/52447/F1638018233/COD-62645.pdf>. See also U.S. Department of State, "Democratic Republic of the Congo," in *Country Reports on Human Rights Practices-2007* Washington, DC, March 11, 2008, sections 5 and 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100475.htm>.

<sup>846</sup> U.S. Department of State, "Country Reports- 2007: DRC," section 6d. See also Watchlist on Children and Armed Conflict, *Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo*, New York, April 2006, 6, 36; available from [http://www.watchlist.org/reports/dr\\_congo.report.20060426.pdf](http://www.watchlist.org/reports/dr_congo.report.20060426.pdf). See also Human Rights Watch, *DR Congo: Army Abducts Civilians for Forced Labor*, New York, 2006; available from <http://hrw.org/english/docs/2006/10/13/congo14387.htm>.

<sup>847</sup> Global Witness, *Digging in Corruption*, Washington DC, July 2006, 32-33; available from [http://www.globalwitness.org/media\\_library\\_detail.php/154/en/digging\\_in\\_corruption](http://www.globalwitness.org/media_library_detail.php/154/en/digging_in_corruption).

<sup>848</sup> U.S. Department of State, "Country Reports- 2007: DRC," section 6d.

<sup>849</sup> Coalition to Stop the Use of Child Soldiers, *Democratic Republic of the Congo: Priorities for Children Associated with Armed Forces and Groups*, London, July, 2007, 1; available from [http://www.child-soldiers.org/Priorities\\_for\\_Child\\_Soldiers\\_in\\_DRC\\_-\\_briefing\\_to\\_UN\\_August\\_2007.pdf](http://www.child-soldiers.org/Priorities_for_Child_Soldiers_in_DRC_-_briefing_to_UN_August_2007.pdf). See also UN Security Council, *Report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo*, New York, June 28, 2007, para 17; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/39/0/16/PDF/N0739016.pdf?OpenElement>.

<sup>850</sup> U.S. Department of State, "Country Reports- 2007: DRC," section 5, 6d. See also United Nations, *Report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo*, New York, June 28, 2007, para 11, 26-27; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/39/0/16/PDF/N0739016.pdf?OpenElement>. See also Coalition to Stop the Use of Child Soldiers, *Priorities for Children*, 6-7.

<sup>851</sup> U.S. Department of State, "Democratic Republic of the Congo (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from

<http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Country Reports-2007: DRC," section 5.

<sup>852</sup> UN Security Council, *Report of the Secretary-General on children and armed conflict* para 22-23. See also Human Rights Watch, *Renewed Crisis in North Kivu*, New York, 2007, 49; available from <http://hrw.org/reports/2007/drc1007/drc1007web.pdf>.

<sup>853</sup> Government of the Democratic Republic of the Congo, *Code du Travail*, article 133.

<sup>854</sup> U.S. Department of State, "Country Reports- 2007: DRC," section 6d.

<sup>855</sup> Government of the Democratic Republic of the Congo, *Public Comments based on response to Federal Register Notice*, Kinshasa, January 7, 2005. See also U.S. Embassy- Kinshasa, *reporting*, March 1, 2007, para A.

See also U.S. Department of State, "Country Reports-2007: DRC," section 6d, 6c.

<sup>856</sup> Government of the Democratic Republic of the Congo, *Public Comments, January 7, 2005*, section 3a, 3d.

<sup>857</sup> U.S. Department of State, "Country Reports- 2007: DRC," section 6d. See also U.S. Embassy- Kinshasa, *reporting*, December 15, 2006, para 3-4.

<sup>858</sup> Multi-Country Demobilization and Reintegration Program, *MDRP Democratic Republic of the Congo Activities at a Glance*, [online] [cited December 14, 2007]; available from [http://www.mdrp.org/drc\\_main.htm](http://www.mdrp.org/drc_main.htm). See also Multi-Country Demobilization and Reintegration Program, *Status of the MDRP in the Democratic Republic of the Congo - July 2007*, [online] [cited December 14, 2007]; available from

[http://www.mdrp.org/PDFs/DRC\\_PartCom\\_300707\\_en.pdf](http://www.mdrp.org/PDFs/DRC_PartCom_300707_en.pdf). See also United Nations, *Report of the Secretary-General on children and armed conflict* para 64.

<sup>859</sup> UN Security Council, *Report of the Secretary-General on children and armed conflict* para 61.

<sup>860</sup> UNICEF, *UNICEF - Congo, Democratic Republic of the - The big picture*, [online] 2007 [cited November 26, 2007]; available from [http://www.unicef.org/infobycountry/drcongo\\_636.html](http://www.unicef.org/infobycountry/drcongo_636.html).

<sup>861</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: an Inter Regional Program*, Technical Progress Report, Geneva, March, 2007, 46.

<sup>862</sup> U.S. Department of Labor, *Notice of Award: Cooperative Agreement*, Washington DC, September 27, 2007. See also USDOL-ILAB, *U.S. Department of Labor awards more than \$54 million to eliminate exploitive child labor around the world*, Press Release, October 1, 2007; available from <http://www.dol.gov/opa/media/press/ilab/ILAB20071498.htm>.

<sup>863</sup> U.S. Department of Labor, *Notice of Award*.

<sup>864</sup> ILO-IPEC, E-mail communication to USDOL official, December 12, 2007.

<sup>865</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>866</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, *Technical progress Report*, 10-11.

## Congo, Republic of the

### Incidence and Nature of Child Labor

Children in the Republic of the Congo work with their families on farms or in informal business activities.<sup>867</sup> In Brazzaville and other urban centers, there are significant numbers of street children, primarily from the neighboring Democratic Republic of the Congo (DRC), who engage in street vending and begging as well as cleaning sewers and latrines by hand.<sup>868</sup> Children, many of them from West Africa, reportedly work as domestic servants, fishermen, shop workers, and street

sellers.<sup>869</sup> Isolated cases of children involved in commercial sexual exploitation occurred, which included trafficking victims from the DRC.<sup>870</sup> Children from Benin are trafficked to Pointe-Noire for forced labor in trading and domestic service.<sup>871</sup> There are unconfirmed accounts that child trafficking into the Republic of the Congo has been perpetrated by family members of immigrants from West African nations, primarily Benin but also Cameroon, Guinea, Mali, Senegal, and Togo.<sup>872</sup>

Although reports of violence in the Pool region

have continued since the country's civil conflict formally ended in 2003, it is unclear whether children remain involved as child soldiers in the region.<sup>873</sup>

<b>Selected Statistics and Indicators on Child Labor<sup>874</sup></b>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	107
Net primary enrollment rate (%), 2005:	53
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2002:	66
ILO-IPEC participating country:	Associated
*Must pay for miscellaneous school expenses.	

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment, including apprenticeships, at 16 years. Exceptions may be permitted by the Ministry of Education after an inspection of the place of employment.<sup>875</sup> However, children if working in an apprenticeship are prohibited to work beyond their physical capacity.<sup>876</sup> The law prohibits forced or compulsory labor, though there are exceptions for military service and other civic duties.<sup>877</sup> The minimum age of enlistment for service in the armed forces in the Republic of the Congo is 18 years.<sup>878</sup>

The law criminalizes procuring a person for the purpose of prostitution. Furthermore, it establishes a penalty of 10 years of imprisonment if such an act is committed with respect to a minor, defined as a

person less than 15 years of age.<sup>879</sup> While the law does not specifically prohibit trafficking in persons, traffickers can be prosecuted for child abuse, forced labor, illegal immigration, prostitution, rape, extortion, slavery,<sup>880</sup> and kidnapping.<sup>881</sup> There were no reports that the Government prosecuted any traffickers under these laws.<sup>882</sup>

The Ministry of Labor is responsible for enforcing child labor laws and monitors businesses in the formal sector; however, because of resource constraints, regular inspections for child labor were not possible. According to USDOS, child labor continues to occur in the informal sector and in rural areas that lack effective Government oversight.<sup>883</sup>

Although the Government has not ratified CRC Optional Protocol on the involvement of children in armed conflict and CRC Optional Protocol on the sale of children, child prostitution, and child pornography, it has adopted and promulgated legislation to adhere to both treaties.<sup>884</sup>

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

In response to the recruitment of child soldiers during the civil conflict that formally ended in 2003, the Government of the Republic of the Congo participated in a global USD 7 million, USDOL-funded project implemented by ILO-IPEC to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers.<sup>885</sup> Since the conflict in the Republic of the Congo ended several years ago, the project initiated a campaign to identify ex-combatants, including children, and created a national committee to address the worst forms of child labor. The project withdrew and prevented a total of 4,335 and 4,560 children, respectively, from involvement with armed groups in seven countries.<sup>886</sup>

In 2007, the President of the Republic of the Congo received technical and professional training on post-conflict development with respect to children associated with armed forces and groups.<sup>887</sup> The Government's National Program for Disarmament, Demobilization, and Reintegration became effective in August 2006 and continues into 2007.<sup>888</sup> The program includes a component to offer

socioeconomic reintegration, including financial support and technical training, to former child soldiers.<sup>889</sup>

The Government is assisting the Consulate of Benin to repatriate child trafficking victims.<sup>890</sup> UNICEF and the Justice and Peace Diocesan Commission are also collaborating with the Government on a USD 245,000 project that focuses on child trafficking, including rehabilitation, reintegration, and education programs.<sup>891</sup> The Government also worked with UNICEF on a joint research effort regarding trafficking in the country in June 2007.<sup>892</sup>

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<sup>867</sup> U.S. Department of State, "Country Reports- 2007: Congo," section 6d.

<sup>868</sup> *Ibid.*, section 5. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: The Republic of the Congo*, CRC/C/COG/CO/1, October 20, 2006; available from <http://tb.ohchr.org/default.aspx?country=cg>, 17.

<sup>869</sup> U.S. Embassy- Brazzaville, *reporting*, November 29, 2007, para E. See also U.S. Department of State, "Country Reports- 2007: Congo," section 5.

<sup>870</sup> U.S. Department of State, "Country Reports- 2007: Congo," sections 5, 6d. See also Integrated Regional Information Networks, "Congo: Street Children a Growing Problem in Brazzaville", IRINnews.org, [online], April 21, 2005 [cited December 11, 2007]; available from [http://www.irinnews.org/report.asp?ReportID=46742&SelectRegion=Great\\_Lakes&SelectCountry](http://www.irinnews.org/report.asp?ReportID=46742&SelectRegion=Great_Lakes&SelectCountry). See also Integrated Regional Information Networks, "Congo: Child trafficking on the rise", IRINnews.org, [online], May 21, 2007 [cited December 10, 2007]; available from <http://www.irinnews.org/report.aspx?ReportId=72268>.

<sup>871</sup> ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002)*, [online] 2007 [cited December 11, 2007], para 1; available from <http://www.ilo.org/ilolex/gbe/ceacr2005.htm>.

<sup>872</sup> U.S. Embassy- Brazzaville, *reporting*, February 21, 2008, section 1, para A. See also U.S. Department of State, "Country Reports- 2007: Congo," section 5.

<sup>873</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Programme*, technical progress report, Geneva, September 2006, 2. See also Reuters Foundation: Alertnet, "Congo (Brazzaville) troubles", Reuters-Alertnet, [online], March 26, 2007 [cited March 12, 2008]; available from [http://www.alertnet.org/db/crisisprofiles/CG\\_TEN.ht](http://www.alertnet.org/db/crisisprofiles/CG_TEN.ht)

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m?v=in\_detail.

<sup>874</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Republic of Congo, *The Constitution of the Republic of Congo*, (January 20, 2002), articles 23, 34; available from [http://www.accpuf.org/images/pdf/cm/congobrazzaville/031-tf-txt\\_const.pdf](http://www.accpuf.org/images/pdf/cm/congobrazzaville/031-tf-txt_const.pdf) See also Government of the Republic of Congo, *Loi N° 45-75, Code du travail de la République populaire du Congo*, (1975), article 11; available from <http://www.droit-afrique.com/images/textes/Congo/Congo%20-%20Code%20du%20travail.pdf>. See also U.S. Department of State, "Republic of Congo," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100476.htm>.

<sup>875</sup> Government of the Republic of Congo, *Loi no 45-75, Code du travail*, sections 11, 116. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Initial reports of States parties due in 1999: Congo*, CRC/C/COG/1, February 12, 2006, 77; available from <http://tb.ohchr.org/default.aspx?country=cg>.

<sup>876</sup> UN Committee on the Rights of the Child, *Initial reports of States parties due in 1999: The Republic of the Congo*, 77.

<sup>877</sup> Government of the Republic of Congo, *Loi no 45-75, Code du travail*, article 4. See also ILO Committee of Experts, *Individual Observation concerning Forced Labour Convention 1930 (No. 29) Congo (ratification: 1960)*, [online] 2007 [cited December 11, 2007], para 2; available from <http://www.ilo.org/ilolex/gbe/ceacr2005.htm>.

<sup>878</sup> Coalition to Stop the Use of Child Soldiers, "Republic of Congo," in *Child Soldiers Global Report 2004* London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=768](http://www.child-soldiers.org/document_get.php?id=768).

<sup>879</sup> Government of the Republic of Congo, *Penal Code*, articles 222-4, 225-7; available from <http://www.protectionproject.org/main1.htm> [hard copy on file].

<sup>880</sup> U.S. Embassy- Brazzaville, *reporting*, February 21, 2008, section 2, para A. See also U.S. Embassy- Brazzaville, *reporting*, November 29, 2007. See also U.S. Department of State, "Country Reports- 2007: Congo," section 5.

<sup>881</sup> ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention*, para 1.

<sup>882</sup> U.S. Department of State, "Country Reports- 2007: Congo," section 5.

<sup>883</sup> *Ibid.*, section 6d.

<sup>884</sup> ILO-IPEC, *Prevention and Reintegration of Children*

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*Involved in Armed Conflict: An Inter-Regional Programme*, final performance report, Geneva, September 2007, section II.B, sub-indicator1a2(i)A.

<sup>885</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Programme*, project document, Geneva, September 17, 2003, 1.

<sup>886</sup> ILO-IPEC, *Children Involved in Armed Conflict: September 2007, final performance report*.

<sup>887</sup> *Ibid.*, 4.

<sup>888</sup> ILO-IPEC, *Children Involved in Armed Conflict: September 2006, technical progress report*, 2. See also ILO-IPEC, *Children Involved in Armed Conflict: September 2007, final performance report*, section II.B, sub-indicator1a2(i)B.

<sup>889</sup> World Bank, *Technical Annex for a Program of USD 17 Million from the MDRP Multi-Donor Trust Fund to the Republic of Congo for an Emergency Reintegration Program*, World Bank, December 14, 2005, 7, 18-9; available from [http://www.mdrp.org/PDFs/Country\\_PDFs/ROC-MDRP-TechAnnex\\_0506.pdf](http://www.mdrp.org/PDFs/Country_PDFs/ROC-MDRP-TechAnnex_0506.pdf). See also Integrated Regional Information Networks, "Congo: Interview with Madeleine Yila Bompoto, Coordinator of Efforts to Reintegrate Ex-Child Soldiers", IRINnews.org, [online],

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March 31, 2006 [cited December 11, 2007]; available from [http://www.irinnews.org/report.asp?reportid=52536&selectregion=great\\_lakes](http://www.irinnews.org/report.asp?reportid=52536&selectregion=great_lakes).

<sup>890</sup> ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention*, para 4.

<sup>891</sup> UN Committee on the Rights of the Child, *Compte Rendu Analytique de la 1177e SÉANCE (Chambre A), Examen des Rapports Présentés par les États Parties: Rapport Initial de la République du Congo*, CRC/C/SR.1177, November 21, 2006, 8; available from <http://tb.ohchr.org/default.aspx?country=cg>. See also Integrated Regional Information Networks, "Congo: New bid to stop child trafficking", IRINnews.org, [online], July 20, 2007 [cited December 10, 2007]; available from

<http://www.irinnews.org/Report.aspx?ReportId=73335>. See also UNICEF, *Congo- Background*, [online] [cited December 10, 2007]; available from <http://www.unicef.org/infobycountry/congo.html>.

<sup>892</sup> U.S. Embassy- Brazzaville, *reporting, February 21, 2008*, section 1, para C.

## Costa Rica

### Incidence and Nature of Child Labor

In Costa Rica, the rate of child work is higher in rural areas (91 percent) than in urban areas (9 percent). In rural areas, children work principally in agriculture, forestry, and service activities while in urban areas, children work mainly in trade and repair activities and construction.<sup>893</sup>

According to the National Institute for Children (PANI), commercial sexual exploitation of children is a problem in Costa Rica, with an unknown but significant number of children involved. Children in San José, Limón, and Puntarenas are at high risk. From January to March 2007, 34 sexual exploited minors were assisted.<sup>894</sup> Children are trafficked within the country for sexual exploitation and forced labor. The Costa Rican Government identified child sex tourism as a serious problem, and girls are trafficked into the country from other countries for commercial sexual exploitation.<sup>895</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years. Minors under 18 years are prohibited from working at night; in mines, quarries, and other dangerous places; where alcohol is sold; and in activities where they are responsible for their own or other's safety. They are also not allowed to work with dangerous equipment, contaminated substances, or excessive noise.<sup>896</sup> Employers of youth ages 15-17 must maintain a child labor registry. Violations of minimum age and child labor standards are punishable by fines.<sup>897</sup>

Costa Rican laws on work hours for children state that adolescents ages 15 to 17 are prohibited from working for more than 6 hours a day or 36 hours a week.<sup>898</sup> Children may work longer hours in agriculture and ranching.<sup>899</sup> When PANI determines that child labor is performed to meet the family's basic needs, economic assistance must be provided to the family.<sup>900</sup>

***Selected Statistics and Indicators  
on Child Labor<sup>901</sup>***

Working children, 12-14 years (%), 2004:	5.7
Working boys, 12-14 years (%), 2004:	8.1
Working girls, 12-14 years (%), 2004:	3.5
Working children by sector, 12-14 years (%), 2004:	
- Agriculture	40.3
- Manufacturing	9.5
- Services	49
- Other	1.3
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	110
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2004:	91.2
Survival rate to grade 5 (%), 2004:	87
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses.	

Slave labor is prohibited under the law.<sup>902</sup> Costa Rica does not have armed forces, and the minimum age for recruitment to the police force is 18 years.<sup>903</sup> The penalty for paid sexual relations with a minor under 13 years is 4 to 10 years in prison; if the victim is 13 to 15 years, it is 3 to 8 years imprisonment; and if the victim is 15 to 18 years, then it is 2 to 6 years incarceration.<sup>904</sup> The penalty for profiting economically from the prostitution of a minor under 13 years is 4 to 10 years in prison, and 3 to 9 years if the victim is 13 to 18 years old.<sup>905</sup> The production of pornographic materials with minors is punishable by 3 to 8 years in prison. The penalty for possession of pornography involving minors is 6 months to 2 years.<sup>906</sup> The penalty for promoting, facilitating, or aiding the trafficking of minors for commercial sexual exploitation or slave labor is 4 to 10 years in prison.<sup>907</sup>

The Inspections Directorate of the Ministry of Labor is responsible for investigating child labor violations and enforcing child labor laws.<sup>908</sup> According to USDOS, informal sector enforcement of child labor laws is limited by a lack of resources.<sup>909</sup>

PANI, the Special Prosecutor for Domestic Violence and Sexual Crimes, and various ministries are responsible for preventing and prosecuting crimes involving commercial sexual exploitation of children. PANI leads public awareness campaigns and provides assistance to minors involved in commercial sexual exploitation.<sup>910</sup> Several investigations into commercial sexual exploitation of children have been started by various agencies, although there have been few successful prosecutions.<sup>911</sup>

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

The National Agenda for Children and Adolescents 2000-2010 includes strategies to prevent and eliminate the worst forms of child labor.<sup>912</sup> In addition, the Government of Costa Rica has launched the Second National Action Plan for the Prevention and Eradication of Child Labor and Special Protection of Adolescent Workers 2005-2010.<sup>913</sup> It has also approved its third National Plan to Eradicate Commercial Sexual Exploitation of Children which aims to raise awareness; increase institutional capacity to address risk factors in target regions and populations; develop mechanisms to guarantee victims' access to psychosocial services; strengthen the judicial system to defend victims' rights; and create mechanisms to strengthen the National Commission against Commercial Sexual Exploitation of Children and Adolescents.<sup>914</sup> In May 2007, the Costa Rican judicial system also implemented a database system for tracking cases of commercial sexual exploitation of children.<sup>915</sup>

Since 2006, the Costa Rican Government has been carrying out "Avancemos" (Let's Get Ahead), a conditional cash transfer program (CCT) that encourages low-income children to remain in school or return to school. In 2007, 94,621 children benefited from the program.

The Government of Costa Rica continues to participate in a USD 8.8 million regional project implemented by ILO-IPEC, which seeks to combat commercial sexual exploitation through a variety of activities including capacity building and legal reform. In addition, the project aims to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region.<sup>916</sup> In

coordination with the Government, CARE-USA is implementing a USD 5.5 million regional project funded by USDOL to combat exploitive child labor through the provision of quality basic education. The project aims to withdraw and prevent 2,984 children and adolescents from exploitive child labor in the region.<sup>917</sup> The Government of Costa Rica also participates in a USD 1.2 million regional project funded by the Government of Canada and implemented by ILO-IPEC in support of the Timebound Program. In addition, it participates in a USD 0.5 million regional project funded by the Government of Canada to combat the worst forms of child labor through the strengthening of labor ministries and workers.<sup>918</sup> The Government of Costa Rica participated in a Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain and implemented by ILO-IPEC.<sup>919</sup>

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<sup>893</sup> ILO-IPEC, *In-depth analysis of child labour and education in Costa Rica*, 2004, 21-26; available from [http://white.oit.org.pe/ippec/documentos/cr\\_\\_in\\_dept\\_h.pdf](http://white.oit.org.pe/ippec/documentos/cr__in_dept_h.pdf).

<sup>894</sup> U.S. Department of State, "Country Reports- 2007: Costa Rica," section 5. See also Melissa A. Lépez and Doris G. Mosquera, *Persiste Impunidad ante Explotación Sexual de Nuestra Niñez*, [online] May 17-23, 2007 [cited December 12, 2007]; available from [http://www.primera.plana.or.cr/version2006/articulos\\_x\\_id.php?id\\_tipo\\_articulo=1&id\\_edicion=29&id\\_articulo=223](http://www.primera.plana.or.cr/version2006/articulos_x_id.php?id_tipo_articulo=1&id_edicion=29&id_articulo=223).

<sup>895</sup> U.S. Department of State, "Costa Rica (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Country Reports-2007: Costa Rica," section 5.

<sup>896</sup> Government of Costa Rica, *Código de la Niñez y la Adolescencia*, articles 2, 78, 92, 94, 95. See also, Government of Costa Rica, *Código de Trabajo*, Ley No. 2, (1943), articles 88 and 89; available from <http://www.ministrabajo.go.cr/Codigo/Indice.htm>.

<sup>897</sup> Government of Costa Rica, *Código de la Niñez y la Adolescencia*, 1998, articles 98, 101.

<sup>898</sup> Government of Costa Rica, *Código de la Niñez y la Adolescencia*, article 95.

<sup>899</sup> Government of Costa Rica, *Código de Trabajo*, article 89.

<sup>900</sup> Government of Costa Rica, *Código de la Niñez y la Adolescencia*, article 92.

<sup>901</sup> For statistical data not cited here, see the Data Sources

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and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Costa Rica, *Código de la Niñez y la Adolescencia*, (1998), article 78; available from <http://www.asamblea.go.cr/ley/leyes/7000/7739.doc>. See also U.S. Department of State, "Costa Rica," in *Country Report on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/>. See also Government of Costa Rica, *Constitución Política*, (1949), article 78; available from <http://www.cesdepu.com/nbdp/copol2.htm>.

<sup>902</sup> Government of Costa Rica, *Constitution*, articles 20, 56.

<sup>903</sup> Coalition to Stop the Use of Child Soldiers, "Costa Rica," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=821](http://www.child-soldiers.org/document_get.php?id=821).

<sup>904</sup> Government of Costa Rica, *La Reforma y Adición de Varios Artículos al Código Penal*, 4573, (August 30, 2007), article 160; available from [http://ministeriopublico.poder-judicial.go.cr/publicaciones/legislacion\\_dia/2007/02-2007.pdf](http://ministeriopublico.poder-judicial.go.cr/publicaciones/legislacion_dia/2007/02-2007.pdf).

<sup>905</sup> *Ibid.*, article 171.

<sup>906</sup> *Ibid.*, article 173.

<sup>907</sup> Government of Costa Rica, *Código Penal de Costa Rica*, (1970), article 172; available from <http://www.unifr.ch/ddp1/derechopenal/legislacion/cr/cpcr5.htm>.

<sup>908</sup> U.S. Department of State, "Country Reports- 2007: Costa Rica," section 6d. See also Ministerio de Trabajo y Seguridad Social, *Poder Ejecutivo Directriz: Manual de Procedimientos de la Dirección Nacional de Inspección*, San José, 2-3; available from [http://www.ministrabajo.go.cr/Documentos/Inspeccion\\_manual.doc](http://www.ministrabajo.go.cr/Documentos/Inspeccion_manual.doc).

<sup>909</sup> U.S. Department of State, "Country Reports- 2007: Costa Rica," section 6d.

<sup>910</sup> *Ibid.*, section 5.

<sup>911</sup> *Ibid.*

<sup>912</sup> Government of Costa Rica, *Agenda Nacional para la Niñez y la Adolescencia: Metas y Compromisos, 2000-2010*, San José, September 2000, 21.

<sup>913</sup> Government of Costa Rica, *Segundo Plan Nacional de Acción para la Prevención, Erradicación del Trabajo Infantil y Para la Protección Especial de las Personas Adolescentes Trabajadoras, Costa Rica, 2005-2010*, San José, 2005; available from [http://www.oit.org.pe/ippec/documentos/plan\\_eti\\_costa\\_rica.pdf](http://www.oit.org.pe/ippec/documentos/plan_eti_costa_rica.pdf).

<sup>914</sup> Government of Costa Rica, *Plan Nacional para la*

*Erradicacion de la Explotacion Sexual Comercial de Ninos, Ninas, y Adolescentes 2008-2010*, San José, 2007; available from

[http://white.oit.org.pe/ipecc/documentos/plan\\_nac\\_esc\\_costa\\_rica.pdf](http://white.oit.org.pe/ipecc/documentos/plan_nac_esc_costa_rica.pdf).

<sup>915</sup> ILO-IPEC, *Stop the Exploitation: Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children*, Technical Progress Report, San José, September 30, 2007, 16.

<sup>916</sup> ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central*

*America, Panama, and the Dominican Republic*, Project Document, RLA/02/P51/USA, San José, 2005.

<sup>917</sup> CARE USA, *APRENDO Project. Combating Exploitive Child Labor Through Education in Central America (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and the Dominican Republic*, Project Document, 2004.

<sup>918</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>919</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

## Côte d'Ivoire

### *Selected Statistics and Indicators on Child Labor*<sup>920</sup>

Working children, 5-14 years (%), 2006:	39.8
Working boys, 5-14 years (%), 2006:	41.5
Working girls, 5-14 years (%), 2006:	38.0
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	Not compulsory
Free public education:	Yes*
Gross primary enrollment rate (%), 2003:	70
Net primary enrollment rate (%), 2003:	55
School attendance, children 5-14 years (%), 2002:	55.9
Survival rate to grade 5 (%), 2000:	88
ILO-IPEC participating country:	Yes
* Must pay miscellaneous school expenses.	

### **Incidence and Nature of Child Labor**

In Côte d'Ivoire, many children work in agriculture on family farms.<sup>921</sup> Children also work in the informal sector, mainly in urban centers, including as street vendors, shoe shiners, errand runners, car washers and watchers, as food sellers in street restaurants, and in public works construction.<sup>922</sup> Children also work in small workshops and in small-scale family-operated gold and diamond mines.<sup>923</sup> Children working in Ivorian mines perform activities such as digging holes, clearing out water from holes, and carrying and washing gravel. Many children that work in mines report illness due to the activities they perform.<sup>924</sup> Ivorian girls as young as 9 years old work as domestic servants, and some are subject to mistreatment including sexual abuse.<sup>925</sup>

According to a 2002 study carried out by the International Institute of Tropical Agriculture (IITA) carried out in Côte d'Ivoire, Ghana, Cameroon, and Nigeria, the majority of children in the cocoa sector work alongside their families on farms owned either by immediate or extended relatives. Many of the working children in Côte d'Ivoire come from outside the country's cocoa zone, either from other regions within the country or from neighboring countries such as Burkina Faso.<sup>926</sup> There are also credible reports of children being trafficked from Burkina Faso, Mali, and Togo to work on Ivorian cocoa and coffee farms.<sup>927</sup> According to the IITA study, approximately one-third of children who live in cocoa-producing households have never attended school.<sup>928</sup> Children

working on cocoa farms are at risk of being involved in hazardous tasks, such as carrying heavy loads, spraying pesticides without protection, using machetes to clear undergrowth, and burning vegetation.<sup>929</sup> Subsequent studies conducted by the Ivorian Government in 2005 and 2007 substantiate many of the findings of the 2002 IITA study.<sup>930</sup>

Côte d'Ivoire is a source, transit, and destination country for trafficked children. Trafficking occurs more frequently within the country and takes place from the northern localities to cities in the south.<sup>931</sup> Children are also trafficked to Abidjan to work in the informal sector. Children are trafficked to work as domestic servants, in mines, in restaurants, and on palm oil plantations. Girls are trafficked domestically to work as domestic servants, and for commercial sexual exploitation.<sup>932</sup>

Children are trafficked into Côte d'Ivoire from Mali, Burkina Faso, Ghana, Togo, Benin, and Mauritania to work as domestic servants, farm laborers, and for sexual exploitation.<sup>933</sup> In particular, boys are trafficked from Ghana, Mali, and Burkina Faso for work on cocoa, coffee, pineapple, and rubber plantations; from Guinea to work in the mining sector; from Togo to work in construction; and from Benin for carpentry work. Boys from Ghana and Togo are also trafficked to Côte d'Ivoire to work in the fishing industry.<sup>934</sup> Ivorian boys have also been trafficked to Mali, lured by the promise of working as soccer players in Europe. Ivorian girls are trafficked to Gabon to work as domestic servants. Girls are also trafficked to Côte d'Ivoire from Ghana, Togo, and Benin to work as domestic servants and street vendors and from Nigeria, China, Ukraine, and the Philippines to work as waitresses and prostitutes in street-side restaurants.<sup>935</sup>

While there were not reports of the recruitment of new child soldiers, there was evidence that the government militias and rebel groups continued to use children for forced labor in a non-combat capacity.<sup>936</sup>

### **Child Labor Laws and Enforcement**

The minimum age for admission to work and apprenticeships is 14 years.<sup>937</sup> Ivorian law requires parents or legal guardians to sign employment

contracts on behalf of children under 16 years and to serve as witnesses to contracts signed by children between 16 and 18 years.<sup>938</sup> Night work by children under 18 is prohibited, and all children are required to have at least 12 consecutive hours of rest between work shifts. The Labor Inspectorate can require children to take a medical exam to ensure that the work for which they are hired does not exceed their physical capacity.

Ivorian law prohibits forced or compulsory labor.<sup>939</sup> If labor is imposed on a person, the penalty is 1 to 5 years in prison and a fine.<sup>940</sup> The Government has defined the following types of hazardous work as prohibited for children under 18 years: agriculture, forestry, mining, commerce and in the urban informal sector, handicrafts, and transport.<sup>941</sup> Persons convicted of pimping where the victim is under 21 years may be imprisoned for 2 to 10 years and charged a fine.<sup>942</sup> The minimum age for both voluntary and compulsory recruitment into the military is 18 years.<sup>943</sup>

While the law does not directly forbid trafficking in persons, including children, traffickers may be prosecuted for kidnapping, mistreating, or torturing children with a punishment of 1 to 5 years of imprisonment and a fine. Alienation of a person's freedom is punishable by 5 to 10 years of imprisonment, with the maximum penalty enforced if the victim is under 15 years.<sup>944</sup> Individuals who receive or leave a person as financial security face a fine and a penalty of 6 months to 3 years in prison, which automatically increases to 5 years when the victim is under the age of 15 years.<sup>945</sup>

Côte d'Ivoire was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>946</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>947</sup>

The Ministry of Civil Service and Employment is the Government agency responsible for enforcement of child labor laws.<sup>948</sup> In September 2007, a Nigerian couple was arrested, tried, and sentenced for the crime of trafficking six girls from Nigeria to Côte d'Ivoire.<sup>949</sup> In 2007, the Office of the Prime Minister established the Child Labor in the Cocoa Sector Task Force.<sup>950</sup> According to USDOS, the Government has continued efforts to eliminate of the worst forms of child labor in the cocoa sector.<sup>951</sup>

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

According to Tulane University, the Governments of Côte d'Ivoire and Ghana have taken steps towards implementing agreements under the Harkin-Engel Protocol, by creating task forces and developing national action plans to combat exploitive child labor in the cocoa sector, and commencing child labor surveys in the cocoa sector.<sup>952</sup> In addition, members of the Governments of Ghana and Côte d'Ivoire participate in the International Cocoa Verification Board (ICVB), which was created by Verité, Inc. in December 2007, with funding from the international cocoa industry, in order to strengthen remediation efforts, improve national surveys, and work towards verification. Plans for verification include two phases, the first verifying methodology and data of surveys and the second improving the linkage between information collected and efforts to remediate the worst forms of child labor in the cocoa sector.<sup>953</sup>

In September 2007, the Ivorian Government adopted a National Action Plan on Child Labor and Trafficking.<sup>954</sup> The objectives outlined under the plan include understanding the full breadth of the issues, adopting additional laws, and providing for the reintegration of children.<sup>955</sup> The Plan is designed to significantly reduce the worst forms of child labor and to decrease child labor by 50 percent in 3 years. The Plan also aims to strengthen and expand the Government's Child Labor Monitoring System.<sup>956</sup> The National Action Plan was developed by the Ministry of Labor, which has pledged USD 4.57 million for activities under the Plan.<sup>957</sup> On November 30, 2007, the Government completed a pilot study on child labor in the cocoa sector.<sup>958</sup>

The National Committee for Combating Trafficking and Child Exploitation is implementing a child trafficking monitoring system. The Government has also provided support to victim shelters by providing NGOs with office space and personnel.<sup>959</sup> The Ministry of Family and Social Affairs has continued awareness-raising campaigns, targeting children at risk of being trafficked and industries that employ child labor, as well as local Government officials and school leaders.<sup>960</sup>

The Government continued to cooperate with the 3-year project to oversee the efforts of the international cocoa industry and the Governments of Côte d'Ivoire and Ghana to eliminate the worst forms of child labor in the cocoa sector, funded by USDOL at USD 4.3 million and implemented by Tulane University, in partnership with the West African Health Organization (WAHO). In October 2007, Tulane submitted its first annual report to the U.S. Congress on the status of public and private efforts to implement agreements under the Harkin-Engel Protocol.<sup>961</sup>

The Government of Côte d'Ivoire also participated in the Combating Trafficking in Children for Labor Exploitation in West and Central Africa, Phases I & II (LUTRENA) regional project, funded by USDOL at 9.28 million and implemented by ILO-IPEC, to combat the trafficking of children for exploitive labor. During Phase II of LUTRENA, from July 2001 to December 2007, the project withdrew 4,240 and prevented 7,213 children from being trafficked in the region.<sup>962</sup> Since 2006, the Government has also participated in a trafficking project funded by USDOS at USD 250,000, aiming to strengthen the National Committee for Combating Trafficking in Children and Child Exploitation.<sup>963</sup>

USAID and the international cocoa industry continued to fund the Sustainable Tree Crops Program in Côte d'Ivoire, a public-private partnership that promotes sustainable tree crop systems, including coffee, cocoa, and cashews, and contains a component to prevent and eliminate the worst forms of child labor on farms.<sup>964</sup> UNICEF supported alternative education programs for children that work in cattle herding.<sup>965</sup> Government officials participated in International Cocoa Initiative awareness-raising training sessions.<sup>966</sup>

<sup>920</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Côte d'Ivoire, *Code du travail*, No. 95/15, (1995), article 23.8; available from <http://natlex.ilo.org/txt/F95CIV01.htm>. See also U.S. Department of State, "Cote d'Ivoire," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/c25283.htm>.

<sup>921</sup> U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 6d.

<sup>922</sup> Ibid. See also ILO-IPEC, *La Traite des Enfants aux fins d'Exploitation de leur Travail dans le Secteur Informel a Abidjan Cote d'Ivoire*, Geneva, 2005, 2, 18; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=5178>.

<sup>923</sup> U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 6d. See also ILO-IPEC, *La Traite des Enfants: Secteur Informel*, 2, 18. See also U.S. Embassy- Abidjan official, E-mail communication to USDOL official, July 21, 2008.

<sup>924</sup> ILO-IPEC, *La Traite des Enfants aux fins d'Exploitation de leur Travail dans les Mines d'Or D'Issia Cote d'Ivoire*, Geneva, 2005, 35-39, 45; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=5176>.

<sup>925</sup> U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 6d. See also ILO-IPEC, *La Traite des Enfants: Secteur Informel*, 2, 18.

<sup>926</sup> International Institute of Tropical Agriculture, *Child Labor in the Cocoa Sector of West Africa: A Synthesis of Findings in Cameroon, Côte d'Ivoire, Ghana, and Nigeria*, Yaoundé, August 2002, 12, 16.

<sup>927</sup> German Agency for Technical Cooperation, *La traite et les pires formes de travail des enfants dans les plantations de café-cacao en Côte d'Ivoire: La situation dans les départements Abengourou, Oumé, et Soubré* (Abidjan: 2005). See also International Cocoa Initiative official, Meeting with USDOL official, October 4, 2006.

<sup>928</sup> International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa: Cameroon, Côte d'Ivoire, Ghana, and Nigeria*, IITA, Yaoundé, July 2002. See also Government of Côte d'Ivoire, *Child Labor Monitoring System in the Cocoa Sector in Côte d'Ivoire Pilot Project (CLMS PP)*, Abidjan, December 2005, 22.

<sup>929</sup> International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa*. See also Government of Côte d'Ivoire, *CLMS Pilot Project*, 35. See also USAID, *USAID and Labor Department Release Data from Collaborative*

*Survey on Child Labor on Cocoa Farms in West Africa: W. African Governments and Global Chocolate Industry Working Jointly with U.S. to Combat Problem*, Press Release, Washington, DC, July 26, 2002; available from [http://www.usaid.gov/press/releases/2002/pr020726\\_2.html](http://www.usaid.gov/press/releases/2002/pr020726_2.html).

<sup>930</sup> Government of Côte d'Ivoire, *Executive Summary: Côte d'Ivoire issues Initial Pilot Survey Report on labor in the cocoa sector*, Abidjan, November 2007; available from [http://www.cacao.ci/commun/documents/Executive\\_summary\\_CdI\\_pilot\\_survey.pdf](http://www.cacao.ci/commun/documents/Executive_summary_CdI_pilot_survey.pdf). See also Government of Côte d'Ivoire, *Enquete Initiale de Diagnostic a Agnibilekrou, Tiassale et Soubré*, Abidjan, November 2007, 7-10; available from [http://www.cacao.ci/commun/documents/Rapport\\_EID\\_pilote\\_CdI.pdf](http://www.cacao.ci/commun/documents/Rapport_EID_pilote_CdI.pdf). See also Government of Côte d'Ivoire, *Press Release: Côte d'Ivoire issues Initial Pilot Survey Report on labor in the cocoa sector*, Abidjan, November 2007; available from [http://www.cacao.ci/commun/documents/CdI\\_pilot\\_survey\\_press\\_release.pdf](http://www.cacao.ci/commun/documents/CdI_pilot_survey_press_release.pdf). See also Government of Côte d'Ivoire, *CLMS Pilot Project*, 25, 35.

<sup>931</sup> U.S. Department of State, "Cote d'Ivoire (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 5.

<sup>932</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cote d'Ivoire." See also U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 5. See also ILO-IPEC, *La Traite des Enfants: Travail dans les Mines*, 24. See also ILO-IPEC, *La Traite des Enfants: Secteur Informel*, 6. See also U.S. Embassy- Abidjan official, E-mail communication, July 21, 2008.

<sup>933</sup> U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 5. See also German Agency for Technical Cooperation, *La traite et les pires formes de travail des enfants dans les plantations de café-cacao en Côte d'Ivoire*, 28. See also Xaquín Lopez, "Sur la piste des enfants esclaves," *Courrier International*, no. 900 (February 6, 2008); available from [http://www.courrierinternational.com/gabarits/html/default\\_online.asp](http://www.courrierinternational.com/gabarits/html/default_online.asp). See also Integrated Regional Information Networks, "Child Trafficking in Cote d'Ivoire: Efforts Under Way to Reverse a Tragic Trend", IRINnews.org, [online], June 14, 2007 [cited March 15, 2007]; available from [http://www.unicef.org/infobycountry/cotedivoire\\_39995.html](http://www.unicef.org/infobycountry/cotedivoire_39995.html).

<sup>934</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cote d'Ivoire." See also ILO-IPEC, *La Traite des Enfants: Travail dans les Mines*, 24.

<sup>935</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cote d'Ivoire." See also ILO-IPEC, *La Traite des Enfants: Travail dans les Mines*, 24.

<sup>936</sup> U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 6d. See also Integrated Regional Information Networks, "Cote d'Ivoire: Former Child Soldiers at Risk", IRINnews.org, [online], February 13, 2008 [cited March 15, 2008]; available from <http://www.irinnews.org/report.aspx?ReportID=76729>. See also U.S. Embassy- Abidjan official, E-mail communication, July 21, 2008.

<sup>937</sup> Government of Côte d'Ivoire, *Code du travail*, 1995, Article 23.8.

<sup>938</sup> Government of Côte d'Ivoire, *Loi n° 70-483 sur la Minorité*, (August 3, 1970), chapter III, article 31.

<sup>939</sup> Government of Côte d'Ivoire, *Code du travail*, 1995, articles 3, 22.2, 22.3, 23.9.

<sup>940</sup> Government of Côte d'Ivoire, *Code Penal*, 1981, (August 31, ), articles 362, 371, 376-378 available from <http://droit.francophonie.org/df-web/publication.do?publicationId=198&sidebar=true>.

<sup>941</sup> Government of Côte d'Ivoire, *Arrêté n° 2250 Portant détermination de la liste des travaux dangereux interdits aux enfants de moins de dix huit (18) ans*, (March 14, 2005); available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details](http://www.ilo.org/dyn/natlex/natlex_browse.details).

<sup>942</sup> Government of Côte d'Ivoire, *Code Penal*, (August 31, 1981), article 336; available from <http://droit.francophonie.org/df-web/publication.do?publicationId=198&sidebar=true>.

<sup>943</sup> Coalition to Stop the Use of Child Soldiers. "Côte d'Ivoire", *In Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/home>.

<sup>944</sup> Government of Côte d'Ivoire, *Code Penal*, 1981, articles 362, 371, 376-378

<sup>945</sup> *Ibid.*

<sup>946</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2006, 2.

<sup>947</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *LUTRENA, Technical Progress Report*, 10-11.

<sup>948</sup> U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 6d.

<sup>949</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cote d'Ivoire." See also U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 5.

<sup>950</sup> Tulane University, *First 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, October 31, 2007, 27; available from [http://childlabor-payson.org/tu\\_docs.html](http://childlabor-payson.org/tu_docs.html).

<sup>951</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cote d'Ivoire." See also U.S. Department of State, "Country Reports- 2007: Cote d'Ivoire," section 5.

<sup>952</sup> Tulane University, *Tulane University, First Annual Report*, 8-9, 26-28.

<sup>953</sup> International Verification Board, *International Verification Board*, [online] n.d. [cited March 19, 2008]; available from <http://www.cocoaverification.net/>. See also Verite, *New International Cocoa Verification Board Formed - Launches Verification of African Cocoa Certification Effort*, Press Release, Amherst, January 30, 2008; available from <http://www.cocoaverification.net/News.html>. See also Verite, *International Cocoa Verification Board Issues RFP for Verification of Certification Activities in West African Cocoa Farming*, Press Release, Amherst, February 25, 2008; available from <http://www.csrwire.com/PressReleasePrint.php?id=11189>. See also Verite, *Verite Announces Major Step Forward in Improving Labor Conditions in the Cocoa Sector*, Press Release, Amherst, December 21, 2007; available from <http://www.cocoaverification.net/News.html>.

<sup>954</sup> U.S. Embassy-Abidjan, October 3, 2007, para IVa. See also Government of Cote d'Ivoire official, E-mail communication to USDOL official, November 23, 2007. See also U.S. Embassy - Abidjan Official, E-mail communication to USDOL official, March 21, 2008.

<sup>955</sup> Government of Cote d'Ivoire official, E-mail communication, November 23, 2007, 14.

<sup>956</sup> U.S. Embassy- Abidjan, October 3, 2007, para IVa. See also Government of Côte d'Ivoire, *Press Release: Côte d'Ivoire issues Initial Pilot Survey Report on labor in the cocoa sector*. See also Tulane University, *Tulane University, First Annual Report*, 33.

<sup>957</sup> U.S. Embassy- Abidjan, reporting, December 12, 2007, para 11. See also U.S. Embassy- Abidjan official, E-mail communication to USDOL official, March 21, 2008.

<sup>958</sup> Government of Côte d'Ivoire, *Press Release: Côte d'Ivoire issues Initial Pilot Survey Report on labor in the cocoa sector*.

<sup>959</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cote d'Ivoire."

<sup>960</sup> U.S. Embassy- Abidjan, reporting, December 12, 2007, para 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Cote d'Ivoire."

<sup>961</sup> Tulane University, *Tulane University, First Annual Report*, 1. See also U.S. Department of Labor, *U.S. Labor Department Funds Project to Evaluate Effectiveness of Anti-Child-Labor Efforts in the Cocoa Industry*, Press Release, October 3, 2006.

<sup>962</sup> ILO-IPEC, *Amendment to Project Document "Combating the Trafficking of Children for Labour Exploitation in West and Central Africa"*, Project Document, Geneva, September 3, 2004, 1 and 8. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2007, 1-3. See also ILO-IPEC Geneva official, LUTRENA Project Table III.C. Final Report March 2008 E-mail communication to USDOL official, March 24, 2007.

<sup>963</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>964</sup> USAID, "Chocolate Companies Help West African Farmers Improve Harvest," *USAID Frontlines* (September, 2005); available from [http://www.usaid.gov/press/frontlines/fl\\_sep05/pilla](http://www.usaid.gov/press/frontlines/fl_sep05/pilla)

rs.htm. See also International Institute of Tropical Agriculture, *Sustainable Tree Crops Program*, [online] March 20, 2006 [cited December 3, 2007]; available from <http://www.trecrops.org/index.htm>. See also U.S. Embassy- Abidjan, reporting, December 12, 2007, para 9. See also World Cocoa Foundation, *Sustainable Tree Crops Program- Cote d'Ivoire*, [online] [cited December 31, 2007]; available from [http://www.worldcocoafoundation.org/difference/STCPCotedIvoire\\_Summary.asp](http://www.worldcocoafoundation.org/difference/STCPCotedIvoire_Summary.asp).

<sup>965</sup> Integrated Regional Information Networks, *Cote d'Ivoire: Tend to cattle then go to class*, [online] December 4, 2007 [cited December 5, 2007]; available from <http://www.irinnews.org/report.aspx?ReportID=75689>

<sup>966</sup> Tulane University, *Tulane University, First Annual Report*, 28.

## Croatia

### *Selected Statistics and Indicators on Child Labor<sup>967</sup>*

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2003:	94
Net primary enrollment rate (%), 2003:	87
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No

### **Incidence and Nature of Child Labor**

Children in Croatia work in the entertainment, hospitality, tourism, retail, industrial, agricultural, construction, and media sectors.<sup>968</sup> Trafficking is a problem.<sup>969</sup> In the past Croatia was generally a country of transit; however, increasingly it is becoming a source and destination country for girls trafficked for prostitution.<sup>970</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment is 15; however, children younger than 15 years may participate in artistic endeavors, for which they are compensated, with a labor inspector's approval provided that the assignment does not threaten their morals or interfere with school.<sup>971</sup> Children 15 to 18 years old may only work with written permission from a legal guardian and labor inspector, assuming that the work is not harmful to the child's health, morality, education, or development.<sup>972</sup> If a labor inspector feels a job being performed by a minor is harming the health of the child the inspector can order a physical exam and can prohibit the minor from performing the job.<sup>973</sup> Children under 18 years are prohibited from working overtime, at night, and under dangerous labor conditions.<sup>974</sup> Under Croatian law, anyone forcing minors to beg or

perform work inappropriate for their age can be penalized with 3 months to 3 years of imprisonment.<sup>975</sup>

Forced and compulsory labor is prohibited.<sup>976</sup> Trafficking in persons is a separate criminal act for which the law stipulates a minimum prison sentence of 5 years with a maximum of 15 years when a child or a minor is involved.<sup>977</sup> The minimum age for conscription into the military is 18.<sup>978</sup>

The law prohibits international solicitation and prostitution of a minor for sexual purposes, calling for between 1 and 10 years of imprisonment for violations. The law also stipulates 1 to 5 years of imprisonment for using children for pornographic purposes.<sup>979</sup>

The Ministry of Economy, Labor, and Entrepreneurship collaborates with the Ombudsman for Children and the State Labor Inspectorate to enforce minimum age laws.<sup>980</sup> As of December 2007, the Inspectorate had 102 inspectors who are responsible for enforcing all labor laws including child labor.<sup>981</sup> The Ombudsman for Children coordinates government efforts to promote and protect the interests of children, and is obligated to report any findings of exploitation to the State's Attorney's Office.<sup>982</sup> It has increased efforts to investigate and prosecute trafficking crimes, and has increased the amount of trafficking training that government officials receive.<sup>983</sup>

During the reporting period, the Government doubled the number of trafficking convictions and reduced its use of suspended sentences for convicted traffickers.<sup>984</sup>

### **Current Government Efforts to Eliminate the Worst Forms of Child Labor**

The Government launched the 2006-2012 National Program for the Protection of the Best Interests of Children to prevent and protect children from sexual abuse, including commercial sexual exploitation.<sup>985</sup> During the reporting period, the Government of Croatia also implemented its National Programme for Suppression of Trafficking in Persons 2005-2008, a 2005-2007 National Plan for the Suppression of Trafficking in Children, and a 2006 action plan for trafficking through a national

committee and civil society organizations.<sup>986</sup> The Government allocated almost USD 2 million to its anti-trafficking regime in 2007.<sup>987</sup> The Government has provided funds and support for anti-trafficking public awareness campaigns, a national referral system, victim identification, shelters, and legal, medical, and psychological services for victims as well as educational and vocational training. The Government continued law enforcement training and Croatian police forces have included anti-trafficking as part of the academy's curriculum.<sup>988</sup> The Government also works with international organizations to assist trafficking victims and cooperates with other governments in the region.<sup>989</sup>

Through July 2007, Croatia participated in a Government of Germany-funded regional program implemented by ILO-IPEC to combat the worst forms of child labor in the Stability Pact Countries.<sup>990</sup>

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<sup>967</sup> For statistical data not cited here, please see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, please see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Croatia, *Labour Act of 2004* (No. 137/2004), article 21(1); available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/41244/72720/F484034153/HRV41244.PDF>. See also UNESCO Institute for Statistics, *Ending Age of Compulsory Education*, accessed March 18, 2008; available from <http://stats.uis.unesco.org/>. See also Government of Croatia, *Constitution of the Republic of Croatia*, (December 1990, as amended on April 2, 2001), article 65; available from

[http://www.oefre.unibe.ch/law/icl/hr00000\\_.html](http://www.oefre.unibe.ch/law/icl/hr00000_.html).

<sup>968</sup> U.S. Department of State, "Croatia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100553.htm>.

<sup>969</sup> U.S. Embassy Official-Zagreb, E-mail communication to USDOL official, August 1 2007.

<sup>970</sup> U.S. Department of State, "Croatia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 23, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>971</sup> Government of Croatia, *Labour Act of 2004*, article 21(2).

<sup>972</sup> *Ibid.*, articles 22(1), 22(5), and 23(1).

<sup>973</sup> ILO Committee of Experts, *Direct Request on the Worst*

*Forms of Child Labour Convention, 1999 (No. 182) Croatia (ratification: 2001)*, [online] 2007 [cited December 14, 2007]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=20448&chapter=9&query=%28Croatia%29+%40ref&highlight=&querytype=bool&context=0>.

<sup>974</sup> Government of Croatia, *Labour Act of 2004*, articles 23(1), 41(5), and 62(3). See also *Safety and Health Protection at the Workplace Act, 1996*, (June 28, 1996), section 40; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/45063/65037/E96HRV01.htm>.

<sup>975</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Croatia (ratification: 2001)*, [online] 2005 [cited December 14, 2007]; available from <http://www.ilo.org/ilolex/>.

<sup>976</sup> Government of Croatia, *Constitution*, article 23.

<sup>977</sup> U.S. Embassy- Zagreb, *reporting*, August 27, 2004.

<sup>978</sup> Coalition to Stop the Use of Child Soldiers, "Croatia," *In Child Soldiers Global Report 2004*, London, 2004, 231; available from [http://www.child-soldiers.org/document\\_get.php?id=966](http://www.child-soldiers.org/document_get.php?id=966).

<sup>979</sup> Government of Croatia, "Croatia," in *Legislation of Interpol Member States on Sexual Offences against Children, 2006*; available from <http://www.interpol.int/public/children/sexualabuse/nationallaws/csaCroatia.asp>.

<sup>980</sup> U.S. Department of State, "Country Reports- 2007: Croatia," section 6d.

<sup>981</sup> U.S. Embassy- Zagreb, *reporting*, March 1, 2007.

<sup>982</sup> Government of Croatia, *Law on the Ombudsman for Children*, (May 29, 2003), article 2; available from <http://www.crin.org/Law/instrument.asp?InstID=1145>.

<sup>983</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Croatia."

<sup>984</sup> U.S. Department of State, "Croatia (Tier 1)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/>.

<sup>985</sup> U.S. Embassy- Zagreb, *reporting*, December 19, 2006.

<sup>986</sup> Government of Croatia, *National Programme for Suppression of Trafficking in Persons 2005-2008*, National Committee for the Suppression of Trafficking in Persons, Zagreb, 2004; available from <http://www.ljudskaprava-vladarh.hr/Download/2005/03/30/Dosta-eng.pdf>. See also Government of Croatia, *National Plan for the Suppression of Trafficking in Children October 2005-December 2007*, National Committee for the Suppression of Trafficking in Persons, Zagreb, 2005; available from [http://www.ljudskaprava-vladarh.hr/Download/2006/01/31/NACIONALNI\\_PROGRAM\\_ZA\\_SUZBIJANJE\\_TRGOVANJA\\_DJECOM-ENG-MD.doc](http://www.ljudskaprava-vladarh.hr/Download/2006/01/31/NACIONALNI_PROGRAM_ZA_SUZBIJANJE_TRGOVANJA_DJECOM-ENG-MD.doc). See also Government of Croatia, *Action Plan for the Suppression of Trafficking in Persons for 2006*, National Committee for the Suppression of Trafficking in Persons, Zagreb; available from [http://www.ljudskaprava-vladarh.hr/Download/2006/01/31/OPERATIVNI\\_PLAN\\_za\\_suzbijanje\\_trgovanja\\_ljudima\\_engl.doc](http://www.ljudskaprava-vladarh.hr/Download/2006/01/31/OPERATIVNI_PLAN_za_suzbijanje_trgovanja_ljudima_engl.doc). See also Government of Croatia, *OSCE 2006 Human Dimension Implementation Meeting: Trafficking in Human Beings*, Office for Human Rights, Warsaw, October 3, 2006.

<sup>987</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Croatia."

<sup>988</sup> *Ibid.*, U.S. Department of State, "Trafficking in Persons Report- 2007: Croatia."

<sup>989</sup> OHCHR UNICEF, OCSE/ODIHR, Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2004- Focus on Prevention*, UNDP, New York City, March 2005, 136-137 and 215; available from <http://www.unicef.org/ceecis/Trafficking.Report.2005.pdf>. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Croatia."

<sup>990</sup> ILO-IPEC official, E-mail communication to USDOL official, December 12, 2007.

## Djibouti

### Incidence and Nature of Child Labor

In urban areas of Djibouti, children work in a variety of informal sector activities.<sup>991</sup> Children perform jobs such as shining shoes, guarding and washing cars,<sup>992</sup> cleaning storefronts, sorting merchandise, selling various items, and changing

money.<sup>993</sup> Children work day and night in family-owned businesses such as restaurants and small shops.<sup>994</sup> Some children work as domestic servants and others are involved in begging.<sup>995</sup> Children are also involved in the sale of drugs.<sup>996</sup> Many working children are displaced from neighboring countries such as Ethiopia and Somalia, and some live on the

streets.<sup>997</sup> In rural areas, children work in agriculture and with livestock.<sup>998</sup>

<i>Selected Statistics and Indicators on Child Labor<sup>999</sup></i>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes *
Gross primary enrollment rate (%), 2005:	42
Net primary enrollment rate (%), 2005:	34
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses.	

Large numbers of voluntary economic migrants from Ethiopia and Somalia pass illegally through Djibouti en route to the Middle East; among this group, a small number of girls are trafficked for domestic service or commercial sexual exploitation. A small number of girls from impoverished Djiboutian families may also be exploited in prostitution as a means of income, in some instances under the auspices of traffickers.<sup>1000</sup> There were credible reports of child prostitution on the streets and in brothels despite increased government efforts to stop it, including keeping children at risk off the streets and warning businesses against permitting children to enter bars and clubs.<sup>1001</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment and apprenticeships in Djibouti is 16 years.<sup>1002</sup> Young persons 16 to 18 years may not be employed as domestic servants or in hotels and bars.<sup>1003</sup> The law calls for the Ministry of Labor and the Ministry of

Health to develop additional categories of work that are prohibited to young persons, but these have not yet been established.<sup>1004</sup> Young persons must receive the same payment as adults for similar work. The Labor Inspector can require a medical exam to verify if the work is beyond the capabilities of the young person.<sup>1005</sup> Penalties for non-compliance with the provisions regarding equal pay and medical exams are punishable by fines.<sup>1006</sup> Night work is explicitly forbidden for individuals younger than 18 years, with penalties for non-compliance that include fines and, on the second infraction, 15 days of imprisonment.<sup>1007</sup>

The law prohibits forced and bonded labor.<sup>1008</sup> The law also prohibits the procurement of prostitution, with punishments including a fine and up to 10 years of imprisonment when a minor is involved. Increased penalties also apply if coercion is used or in cases involving the trafficking of persons outside or into the country.<sup>1009</sup> The law also provides for penalties against the use of children in pornography and in the trafficking of drugs.<sup>1010</sup> Djibouti does not have compulsory military service. The Government of Djibouti stated in a 1998 report to the UN Committee on the Rights of the Child that “as is the case for all civilian and military jobs, young people under 18 may not be accepted into the army.” The Government has a voluntary national services program for persons ages 17 to 25 that includes 3 months of military training, but there were no reports of any people under 18 in the armed forces.<sup>1011</sup>

In late December, the President of Djibouti signed into law a comprehensive anti-trafficking in persons law, emphasizing preventative efforts as well as protection for victims. This new law stipulates that persons convicted of trafficking may receive a fine and up to 30 years in prison. The authority to enforce child labor laws and regulations rests with the Police Vice Squad (*Brigade des Moeurs*) and the local police department (*Gendarmerie*).<sup>1012</sup> The *Brigade des Moeurs* has reportedly closed bars where child prostitution may be occurring.<sup>1013</sup> The Labor Inspection Office has the authority to sanction businesses that employ children.<sup>1014</sup> As of April 2006, the labor inspection office had one inspector and six controllers.<sup>1015</sup> According to USDOS, this shortage

of inspectors limits the Government's ability to enforce labor laws.<sup>1016</sup>

In 2007, the *Brigade des Moeurs* recaptured and convicted a foreign national who had fled the country while awaiting trial for sexually exploiting two boys and is now in prison. An investigation concerning a child sexual exploitation network, stemming from the 1990s, was also initiated during 2007 and is ongoing.<sup>1017</sup>

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

In March 2007, the Government of Djibouti's Ministry of Communication initiated its first anti-trafficking public awareness campaign, specifically citing child prostitution.<sup>1018</sup> This campaign also included coverage of a Government debate in October 2007 regarding the recently enacted anti-trafficking law.<sup>1019</sup> Moreover, the President of Djibouti and his wife hosted a public education event that highlighted putting an end to child trafficking.<sup>1020</sup>

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<sup>991</sup> U.S. Embassy - Djibouti, *reporting*, August 17, 2005.

<sup>992</sup> *Ibid.*

<sup>993</sup> Ministry of Employment and National Solidarity official, Interview with USDOL consultant, July 11, 2006, Ministry of Labor official, Interview with USDOL consultant, July 11, 2006.

<sup>994</sup> U.S. Department of State, "Country Reports- 2007: Djibouti," section 6d.

<sup>995</sup> U.S. Embassy - Djibouti, *reporting*, August 17, 2005.

<sup>996</sup> U.S. Department of State, "Country Reports- 2007: Djibouti," section 6d. See also Directorate of Promotion of Women and Social Affairs official, Interview with USDOL consultant, July 16, 2006. See also Open Door Association official, Interview with USDOL consultant, August 9, 2006.

<sup>997</sup> Ministry of Employment and National Solidarity official, interview, July 11, 2006.

<sup>998</sup> U.S. Embassy - Djibouti, *reporting*, August 17, 2005.

<sup>999</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Djibouti, *Loi n°133/AN/05/5ème L portant Code du Travail*, (January 28, 2006), article 5; available

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from <http://www.uddesc.org/Chartes,%20Conventions,%20Constitutions,%20D%E9clarations,%20Lois,%20Trait%E9s,%20etc/nationales/Cod e%20du%20Travail%20de%2028%20janvier%202006.pdf>. See also Government of Djibouti, *Loi n°96/AN/00/4ème L portant Orientation du Système Éducatif Djiboutien*, (July 10, 2000), articles 14, 16. See also U.S. Department of State, "Djibouti," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100478.htm>.

<sup>1000</sup> U.S. Embassy - Djibouti official, E-mail communication to USDOL official, July 21, 2008.

<sup>1001</sup> *Ibid.*

<sup>1002</sup> Government of Djibouti, *Loi n°133/AN/05/5ème L*, articles 5, 71.

<sup>1003</sup> *Ibid.*, articles 110, 111.

<sup>1004</sup> U.S. Embassy - Djibouti official, E-mail communication to USDOL official, January 23, 2007.

<sup>1005</sup> Government of Djibouti, *Loi n°133/AN/05/5ème L*, articles 109, 112.

<sup>1006</sup> *Ibid.*, article 288.

<sup>1007</sup> *Ibid.*, articles 94, 289.

<sup>1008</sup> *Ibid.*, article 2.

<sup>1009</sup> The Protection Project, *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children, 2005*; available from <http://www.protectionproject.org>.

<sup>1010</sup> U.S. Embassy - Djibouti, *reporting*, August 24, 2004.

<sup>1011</sup> U.S. Embassy - Djibouti official, E-mail communication, July 21, 2008.

<sup>1012</sup> U.S. Embassy - Djibouti, *reporting*, August 24, 2004.

<sup>1013</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Djibouti (Tier 2 Watch List)."

<sup>1014</sup> U.S. Embassy - Djibouti, *reporting*, August 24, 2004.

<sup>1015</sup> U.S. Department of State, "Djibouti (Tier 2 Watch List)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65988.htm>.

<sup>1016</sup> U.S. Department of State, "Country Reports- 2007: Djibouti," section 6d.

<sup>1017</sup> U.S. Embassy - Djibouti official, E-mail communication, July 21, 2008.

<sup>1018</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Djibouti (Tier 2 Watch List)."

<sup>1019</sup> U.S. Embassy - Djibouti, *reporting*, February 28, 2008, para. 3g.

<sup>1020</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Djibouti (Tier 2 Watch List)."

## Dominica

### *Selected Statistics and Indicators on Child Labor*<sup>1021</sup>

Gross primary enrollment rate (%), 2005:	92
Net primary enrollment rate (%), 2005:	84

#### **Incidence and Nature of Child Labor**

No changes have been recorded since the last reporting period regarding the incidence and nature of child labor in Dominica.\*

#### **Child Labor Laws and Enforcement**

In 2007, ILO CEACR reissued a previous statement to Dominica urging the government to increase the statutory minimum age for work to at least 15 years to be in accordance with ILO Convention No. 138.<sup>1022</sup>

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

Research has not identified any policies or programs by the Government of Dominica to address exploitive child labor.

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

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<sup>1021</sup> For statistical data not cited here, see the Data Sources and Definitions section.

<sup>1022</sup> ILOLEX Database on International Labour Standards, CEACR: *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Dominica (ratification: 1983) Published: 2007*, accessed December 13, 2007; available from <http://www.ilo.org/ilolex/cgilex/pdconv.pl?host=status01&textbase=iloeng&document=9481&chapter=6&query=%28Dominica%29+%40ref&highlight=&querytype=bool&context=0>.

## Dominican Republic

#### **Incidence and Nature of Child Labor**

Most work performed by children in the Dominican Republic is in the informal sector.<sup>1023</sup> In urban areas, children work in markets, garbage dumps, repair shops, and on the streets. They perform activities such as washing cars, shining shoes, street sales, and carrying heavy loads.<sup>1024</sup> Many urban child workers are migrants from other regions.<sup>1025</sup> In rural areas, children work mostly in agriculture and services.<sup>1026</sup> Children also work as domestic servants.<sup>1027</sup> Short school days and a poor educational system contribute to children working.<sup>1028</sup>

Past reports indicate that Haitian children plant and cut sugarcane; however, it is unconfirmed if this is continuing.<sup>1029</sup> There have been conflicting reports as to whether trafficking undocumented Haitians for work in the sugarcane plantations has lessened.<sup>1030</sup> However, the practice of trafficking Haitians, including children, to work in agriculture and construction sectors continues.<sup>1031</sup> Many Haitian adults and children live in sugarcane worker villages referred to as "bateyes," which lack adequate housing conditions, access to medical services, and other basic needs, and are rife for exploitive child labor.<sup>1032</sup> Dominican-born children of parents of Haitian descent are regularly denied

citizenship or legal identity documents which preclude access to education beyond the fifth grade, formal sectors jobs, and other basic rights. An estimated 600,000 to 1 million Dominican-born persons of Haitian descent lack legal documentation and are functionally stateless.<sup>1033</sup>

reported that children, particularly Haitian children, are sometimes “adopted” by families who register them as their own and provide some form of payment to the birthparents. Such children are often exploited as domestic workers or as workers in family businesses.<sup>1040</sup> Girls are also trafficked from the Dominican Republic to Haiti for commercial sexual exploitation.<sup>1041</sup>

### Child Labor Laws and Enforcement

The legal minimum age for employment in the Dominican Republic is 14 years; however, the Secretary of Labor may authorize individual permits to those younger than 14 years to work as actors or characters in public shows, radio, television, or movies.<sup>1042</sup> Work must not interfere with a minor’s education.<sup>1043</sup> Children under 16 years may not work for more than 6 hours a day and must have a medical certification.<sup>1044</sup> Special authorization is needed for itinerant sales work for minors.<sup>1045</sup> Females 14 to 16 years are prohibited from working as messengers and delivering merchandise.<sup>1046</sup>

Minors under 18 years are prohibited from dangerous work such as that involving hazardous substances, heavy or dangerous machinery, and heavy loads. Minors are also prohibited from night work, work on the street, work in gaming establishments, handling cadavers, various tasks involved in the production of sugarcane, and certain work at hotels. Some exceptions are made for apprenticeships and job training for those older than 16 years.<sup>1047</sup> Employers are required to pay minors at least the minimum legal wage.<sup>1048</sup> Fines are established for violations of legal provisions involving child labor.<sup>1049</sup>

Forced labor is prohibited by law.<sup>1050</sup> The Anti-Trafficking in Persons and Alien Smuggling Law establishes penalties of 15 to 20 years of imprisonment as well as fines for trafficking minors.<sup>1051</sup> The Protection of Children and Adolescents Law establishes punishments of 20 to 30 years of incarceration and fines for the transfer of a child to someone else for the purposes of forced labor; commercial sexual exploitation, including prostitution and pornography; or other degrading activities, in exchange for compensation.<sup>1052</sup> Perpetrators can also receive a prison sentence of up to 10 years and fines for

<i>Selected Statistics and Indicators on Child Labor<sup>1034</sup></i>	
Working children, 10-14 years (%), 2005:	5.8
Working boys, 10-14 years (%), 2005:	9.0
Working girls, 10-14 years (%), 2005:	2.7
Working children by sector, 10-14 years (%), 2005:	
- Agriculture	18.5
- Manufacturing	9.8
- Services	57.5
- Other	14.2
Minimum age for work:	14
Compulsory education age:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	98
Net primary enrollment rate (%), 2006:	77
School attendance, children 5-14 years (%), 2005:	96.3
Survival rate to grade 5 (%), 2005:	68
ILO-IPEC participating country:	Yes

The commercial sexual exploitation of children is a problem, especially in tourist locations and major urban areas. Between February and November 2007, 30 suspected child prostitutes ages 10 to 16 were detained by police in Boca Chica, Las Terrenas, Playa Dorado, and Santo Domingo.<sup>1035</sup> The National Council for Children and Adolescents (CONANI) reported 251 cases of commercial sexual exploitation in 2007. Dominican Government officials have stated that economic need contributes to child prostitution.<sup>1036</sup> The Dominican Republic is a source and destination country for the trafficking of children for commercial sexual exploitation.<sup>1037</sup> Children are also trafficked internally from rural to tourist areas.<sup>1038</sup> International organizations estimate that more than 2,000 Haitian children are trafficked to the Dominican Republic each year to work in the streets, in agriculture, and for commercial sexual exploitation.<sup>1039</sup> It has been

involvement in the commercial sexual exploitation of children; the sexual abuse of children under circumstances involving trafficking; or giving a son or daughter to another person in exchange for compensation.<sup>1053</sup> Fines are established for transporting minors unaccompanied by their parents without authorization.<sup>1054</sup> Promoting or assisting the trafficking of a minor to a foreigner is punishable by 4 to 6 years of imprisonment and fines.<sup>1055</sup> Making, distributing, or publishing pornographic photographs of children is punishable by 2 to 4 years of incarceration and fines.<sup>1056</sup> The Technology Crime Law was enacted by the Executive Power in April 2007 and establishes 2 to 4 years in prison for the purchase or possession of child pornography.<sup>1057</sup> Crimes involving drug trafficking carry increased penalties if minors were used to carry out the offense.<sup>1058</sup> The minimum voluntary and compulsory recruitment age for military service is 16 years, and recruits must have completed their education.<sup>1059</sup>

The Secretary of Labor (SET), in coordination with CONANI, is responsible for protecting minors against labor exploitation.<sup>1060</sup> CONANI is supposed to receive a minimum of 2 percent of the national budget; however, this is not being met. According to USDOS, the Government has made some efforts to protect children, particularly from exploitive child labor.<sup>1061</sup> The Government effectively enforced child labor laws in the formal sector, but has had difficulties regulating the informal sector. Laws have been insufficient in deterring child labor in the informal sector.<sup>1062</sup> In 2007, the SET employed 191 labor inspectors who were trained in child labor, which is an increase from 146 inspectors in 2006.<sup>1063</sup> Approximately 70,000 inspections were conducted in 2007, resulting in 10 findings of child labor violations.<sup>1064</sup> The anti-trafficking unit of the Office of the Attorney General investigates and prosecutes trafficking crimes.<sup>1065</sup> According to USDOS, the Dominican Republic lacks effective trafficking law enforcement and victim protection programs.<sup>1066</sup> USDOS believes that monitoring the border with Haiti has improved but is still not effective, partially due to long, porous borders.<sup>1067</sup> Further, USDOS cites press reports alleging some government officials to be involved in trafficking. For example, in June, a high level Ministry of Labor official had charges filed against her by the National District

prosecuting attorney for involvement in a trafficking scheme, and in the past 3 years, 400 inspectors have been fired for supposed involvement in smuggling and trafficking of persons.<sup>1068</sup> Between April 2006 and March 2007, more than 30 prosecutions arose from arrests of military and other public officials for involvement with trafficking; of these, three officials have been convicted.<sup>1069</sup>

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

The Government of the Dominican Republic has both a National Plan to Eradicate the Worst Forms of Child Labor (2006-2016) and an Action Plan for the Eradication of Abuse and Commercial Sexual Exploitation of Boys, Girls, and Adolescents.<sup>1070</sup> At the summit of Ministers of Labor in August 2007, representatives from the Secretariat of Labor, labor unions, and employer organizations signed a tripartite declaration for the National Program of Decent Work, which supports both plans.<sup>1071</sup>

The National Steering Committee against Child Labor has been creating municipal and provincial committees around the country to develop strategies to combat child labor on a local level.<sup>1072</sup> As part of its Solidarity Program, the Vice Presidency has established a monetary transfer program for extremely poor families, with the stipulation that their children are removed from labor and are enrolled in school.<sup>1073</sup> Further, the country's Agricultural Bank has included a clause in its loan agreements that prohibits the recipients from using child labor and guarantees that they send their children to school.<sup>1074</sup>

The Prevention Unit of the Department of Alien Smuggling and Trafficking in Persons, which collaborates with the Ministries of Labor and Education, conducts anti-trafficking seminars at schools across the country and has reached more than 5,000 students.<sup>1075</sup> Starting in July 2007, the Government launched a publicity campaign for an anti-trafficking hotline that serves as a resource for the prevention of trafficking. Additionally, the Government trains officials posted overseas in how to recognize and assist trafficking victims.<sup>1076</sup> In October 2007, the National Commission against Trafficking in Persons was established to alleviate

trafficking via the cooperation of multiple agencies, including the National Council for Children.<sup>1077</sup>

The SET currently participates in the second phase of a USD 2.7 million 39-month ILO-IPEC project funded by USDOL to support the Government's Timebound Program to Eliminate the Worst Forms of Child Labor. The project began in 2006 and aims to withdraw 2,900 children and prevent 2,200 children from exploitive labor.<sup>1078</sup> In addition, the Government is also part of a 4-year USD 4 million USDOL-funded project, implemented by DevTech Systems, Inc., in association with EDUCA and INTEC, that seeks to withdraw and prevent 8,500 children from exploitive labor by improving the quality of and access to basic and vocational education, and working with public-private partnerships, including the development of corporate codes of conduct in sectors prone to child labor.<sup>1079</sup> In August 2007, DevTech Systems, Inc. completed a 4-year USD 3 million project that withdrew 3,771 children from exploitive child labor and prevented 1,803 children from entering the worst forms of child labor.<sup>1080</sup> As part of an effort to build capacity to improve labor law compliance among the CAFTA-DR partners, USDOL is providing USD 2.6 million for a project to strengthen outreach efforts in the agriculture sector in the region, where child labor is a serious problem.<sup>1081</sup>

The Government also participates in regional projects funded by USDOL. These include a USD 8.8 million regional project implemented by ILO-IPEC that seeks to combat commercial sexual exploitation through a variety of activities including capacity building and legal reform. In addition, the project aims to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region.<sup>1082</sup> The Government is also part of the 4-year USD 5.7 million USDOL-funded Child Labor Education Initiative regional project implemented by CARE to strengthen the Government and civil society's capacity to combat child labor through education, and withdraw or prevent 2,984 children from exploitive child labor.<sup>1083</sup> The activities in the Dominican Republic for both of these regional projects, however, focus on strengthening regional cooperation, legislation, policies, and institutions.<sup>1084</sup>

The Government of the Dominican Republic participated in a Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain and implemented by ILO-IPEC.<sup>1085</sup>

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<sup>1023</sup> U.S. Department of State, "Dominican Republic," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100637.htm>.

<sup>1024</sup> ILO-IPEC, *Día Mundial Contra El Trabajo Infantil*, [online] June 2005 [cited June 27, 2005]; available from <http://www.oit.or.cr/ippec/encuentros/noticia.php?notCodigo=424>.

<sup>1025</sup> ILO-IPEC, *Evaluación rápida sobre niños, niñas, y adolescentes trabajadores/as urbanos/as en República Dominicana*, Santo Domingo, December 2002, 34-35.

<sup>1026</sup> Dominican Secretariat of Labor and ILO-IPEC, *Report on the Results of the National Child Labour Survey in the Dominican Republic*, San José, July 2004, 33; available from <http://www.ippec.oit.or.cr/ippec/region/acciones/simpoc/publicaciones/RD/RD%20-%20national%20report.pdf>.

<sup>1027</sup> IOM, *Panorama Sobre la Trata de Personas*, 2006, 89; available from <http://www.oim.org.co/modulos/contenido/default.asp?idmodulo=7&idlibro=115>. See also U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 6d.

<sup>1028</sup> USDOL, *Trip Report of Site Visit by U.S. Department of Labor Officials to the Dominican Republic: January 13-16, 2008*, Washington, DC, January, 2008. See also U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 6d.

<sup>1029</sup> U.S. Embassy- Santo Domingo, *reporting*, March 2, 2006. See also U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 6d.

<sup>1030</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5. See also IOM, *Americas: Assistance for Children Victims of Human Trafficking in Haiti*, [online] December 4, 2006 [cited December 15, 2007]; available from <http://www.iom.int/jahia/Jahia/featureArticleAM/cache/offonce?entryId=12185>. See also U.S. Department of State, "Haiti," in *Trafficking in Persons Report- 2007*, Washington, DC, June 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/86204.htm>.

<sup>1031</sup> U.S. Department of State, "Dominican Republic (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 2007; available from

<http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also IOM, *Americas: Assistance for Children Victims*. See also U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5.

<sup>1032</sup> U.S. Embassy- Santo Domingo, *reporting, March 2, 2006*. See also USDOL, *Trip Report of Site Visit to the Dominican Republic*. See also U.S. Embassy- Santo Domingo, *reporting, January 31, 2008*.

<sup>1033</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 2d. See also U.S. Embassy- Santo Domingo, *reporting, January 31, 2008*. See also U.S. Embassy- Santo Domingo, *reporting, December 7, 2007*.

<sup>1034</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of the Dominican Republic, *Código para la Protección de los Derechos de los Niños, Niñas, y Adolescentes*, (August 7, 2003), articles 40, 45, 46; available from <http://www.suprema.gov.do/>. See also UNESCO Institute for Statistics, *Statistics: National Education Systems*, March 14, 2008; available from [http://www.uis.unesco.org/statsen/statistics/yearbook/tables/Table3\\_1.html](http://www.uis.unesco.org/statsen/statistics/yearbook/tables/Table3_1.html).

<sup>1035</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5.

<sup>1036</sup> U.S. Department of State, "Dominican Republic," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100637.htm>.

<sup>1037</sup> The Protection Project, *2007 Human Rights Report on Trafficking in Persons, Especially Women and Children, 2007*; available from [http://www.protectionproject.org/human\\_rights\\_reports/report\\_documents/dominican.doc](http://www.protectionproject.org/human_rights_reports/report_documents/dominican.doc). See also U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Dominican Republic."

<sup>1038</sup> The Protection Project, *2007 Human Rights Report on Trafficking in Persons, Especially Women and Children*.

<sup>1039</sup> UNICEF, *At a Glance: Haiti: Background*, [online] [cited December 17 2007]; available from <http://www.unicef.org/infobycountry/haiti.html>. See also IOM, *Americas: Assistance for Children Victims*. See also IOM, *Panorama Sobre la Trata de Personas*, 90. See also ILO-IPEC, *Supporting the Time-Bound Programme for the Elimination of the Worst Forms of Child Labour in the Dominican Republic - Phase II (2006-2009)*, Project Document, Geneva, August 2006, 2-3.

<sup>1040</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 6d. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti." See also ILO-IPEC, *Supporting the Time-Bound Programme - Phase II, Project Document*, 2-3.

<sup>1041</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti."

<sup>1042</sup> Government of the Dominican Republic, *Código para la protección de los derechos de los Niños, Niñas, y Adolescentes*, article 40.

<sup>1043</sup> Government of the Dominican Republic, *Código de Trabajo de la República Dominicana 1992*, article 254; available from [http://www.cinterfor.org.uy/public/spanish/region/ampro/cinterfor/temas/youth/eventos/rep\\_dom/ii/v/index.htm](http://www.cinterfor.org.uy/public/spanish/region/ampro/cinterfor/temas/youth/eventos/rep_dom/ii/v/index.htm). See also Government of the Dominican Republic, *Código para la protección de los derechos de los Niños, Niñas, y Adolescentes*, article 39.

<sup>1044</sup> Government of the Dominican Republic, *Código de Trabajo 1992*, articles 247-248.

<sup>1045</sup> *Ibid.*, article 249.

<sup>1046</sup> *Ibid.*, article 252.

<sup>1047</sup> Government of the Dominican Republic, *Resolución Sobre Trabajos Peligrosos e Insalubres para Personas Menores de 18 Años*, (August 13, 2004); available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/69773/68796/F452892919/DOM69773.pdf>.

<sup>1048</sup> Government of the Dominican Republic, *Código de Trabajo 1992*, article 257.

<sup>1049</sup> *Ibid.*, article 720-721. See also Government of the Dominican Republic, *Trabajos Peligrosos e Insalubres*, article 6. See also Government of the Dominican Republic, *Código para la protección de los derechos de los Niños, Niñas, y Adolescentes*, article 44.

<sup>1050</sup> The Protection Project, *2007 Human Rights Report on Trafficking in Persons, Especially Women and Children*.

<sup>1051</sup> ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, Project Document, Geneva, September 2003.

<sup>1052</sup> Government of the Dominican Republic, *Código para la protección de los derechos de los Niños, Niñas, y Adolescentes*, articles 25 and 409.

<sup>1053</sup> *Ibid.*, articles 396, 404, and 410.

<sup>1054</sup> *Ibid.*, articles 204 and 391.

<sup>1055</sup> *Ibid.*, article 406.

<sup>1056</sup> *Ibid.*, articles 26 and 411.

<sup>1057</sup> Government of the Dominican Republic, *Ley contra Crímenes y Delitos de Alta Tecnología*, (April 23, 2007), article 24. See also ILO-IPEC, *Supporting the Time-Bound Programme for the Elimination of the Worst Forms of Child Labour in the Dominican Republic - Phase II (2006-2009)*, Technical Progress Report, Geneva, August 2007.

<sup>1058</sup> ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa*

(LUTRENA), Technical Progress Report, Geneva, September 1, 2007, article 85.

<sup>1059</sup> Government of the Dominican Republic, *Ley Orgánica de las Fuerzas Armadas de la República Dominicana*, 873, (1996), articles 30-31; available from <http://www.secffaa.mil.do/Ley1.htm>.

<sup>1060</sup> Government of the Dominican Republic, *Código para la protección de los derechos de los Niños, Niñas, y Adolescentes*, article 34.

<sup>1061</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5. See also U.S. Department of State, "Dominican Republic," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/>.

<sup>1062</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 6d.

<sup>1063</sup> Government of the Dominican Republic, *Informe de avances sobre la lucha contra el trabajo infantil en la Republica Dominicana*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Santo Domingo, December 3, 2007. See also U.S. Embassy- Santo Domingo, *reporting, December 7, 2007*.

<sup>1064</sup> U.S. Embassy- Santo Domingo, *reporting, December 18, 2006*.

<sup>1065</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5.

<sup>1066</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Dominican Republic."

<sup>1067</sup> U.S. Embassy- Santo Domingo, *reporting, March 2, 2006*.

<sup>1068</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Dominican Republic." See also U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5.

<sup>1069</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Dominican Republic."

<sup>1070</sup> ILO, *Plan Estratégico Nacional para la erradicación de las peores formas de trabajo infantil en República Dominicana 2006-2016*, Santo Domingo, August 2006. See also Interinstitutional Commission Against the Abuse and Commercial Sexual Exploitation of Girls Boys and Adolescents, *Plan de Acción de la República Dominicana Para Erradicar el Abuso y la Explotación Sexual Comercial de Niñas, Niños y Adolescentes*, ILO, Dominican Republic, January 2006; available from [http://www.oit.org.pe/ipecc/documentos/plan\\_nacional\\_esc.pdf](http://www.oit.org.pe/ipecc/documentos/plan_nacional_esc.pdf).

<sup>1071</sup> Government of the Dominican Republic, *Acta de Acuerdo Tripartito Para el Programa Nacional de Trabajo Decente de La Republica Dominicana*, Santo Domingo,

August 8, 2007. See also CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Technical Progress Report, Managua, September 12, 2007, 22.

<sup>1072</sup> U.S. Embassy- Santo Domingo, *reporting, December 7, 2007*. See also CARE International, *Primero Aprendo Technical Progress Report September 2007*, 23.

<sup>1073</sup> CARE International, *Primero Aprendo Technical Progress Report September 2007*, 23.

<sup>1074</sup> Government of the Dominican Republic, *Informe de avances sobre la lucha contra el trabajo infantil en la Republica Dominicana*. See also U.S. Embassy- Santo Domingo, *reporting, December 7, 2007*.

<sup>1075</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Dominican Republic."

<sup>1076</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Dominican Republic."

<sup>1077</sup> U.S. Department of State, "Country Reports- 2007: Dominican Republic," section 5.

<sup>1078</sup> ILO-IPEC, *Supporting the Time-Bound Programme - Phase II, Project Document*, vi and vii.

<sup>1079</sup> DevTech Systems Inc., *Combating Exploitive Child Labor through Education II/Dominican Republic*, initial Project Document, January 28, 2008, i, 7, 14, and 17-18.

<sup>1080</sup> DevTech Systems Inc., *Combating Child Labor Through Education*, Final Technical Progress Report, Arlington, Virginia, November 15, 2007, 1 and 9.

<sup>1081</sup> Social Accountability International, *Project CULTIVAR: Advancing Labor Rights in Agriculture in Central America*, Project Document, New York, August 8, 2007.

<sup>1082</sup> ILO-IPEC, "Stop the Exploitation" ("Alto a la explotación") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, RLA/02/P51-05/52/USA, San Jose, 2002, 2005, 1 and 63. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, Geneva, September 2005, 1 and 22.

<sup>1083</sup> CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, April 19, 2007, 1-2. See also CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, September 29, 2006.

<sup>1084</sup> CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor Through Education in Central America (Costa Rica, El Salvador, Guatemala,*

Honduras and Nicaragua) and the Dominican Republic, Project Document, 2004, 5. See also ILO-IPEC, *Elimination of Commercial Sexual Exploitation of Children, Project Addendum, 22-23.*

<sup>1085</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

## East Timor

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1086</sup>	
Working children, 10-14 years (%), 2001:	85.2
Working boys, 10-14 years (%), 2001:	84.5
Working girls, 10-14 years (%), 2001:	85.9
Working children by sector, 10-14 years (%), 2001:	
- Agriculture	91.8
- Manufacturing	0
- Services	8.2
- Other	0
Minimum age for work:	15
Compulsory education age:	Not defined
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	99
Net primary enrollment rate (%), 2005:	68
School attendance, children 10-14 years (%), 2001:	86.3
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Guaranteed by law, but no system has been established to ensure that education is available.	

### Incidence and Nature of Child Labor

In East Timor, many children in rural areas work in agriculture, including on coffee farms.<sup>1087</sup> Children are also engaged in domestic work, primarily in adoptive family homes or in the homes of relatives of their adoptive families; a small percentage work for non-relatives. Most of these children work in return for school fees or shelter.<sup>1088</sup> In urban areas, children are found working in the streets, selling a variety of items and washing cars.<sup>1089</sup> Throughout

the country, children are found working in construction under hazardous conditions. In coastal areas, children work in fishing.<sup>1090</sup> Children are commercially exploited for sexual purposes, including prostitution.<sup>1091</sup>

Authorities have recognized that child trafficking is a problem, but there is little information about the nature of the trafficking. There have been reports of girls trafficked into East Timor in recent years.<sup>1092</sup> Although East Timor was not previously considered a source country, starting in 2006 there has been evidence that East Timorese girls are targeted for trafficking.<sup>1093</sup> There are also reports of internal trafficking of girls from rural areas to the capital, Dili, for commercial sexual exploitation.<sup>1094</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years and prohibits work by a child between 15 and 18 years that would jeopardize their health, safety, or morals. However, the official minimum age of 15 does not apply to family-owned businesses, and children working in vocational schools are exempted.<sup>1095</sup> Further, the law allows for light work for children older than 12 years.<sup>1096</sup> According to USDOS, enforcement of the labor code is limited due to a lack of resources and capacity, especially outside of Dili, the capital.<sup>1097</sup>

The law forbids compulsory work.<sup>1098</sup> Trafficking is prohibited, and the penalty for trafficking minors is imprisonment of 5 to 12 years.<sup>1099</sup> USDOS reports no enforcement efforts or prosecutions of traffickers between April 2006 and March 2007. In fact, USDOS has stated that credible reports suggest that police and customs officials have colluded with traffickers.<sup>1100</sup> The minimum age for conscription into military service is 18 years.<sup>1101</sup>

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

The Government has a program that provides funding to a local NGO to assist children working in the streets.<sup>1102</sup>

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<sup>1086</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "East Timor," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, 2008, sections 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100519.htm>. See also Government of East Timor, *Constitution of the Democratic Republic of East Timor*, (2002), article 59; available from <http://www.eastimorlawjournal.org/LAWSINDEPENDENCE/ConstitutionofRDTLinEnglish.html>. See also USDOL consultant, Researcher's Comments on East Timor to USDOL official, August 15, 2007.

<sup>1087</sup> U.S. Department of State, "Country Reports- 2007: East Timor," section 6d. See also ILO, "East Timor: A New Labour Code for the World's Newest Country," *World of Work* 43 (June 2002); available from <http://www.ilo.org/public/english/bureau/inf/magazine/43/timor.htm>. See also ILO, *Rapid Assessment on Child Labor in Timor Leste*, Jakarta, December 2007, executive summary.

<sup>1088</sup> ILO, *Rapid Assessment on Child Labor in Timor Leste*, executive summary. See also U.S. Embassy-Dili, *reporting*, February 12, 2008. See also USDOL consultant, Researcher's Comments on East Timor.

<sup>1089</sup> ILO, "East Timor: A New Labour Code." See also ILO, *Rapid Assessment on Child Labor in Timor Leste*, executive summary. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State Parties*, prepared by Timor-Leste, pursuant to Article 44 of the Convention, June 28, 2007; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G07/42>

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6/99/PDF/G0742699.pdf?OpenElement.

<sup>1090</sup> ILO, *Rapid Assessment on Child Labor in Timor Leste*.

<sup>1091</sup> Cathleen Carson, *Trafficking in East Timor: A Look into the Newest Nation's Sex Industry*, ALOLA, 2004, 7, 32. See also ILO, *Rapid Assessment on Child Labor in Timor Leste*.

<sup>1092</sup> U.S. Department of State, "Country Reports- 2007: East Timor," section 5.

<sup>1093</sup> Ibid. See also Carson, *Trafficking in East Timor*.

<sup>1094</sup> U.S. Department of State, "East Timor (Tier 2)," in *Trafficking in Persons Report- 2007: East Timor*, Washington, DC, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>1095</sup> U.S. Department of State, "Country Reports- 2007: East Timor," section 6d. See also Government of East Timor, *Labour Code*, (May 1, 2002), section 11.3; available from

<http://www.doingbusiness.org/Documents/LawLibrary/Timor-Leste-Labour-Code.pdf>. See also Ministry of Labor official, Interview with USDOL consultant, June 8, 2007.

<sup>1096</sup> Government of East Timor, *Labour Code*, section 11.

<sup>1097</sup> U.S. Department of State, "Country Reports- 2007: East Timor," section 6d. See also U.S. Embassy-Dili, *reporting*, February 12, 2008. See also USDOL consultant, Researcher's Comments on East Timor.

<sup>1098</sup> Government of East Timor, *Constitution of East Timor*, section 50.

<sup>1099</sup> Government of East Timor, *Immigration and Asylum Law No. 9*, (May 6, 2003), article 81; available from <http://www.eastimorlawjournal.org/LAWSINDEPENDENCE/9of2004immigrationasylum.html>.

<sup>1100</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: East Timor." See also U.S. Department of State, "Country Reports- 2007: East Timor."

<sup>1101</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State Parties* pursuant to Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, February 1, 2008.

<sup>1102</sup> Ministry of Labor official, Interview with USDOL consultant, June 8, 2007, 8. See also ILO, *Rapid Assessment on Child Labor in Timor Leste*, 55.

# Ecuador

## Selected Statistics and Indicators on Child Labor<sup>1103</sup>

Working children, 5-14 years (%), 2004:	10.2
Working boys, 5-14 years (%), 2004:	12.6
Working girls, 5-14 years (%), 2004:	7.8
Working children by sector, 5-14 years (%), 2004:	
- Agriculture	71
- Manufacturing	4.5
- Services	22.9
- Other	1.6
Minimum age for work:	15
Compulsory education age:	17
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	117
Net primary enrollment rate (%), 2005:	97
School attendance, children 5-14 years (%), 2004:	91.1
Survival rate to grade 5 (%), 2004:	76
ILO-IPEC participating country:	Yes

### Incidence and Nature of Child Labor

In Ecuador, the largest percentage of working children between the ages of 5 and 17 years are found in rural areas of the *sierra*, or highlands, followed by the Amazon, and urban coastal areas.<sup>1104</sup> In rural and jungle areas, children perform agricultural work for their families or work in plantations. Their tasks in working with crops and animals often include the use of chemicals and sharp tools, and the transportation of heavy loads.<sup>1105</sup> In urban areas, children beg on the streets, work in commerce selling candies and newspapers, or provide services as messengers, domestic servants, shoe shiners, garbage collectors, and recyclers.<sup>1106</sup>

There is commercial sexual exploitation of children occurring in Ecuador.<sup>1107</sup> A 2003 ILO report estimated that 5,200 children were engaged in prostitution.<sup>1108</sup> Colombian girls are trafficked to Ecuador for commercial sexual exploitation, and some Ecuadorian children are trafficked to

neighboring countries and Spain. However, most child victims are trafficked within the country, from coastal and border areas to urban centers.<sup>1109</sup> Some trafficked children are sold by their extremely poor families into prostitution, forced labor agriculture, and begging.<sup>1110</sup> According to USDOS, Ecuador has been making significant progress in identifying and punishing trafficking.<sup>1111</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years. Child labor provisions do not apply to children involved in formative cultural or ancestral practices, as long as they are not exposed to physical or psychological harm. The law prohibits adolescents from working more than 6 hours per day or more than 5 days per week.<sup>1112</sup> The law also prohibits adolescents from working in 15 activities, including mines, garbage dumps, slaughterhouses, and quarries; from working with hazardous materials; or in jobs that could be hazardous to the child's physical or mental health.<sup>1113</sup>

The Labor Inspectorate and the municipalities oversee labor contracts and work permits for adolescents 15 years and older.<sup>1114</sup> The law prescribes sanctions for violations of child labor laws, such as monetary fines and the closing of establishments where child labor occurs.<sup>1115</sup>

The law specifically calls for children in Ecuador to be protected in the workplace and against economic exploitation. The law also protects minors against trafficking, prostitution, pornography, and the forced use of illegal drugs and alcohol.<sup>1116</sup> Trafficking in persons for both sexual exploitation and for non-sexual purposes is prohibited and can carry a jail term of up to 35 years.<sup>1117</sup> Trafficking can be punishable by 9 to 12 years of prison if the victim is younger than 18 years, and 12 to 16 years in prison if the victim is under 14 years old.<sup>1118</sup> The law establishes 9 to 12 years imprisonment for promoting child sex tourism. Several state and municipal governments established anti-trafficking ordinances and action plans.<sup>1119</sup> The age of compulsory military service is

18 years, when male citizens are randomly selected to perform active military service.<sup>1120</sup>

The Government of Ecuador is investigating more than 100 trafficking cases; and under the Public Ministry, the Victim and Witness Protection Program is currently assisting 27 victims. The program coordinates Government and NGO services to victims of trafficking, providing psychological and medical care, shelter, economic and employment assistance, and police protection.<sup>1121</sup> Five shelters in El Oro, Pichincha, and Azuay provinces assist more than 120 victims of commercial sexual exploitation.<sup>1122</sup>

The Ministry of Labor has 28 child labor inspectors operating in 22 provinces that have received continuing training from the ILO.<sup>1123</sup> Between April 2006 and March 2007, inspections were conducted in 2,242 workplaces, where 198 minors were found working in violation of labor laws. The Ministry issued 100 citations to employers, and all cases were referred to the corresponding legal authorities.<sup>1124</sup>

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

The Government of Ecuador has allocated USD 135,000 under its Social Action Agenda to combat child labor in garbage dumps and landfills, to combat trafficking of children for begging, and to improve the inspection system.<sup>1125</sup> The work of the National Committee for the Progressive Elimination of Child Labor (CONEPTI) has been declared a political priority and focus at the Ministry of Labor.<sup>1126</sup> CONEPTI continued the work of its Technical Secretariat, following up on projects, negotiating agreements, promoting awareness, training stakeholders on program goals, and making policy decisions regarding inspectors and social controllers.<sup>1127</sup>

The Ministry of Tourism continued the awareness raising campaign to prevent the commercial sexual exploitation of children related to tourism. The campaign has created posters and billboards to raise awareness among the general public and warn tourists that sexual tourism is punishable under Ecuadorian law.<sup>1128</sup>

The Government of Ecuador supports education programs that contribute to the withdrawal or prevention of children from exploitive labor. One program reintegrates working children and adolescents from the ages of 8 to 15 years into the school system to complete the basic education cycle. Another program provides vocational training and alternative recreational activities to working children between 8 and 17 years, and raises the awareness of parents on the dangers of exploitive labor. Adolescents 10 to 17 years who have not completed primary schooling and are more than 3 years behind their peers, can enroll in an accelerated learning program to complete the equivalent of basic education.<sup>1129</sup>

The Government of Ecuador and the other government members and associates of MERCOSUR are conducting the “Niño Sur” (“Southern Child”) initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in adjusting legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.<sup>1130</sup>

A USD 4 million Timebound Program, funded by USDOL and implemented by ILO-IPEC through 2008, complements the Government’s plan to eliminate the worst forms of child labor in the country. This project targets 2,120 children for withdrawal and 2,880 children for prevention from exploitive labor in the banana and flower sectors, and commercial sexual exploitation.<sup>1131</sup> In addition, the Government of Ecuador participates in a USD 3 million USDOL-funded 4-year program implemented by Catholic Relief Services to combat exploitive child labor through access to quality education. This project targets 619 children for withdrawal and 9,701 children for prevention from work in the banana and cut flower industries.<sup>1132</sup> An ongoing USD 4 million USDOL-funded project, initiated in 2005 by World Learning, combats child labor within the indigenous population through the provision of education services. This project targets 2,124 indigenous children for withdrawal and 4,054 indigenous children for prevention from exploitive work in the Sierra, Amazon, and Quito.<sup>1133</sup> This project targets an additional 146

children to be withdrawn from trafficking for begging, and is providing technical assistance to the National Institute for Childhood and Family (INNFA) with the implementation of government programs targeting children involved in the same type of exploitation in the sierra provinces.<sup>1134</sup> Ecuador also participates in a USD 2.1 million global SIMPOC project funded by Canada with technical assistance from ILO-IPEC.<sup>1135</sup> To address trafficking in persons, including children, USDOS' Trafficking in Persons Office and USAID fund six programs in Ecuador with a total cost of nearly USD 1.3 million.<sup>1136</sup>

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<sup>1103</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Ecuador, *Código de la Niñez y Adolescencia*, N 2002-100, (January 3, 2003), article 82; available from <http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ippec/boletin/documentos/cna.doc>. See also U.S. Department of State, "Ecuador," in *Country Reports on Human Rights Practices-2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100638.htm>. See also Catholic Relief Services, *SOY! Project*, technical progress report, Quito, September 15, 2007.

<sup>1104</sup> ILO-IPEC, INDEC, *Mintrabajo e INFFA presentan resultados preliminares de Encuesta Nacional: 38.6% de niños y niñas entre 5 y 17 años trabajan en el area rural de Ecuador*, [online] February 2002 [cited December 3, 2007]; available from <http://www.oit.org.pe/ippec/boletin/noticias/vernoticia,36.php>.

<sup>1105</sup> World Learning, *Project Document, Wiñari Project*, September 30, 2005, 38-40.

<sup>1106</sup> U.S. Department of State, "Country Reports- 2007: Ecuador," section 6d. See also ECPAT International CSEC Database, *Ecuador*, accessed December 3, 2007; available from <http://www.ecpat.net/>.

<sup>1107</sup> U.S. Department of State, "Country Reports- 2007: Ecuador," section 5. See also ECPAT International CSEC Database, *Ecuador*.

<sup>1108</sup> U.S. Department of State, "Country Reports- 2007: Ecuador," section 5.

<sup>1109</sup> U.S. Department of State, "Ecuador (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 5, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>1110</sup> U.S. Department of State, "Country Reports- 2007: Ecuador," section 5.

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<sup>1111</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Ecuador." See also U.S. Department of State, *Trafficking in Persons Interim Assessment*, [online] 2006 [cited January 31, 2007]; available from <http://www.state.gov/g/tip/rls/rpt/78948.htm>.

<sup>1112</sup> Government of Ecuador, *Código de la Niñez y Adolescencia*, article 81-95.

<sup>1113</sup> *Ibid.*, article 87. See also U.S. Department of State, "Country Reports- 2007: Ecuador," section 6d.

<sup>1114</sup> Government of Ecuador, *Código de la Niñez y Adolescencia*, article 88-93.

<sup>1115</sup> *Ibid.*, article 81, 82, 95.

<sup>1116</sup> Government of Ecuador, *Constitución Política de la República de Ecuador*, (1998), article 50; available from <http://pdba.georgetown.edu/Constitutions/Ecuador/ecuador98.html>.

<sup>1117</sup> Government of Ecuador, *Ley Reformatoria al Código Penal que tipifica los delitos de explotación sexual de los menores de edad*, chapter V; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaEcuador.pdf>.

<sup>1118</sup> *Ibid.*, chapter III.

<sup>1119</sup> U.S. Department of State, "Country Reports- 2007: Ecuador," section 5. See also Government of Ecuador, *Reforma al Código Penal*, chapter IV.

<sup>1120</sup> Coalition to Stop the Use of Child Soldiers, "Ecuador," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=824](http://www.child-soldiers.org/document_get.php?id=824). See also Government of Ecuador, *Constitución Política de la República de Ecuador*, article 188.

<sup>1121</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Ecuador."

<sup>1122</sup> U.S. Department of State, "Country Reports- 2007: Ecuador," section 5.

<sup>1123</sup> ILO-IPEC, *Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Ecuador*, Technical Progress Report, Geneva, September 30, 2007.

<sup>1124</sup> U.S. Department of State, "Country Reports- 2007: Ecuador," section 6d.

<sup>1125</sup> ILO-IPEC, *Technical Progress Report*. See also World Learning, *Project Wiñari Technical Progress Report*, September 6, 2007.

<sup>1126</sup> ILO-IPEC, *Technical Progress Report*.

<sup>1127</sup> Embassy of Ecuador, *Actions Undertaken by the State of Ecuador to Prevent and Eradicate Child Labor*, 2006.

<sup>1128</sup> Ministry of Tourism, *Boletín #18- Prevención y Erradicación de la explotación sexual comercial en niñas y niños y adolescentes, asociadas a viajes y turismo*, [online] 2007 [cited December 3, 2007]; available from [http://www.turismo.gov.ec/index.php?option=com\\_content&task=view&id=225&Itemid=43](http://www.turismo.gov.ec/index.php?option=com_content&task=view&id=225&Itemid=43).

<sup>1129</sup> INNFA, *Proyectos*, [online] 2007 [cited December 3, 2007]; available from <http://www.innfa.org/innfa/>

index.php?option=com\_content&task=view&id=141&Itemid=148&lang=es.

<sup>1130</sup> CRIN, MERCOSUR, [online] 2007 [cited December 26, 2007]; available from <http://www.crin.org/espanol/RM/mercosur.asp>. See also Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited December 7, 2007]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>.

<sup>1131</sup> ILO-IPEC, *Supporting the Time-Bound Program for the Elimination of the Worst Forms of Child Labor in Ecuador*, Project Document, ECU/03/P50/USA, Geneva, August, 2003.

<sup>1132</sup> U.S. Department of Labor, *ILAB Technical Cooperation Project Summary: Project SOY!- Combating the Worst Forms of Child Labor through Education in Ecuador*, 2004.

<sup>1133</sup> U.S. Department of Labor, *ILAB Technical Cooperation Project Summary: Project Wiñari- Combating the Worst Forms of Child Labor through Education in Ecuador*, 2005.

<sup>1134</sup> World Learning, Technical Progress Report.

<sup>1135</sup> ILO-IPEC, *IPEC Projects from all Donors except USDOL*, December 10, 2007.

<sup>1136</sup> U.S. Embassy Official- Quito, E-mail communication to USDOL Official, August 7 2007.

## Egypt

### *Selected Statistics and Indicators on Child Labor*<sup>1137</sup>

Working children, 5-14 years (%), 2005:	6.7
Working boys, 5-14 years (%), 2005:	9.5
Working girls, 5-14 years (%), 2005:	3.7
Working children by sector, 5-14 years (%), Year:	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	For 9 years
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	102
Net primary enrollment rate (%), 2005:	94
School attendance, children 6-14 years (%), 2005:	88.1
Survival rate to grade 5 (%), 2004:	94
ILO-IPEC participating country:	Yes

### **Incidence and Nature of Child Labor**

A large proportion of working children in Egypt are found in the agricultural sector, where children

are hired each year for the cotton harvest.<sup>1138</sup> Children work in a number of hazardous sectors, including leather tanning, pottery making, fishing, glassworks, blacksmithing, working metal and copper, construction, carpentry, mining and quarrying, auto repair, textile manufacturing, and domestic labor.<sup>1139</sup> There are between 600,000 and 1 million street children in Egypt.<sup>1140</sup> Street children, primarily boys, work collecting garbage, begging, assisting minibuses, and vending.<sup>1141</sup> Street children are particularly vulnerable to becoming involved in illicit activities, including pornography and prostitution.<sup>1142</sup>

Reports indicate a widespread practice of poor, rural families arranging to send their daughters to cities to work as domestic servants in the homes of wealthy residents. Child domestic workers are excluded from the protections of the labor code and are highly susceptible to exploitation, including physical and sexual abuse, as well as harsh working conditions.<sup>1143</sup> Urban areas are also host to street children who have left their homes in the countryside to find work, and often to flee hostile conditions at home.<sup>1144</sup> It has been reported that wealthy men from the Gulf region travel to Egypt for the purpose of *temporary marriages*, a form of commercial sexual exploitation, with minor girls. Girls are sold to men for short-term marriages that are akin to prostitution.<sup>1145</sup> Often, the girls are sold by their parents.<sup>1146</sup>

## Child Labor Laws and Enforcement

The law prohibits the employment of children under 14 years.<sup>1147</sup> The law also prohibits juveniles 14 to 17 years from working more than 6 hours per day; requires at least a 1 hour break per day; and prohibits juveniles from working overtime, on holidays, more than 4 consecutive hours, or between 7 p.m. and 7 a.m.<sup>1148</sup> However, the labor law does not apply to children working in the agricultural sector, small family enterprises, and domestic service.<sup>1149</sup> The law also allows the employment of children 12 to 14 years in seasonal jobs that do not harm their health or affect their schooling,<sup>1150</sup> and children 12 to 18 years may participate in certain types of apprenticeship training.<sup>1151</sup> Children under 16 years are prohibited from working in 44 hazardous industries, including agricultural activities involving the use of pesticides.<sup>1152</sup>

The law prohibits forced labor and makes it illegal for a person to entice or assist a male under 21 years or a female of any age to depart the country to work in prostitution or other “immoral” activities. The law also prohibits the incitement of any person under 21 to commit any act of prostitution or immorality, including the use of children in the production, promotion, or distribution of pornography. Violations of these laws are punishable with imprisonment for 1 to 7 years.<sup>1153</sup> Child traffickers may be prosecuted under laws related to the abduction of children and rape.<sup>1154</sup> The minimum age for compulsory recruitment into the Egyptian Armed Forces is 18 years. Children may enter the Armed Forces at 16 years but may not engage in combat operations.<sup>1155</sup>

The Child Labor Unit within the Ministry of Manpower and Migration (MOMM) coordinates investigations into reports of child labor violations and enforces the laws pertaining to child labor. A separate unit within MOMM is responsible for child labor investigations in the agricultural sector.<sup>1156</sup> MOMM reported that its 2,000 labor inspectors issued 72,000 citation violations between 2006 and the first 9 months of 2007.<sup>1157</sup> USDOS reports that enforcement in state-owned businesses is adequate, while enforcement in the private and informal sectors is lacking.<sup>1158</sup> Reports also indicate that child victims of commercial sexual exploitation

are treated as criminals rather than victims by law enforcement officers.<sup>1159</sup>

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

The Government’s National Council for Childhood and Motherhood (NCCM) continues to implement activities to combat the worst forms of child labor, among other goals.<sup>1160</sup> The NCCM is collaborating with MOMM, the Egyptian Trade Union Federation (ETUF), ILO, UNICEF, World Food Program, and the Ministries of Social Affairs, Agriculture, Education, Health, and Interior to implement action programs to reduce child labor.<sup>1161</sup> The NCCM implemented programs to withdraw working children from hazardous activities and provided families of at-risk children with alternative income generating support in order to reduce school drop out.<sup>1162</sup> The NCCM and the Ministry of Social Security also provide services for street children.<sup>1163</sup>

The First Lady, Suzanne Mubarak, started an awareness-raising campaign to combat human trafficking. It calls for ethical business practices and improving law enforcement cooperation. On December 30, 2007, the NCCM established a new anti-trafficking unit.<sup>1164</sup> In June 2007, state-owned television began broadcasting public service announcements regarding labor trafficking.<sup>1165</sup>

The Government of Egypt continues to participate in the USD 5.09 million USDOL-funded UN WFP project to combat exploitive child labor through education. The project aims to withdraw 4,300 children and prevent 6,000 children from exploitive labor.<sup>1166</sup> The Government of Egypt is also participating in a USD 64,900 Italian-funded ILO-IPEC child labor project, a USD 1,788,175 Norwegian-funded interregional (Egypt, Kenya, Tanzania) ILO-IPEC project to combat child labor through education and training, and a USD 428,040 Swedish-funded interregional (Egypt, Guatemala, Tanzania, Pakistan, Indonesia) ILO-IPEC project to combat exploitive child labor and promote youth employment.<sup>1167</sup>

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<sup>1137</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For

minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Egypt, *Labour Law*, Law No. 12/2003, (April 7), Article 99. See also Kawther Abu Gazaleh, Lamia Bulbul, and Suadad Najium, *Gender, Education and Child Labour in Egypt*, 2004, 28; available from [hard copy on file]. See also Government of Egypt, *The Constitution of the Arab Republic of Egypt*, (May 22, 1980), articles 18, 20. See also U.S. Department of State, "Egypt," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100594.htm>.

<sup>1138</sup> U.S. Department of State, "Country Reports- 2007: Egypt," section 6d. See also CEACR, "Comments made by the CEACR: Minimum Age Convention, 1973 (No. 138), Egypt (ratification: 1999)" (paper presented at the 75th Session, Geneva, 2002); available from [hard copy on file]. See also Integrated Regional Information Networks, "Egypt: Children of the Quarries", IRINNews.org,, [online], April 9, 2006 [cited December 6, 2007]; available from [http://www.irinnews.org/report.asp?ReportID=52702&SelectRegion=Middle\\_East&SelectCountry=EGYPT](http://www.irinnews.org/report.asp?ReportID=52702&SelectRegion=Middle_East&SelectCountry=EGYPT).

<sup>1139</sup> U.S. Department of State, "Country Reports- 2007: Egypt," section 6d. See also Tonia Rifaey, Mahmoud M. Murtada, and Mohamed Abd el-Azeem, "Urban Children and Poverty: Child Labor and Family Dynamics- Case Studies in Old Cairo" (paper presented at the Children and the City Conference, Amman, Jordan, December 11-13, 2002); available from <http://www.araburban.org/childcity/Papers/English/ToniaRifaey.pdf>. See also Integrated Regional Information Networks, "Egypt: Children of the Quarries". See also WFP, *Rapid Assessment: Identification of Worst Forms of Child Labor in Beni Sweif, Assiut, Sohag and Red Sea*, May 2007, 4, 18-22.

<sup>1140</sup> Rachel Bonham Carter, *UNICEF Executive Director Visits Child-Centered Projects in Egypt*, UNICEF, New York, February 20, 2007; available from [http://www.unicef.org/infobycountry/egypt\\_38395.html](http://www.unicef.org/infobycountry/egypt_38395.html).

<sup>1141</sup> UNWFP, *Rapid Assessment: Identification of Worst Forms of Child Labor in Beni Sweif, Assiut, Sohag and Red Sea*, May 2007, 5.

<sup>1142</sup> Clarisa Bencomo, *Charged with Being Children: Egyptian Police Abuse of Children in Need of Protection*, Human Rights Watch, New York, February 2003, 40; available from <http://www.hrw.org/reports/2003/egypt0203/egypt0203.pdf>. See also ECPAT International, *CSEC Database, Egypt*, [accessed December 6, 2007]; available from <http://www.ecpat.net/>. See also Karam Saber, *A Situational Analysis of Commercial Sexual Exploitation of*

*Children in Egypt*, Land Centre for Human Rights, March 2003, 4-6; available from [http://www.ecpat.net/eng/ecpat\\_inter/projects/monitoring/rabat/egypt.pdf](http://www.ecpat.net/eng/ecpat_inter/projects/monitoring/rabat/egypt.pdf). See also U.S. Department of State, "Egypt (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>1143</sup> Saber, *Commercial Sexual Exploitation of Children in Egypt*, 10-11. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Egypt."

<sup>1144</sup> Bencomo, *Charged with Being Children*, 9, para 21d.

<sup>1145</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Egypt." See also Integrated Regional Information Networks, "Egypt: Minors Sold for Prostitution Under Guise of Marriage", IRINnews.org,, [online], November 16, 2006 [cited December 10, 2007]; available from <http://www.irinnews.org/report.aspx?reportId=61947>.

<sup>1146</sup> Integrated Regional Information Networks, "Egypt: Minors Sold for Prostitution Under Guise of Marriage".

<sup>1147</sup> Government of Egypt, *Labour Law*, article 99. See also ILO-IPEC, *Gender, Education and Child Labour in Egypt*, prepared by Kawther Abu Gazaleh, Lamia Bulbul, and Suadad Najium, 2004, 27; available from [hard copy on file].

<sup>1148</sup> Government of Egypt, *Labour Law*, articles 98, 101.

<sup>1149</sup> *Ibid.*, Article 103. See also ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR), "Comments made by the CEACR: Minimum Age Convention, 1973 (No. 138), Egypt (ratification: 1999)" (paper presented at the 75th Session, Geneva, 2002), 3; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/>.

<sup>1150</sup> U.S. Department of State, "Country Reports- 2007: Egypt," section 6d. See also ILO-IPEC, *Gender, Education and Child Labour in Egypt*, 28. See also ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR), "CEACR Comments", article 7, page 4.

<sup>1151</sup> Government of Egypt, *Decree Concerning the Rules and Procedures Regulating Vocational Apprenticeship*, Decree No. 175 of 2003, (August 31), article 1.

<sup>1152</sup> Government of Egypt, *Decree Determining the System of Employing Children, and the Conditions, Terms and Cases in which They Are Employed as well as the Works, Vocations, and Industries in which it is Prohibited to Employ Them, According to the Different Stages of Age*, Decree No. 118 of 2003, (June 30), Articles 1-9. See also U.S. Embassy-Cairo, *reporting*, August 18, 2003, para 2.

<sup>1153</sup> Government of Egypt, "Egypt," in *Legislation of Interpol Member States on Sexual Offences against Children*, 2007; available from <http://www.interpol.org/Public/>

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Children/SexualAbuse/NationalLaws/csaEgypt.asp. See also UN Committee on the Elimination of Racial Discrimination (CERD), *Periodic Reports of States Parties due in 1999*, CERD/C/384/Add.3, prepared by Government of Egypt, pursuant to Article 9 of the Convention on the Elimination of all Forms of Racial Discrimination, April 11, 2001, paras. 134; available from <http://www.arabhumanrights.org/countries/egypt/cerd/cerd-c384-add3-01e.pdf>.

<sup>1154</sup> U.S. Embassy- Cairo, *reporting*, February 28, 2008. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Egypt."

<sup>1155</sup> Coalition to Stop the Use of Child Soldiers, "Egypt," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=942](http://www.child-soldiers.org/document_get.php?id=942).

<sup>1156</sup> U.S. Embassy- Cairo, *reporting*, August 18, 2003, paras 7-8. See also CEACR, "CEACR Comments".

<sup>1157</sup> U.S. Department of State, "Country Reports- 2007: Egypt," section 6d.

<sup>1158</sup> *Ibid.*

<sup>1159</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Egypt."

<sup>1160</sup> U.S. Department of State, "Country Reports- 2007: Egypt," section 6d.

<sup>1161</sup> U.S. Embassy- Cairo, *reporting*, September 1, 2004, para. 7. See also U.S. Embassy- Cairo, *reporting*, September 12, 2005, 12. See also Abu Gazaleh, Bulbul, and Najium, *Gender, Education and Child Labour in Egypt*, 54. See also U.S. Department of State, "Country Reports- 2007: Egypt," section 6d.

<sup>1162</sup> U.S. Department of State, "Country Reports- 2007: Egypt," section 6d.

<sup>1163</sup> U.S. Embassy- Cairo, *reporting*, February 28, 2008.

<sup>1164</sup> *Ibid.*, para 1c.

<sup>1165</sup> *Ibid.*

<sup>1166</sup> USDOL, *Combating Exploitive Child Labor through Education in Egypt*, ILAB Technical Cooperation Project Summary, Washington, DC, 2008.

<sup>1167</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

## El Salvador

### Incidence and Nature of Child Labor

In El Salvador, working is more common for children in rural areas than urban areas.<sup>1168</sup> Children work in sugar cane and coffee harvesting, firework production, fishing, garbage scavenging, and, increasingly, as street vendors.<sup>1169</sup> Some children work long hours as domestic servants in third-party homes.<sup>1170</sup> Some working children assist with family-operated businesses.<sup>1171</sup> Boys are more likely to work for pay than girls.<sup>1172</sup>

Commercial sexual exploitation and trafficking of children, especially girls, continues to be a problem. El Salvador is reported to be a destination and transit point for girls trafficked internationally.<sup>1173</sup> Some children are trafficked internally from rural areas to urban areas, and to border regions for commercial sexual exploitation.<sup>1174</sup> At-risk groups include girls, rural and poor children, uneducated adolescents, adolescent mothers, and underage foreign females.<sup>1175</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years. Children who have reached age 12 may be allowed to perform light work if it does not hinder school attendance, health, or personal development.<sup>1176</sup> There are also exceptions for artistic performances. Children under 16 years are prohibited from working more than 6 hours per day, 34 hours per week, or 2 hours overtime in one day.<sup>1177</sup> Children under 18 years are prohibited from working at night and are required to have a physical exam to determine whether they are apt for the particular job. Employers who hire children must maintain a child labor registry.<sup>1178</sup> Hazardous or unhealthy work is prohibited for all minors under age 18, including such activities as cutting or sawing; work underground; work with explosives or toxic materials; in construction, mines, or quarries; at sea; or in bars, pool halls, and similar establishments.<sup>1179</sup>

***Selected Statistics and Indicators  
on Child Labor<sup>1180</sup>***

Working children, 5-14 years (%), 2003:	10.2
Working boys, 5-14 years (%), 2003:	13.7
Working girls, 5-14 years (%), 2003:	6.5
Working children by sector, 5-14 years (%), 2003:	
- Agriculture	51.2
- Manufacturing	12.4
- Services	35.3
- Other	1.1
Minimum age for work:	14
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	116
Net primary enrollment rate (%), 2005:	95
School attendance, children 5-14 years (%), 2003:	80.4
Survival rate to grade 5 (%), 2004:	69
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses.	

inspections for child labor were conducted.<sup>1187</sup> USDOS reports that inspectors focus on the formal sector, where child labor is uncommon, and that laws against child labor are infrequently enforced.<sup>1188</sup> The National Committee Against Trafficking in Persons comprises 15 government agencies that are responsible for combating trafficking.<sup>1189</sup>

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

The Government of El Salvador has launched a National Plan for the Eradication of the Worst Forms of Child Labor (2006-2009), identifying the following as strategic areas of intervention: legal frameworks; institutional capacity; education, health care, recreation, culture, and sports; income generation; and communication and awareness raising.<sup>1190</sup> The Child Labor Unit of the Ministry of Labor coordinated a Round Table against Commercial Sexual Exploitation of Children and began detailing a strategic plan for all national institutions.<sup>1191</sup> In March, the National Civilian Police presented a Procedural Manual to Combat the Sexual Commercial Exploitation of Children and Adolescents; in June, it initiated a campaign to raise awareness against sexual exploitation.<sup>1192</sup>

The Ministry of Education is operating after-school centers to mainstream children withdrawn from child labor into the education system.<sup>1193</sup>

The Government of El Salvador continues to collaborate on various USDOL-funded child labor projects implemented by ILO-IPEC. There is a USD 7.4 million project that supports El Salvador's National Timebound Program to eliminate the worst forms of child labor in fishing, sugar cane harvesting, commercial sexual exploitation, and garbage-dump scavenging, which entered its second phase in 2006. Phase II aims to withdraw 3,210 and prevent 8,808 children from exploitive child labor.<sup>1194</sup> A USD 4 million Child Labor Education Initiative project, which also supported the National Timebound Program and ended in June 2007, withdrew 9,531 and prevented 26,175 children from exploitive labor through the provision of education services.<sup>1195</sup>

The Government also participates in regional projects funded by USDOL. These include a USD

Forced labor is prohibited, except in cases of natural disasters and as specified by law.<sup>1181</sup> Military service is compulsory for all Salvadorans ages 18 to 30. With parental consent, children between 16 and 18 years may volunteer for military service.<sup>1182</sup> The law prohibits trafficking in persons. Criminal penalties for trafficking range from 4 to 8 years of imprisonment, and may increase by 1 to 3 years if the victim is less than 18 years.<sup>1183</sup> The law provides for penalties of 3 to 8 years of imprisonment for the inducement, facilitation, or promotion of sexual acts with a person under age 18.<sup>1184</sup> Forced prostitution of a minor incurs penalties of 8 to 12 years in prison. Penalties of 6 to 12 years of imprisonment exist for the production or distribution of pornography involving minors.<sup>1185</sup>

Enforcement of child labor laws is the responsibility of the Ministry of Labor. The Ministry of Labor has 158 labor inspectors, including 24 who work specifically on child labor issues.<sup>1186</sup> In the first three months of 2007, the Labor Ministry conducted 11 inspections for child labor, resulting in the removal of 81 children. However, from March through October, no

8.8 million regional project implemented by ILO-IPEC that seeks to combat commercial sexual exploitation through a variety of activities including capacity building and legal reform. In addition, the project aims to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region.<sup>1196</sup> Also, the Government is part of the 4-year USD 5.7 million USDOL-funded Child Labor Education Initiative implemented by CARE to strengthen the Government and civil society's capacity to combat child labor through education. It aims to withdraw or prevent 2,984 children from exploitive child labor in the region.<sup>1197</sup> The activities in El Salvador for both of these regional projects focus on strengthening regional cooperation, legislation, policies, and institutions.<sup>1198</sup>

The Government of El Salvador also participated in a Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain and implemented by ILO-IPEC.<sup>1199</sup>

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<sup>1168</sup> Government of El Salvador, *Plan Nacional 2006-2009 para la Erradicación de las Peores Formas de Trabajo Infantil*, Comité Nacional para la Erradicación de las Peores Formas de Trabajo Infantil, March 2006, 32; available from

[http://www.oit.org.pe/ipec/documentos/plan\\_nacional\\_es.pdf](http://www.oit.org.pe/ipec/documentos/plan_nacional_es.pdf). See also Government of El Salvador, *Unidad Erradicación de la Peores Formas del Trabajo Infantil*, [online] [cited December 13, 2007]; available from <http://trabajoinfantil.mtps.gob.sv/default.asp?id=8&menu=8>.

<sup>1169</sup> Government of El Salvador, *Unidad Erradicación de la Peores Formas del Trabajo Infantil*. See also Government of El Salvador, *Plan Nacional*, 32-35. See also U.S. Embassy-San Salvador official, E-mail communication to USDOL official, July 25, 2008.

<sup>1170</sup> Human Rights Watch, *Abuses Against Child Domestic Workers in El Salvador*, Vol. 16, No. 1 (B), January 2004, 13; available from <http://www.hrw.org/reports/2004/elsalvador0104/elsalvador0104.pdf>.

<sup>1171</sup> Government of El Salvador, *Plan Nacional*, 33.

<sup>1172</sup> *Ibid.*, 31-32.

<sup>1173</sup> U.S. Department of State, "El Salvador," in *Country Report on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/>. See also U.S. Department of State, "El Salvador (Tier 2)," in

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*Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>1174</sup> U.S. Department of State, "Country Reports- 2007: El Salvador," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: El Salvador."

<sup>1175</sup> U.S. Department of State, "Country Reports- 2007: El Salvador," section 5.

<sup>1176</sup> Government of El Salvador, *Código de Trabajo*, (June 23, 1972), article 114; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/49592/65113/S95SLV01.htm#a104>.

<sup>1177</sup> *Ibid.*, articles 114 and 116.

<sup>1178</sup> *Ibid.*, articles 116 and 117.

<sup>1179</sup> *Ibid.*, articles 105-108.

<sup>1180</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of El Salvador, *Constitution of the Republic of El Salvador*, (1983), title 2, chapter 2, section 2, article 38 and section 3, article 56; available from <http://pdba.georgetown.edu/Constitutions/ElSal/ElSa183.html>. See also UNESCO Institute for Statistics, *EFA Global Monitoring Report 2007: Strong Foundations*, Paris, 2006, 256; available from <http://unesdoc.unesco.org/images/0014/001477/147794E.pdf>. See also U.S. Department of State, "El Salvador," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/>.

<sup>1181</sup> Government of El Salvador, *Constitution*, title 2, chapter 1, section 1, article 9. See also U.S. Department of State, "Country Reports- 2007: El Salvador," section 6c.

<sup>1182</sup> Government of El Salvador, *Constitution*, article 215. See also Coalition to Stop the Use of Child Soldiers, "El Salvador," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=833](http://www.child-soldiers.org/document_get.php?id=833).

<sup>1183</sup> Government of El Salvador, *Código Penal*, (April 26, 1997), article 367b. See also Government of El Salvador, *Decreto No. 210*, (November 25, 2003), article 24; available from [http://www.oit.or.cr/ipec/encuentros/documentos/sv\\_decreto\\_reforma\\_esci.pdf](http://www.oit.or.cr/ipec/encuentros/documentos/sv_decreto_reforma_esci.pdf).

<sup>1184</sup> Government of El Salvador, *Constitution*, article 169. See also Government of El Salvador, *Decreto No. 210*, article 12. See also Government of El Salvador, *Código Penal*, article 169.

<sup>1185</sup> Government of El Salvador, *Decreto No. 210*, articles 14 and 18. See also Government of El Salvador, *Código*

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*Penal*, articles 170 and 173.

<sup>1186</sup> U.S. Department of State, "Country Reports- 2007: El Salvador," section 6d.

<sup>1187</sup> U.S. Embassy- San Salvador, *reporting*, December 4, 2007.

<sup>1188</sup> *Ibid.*

<sup>1189</sup> U.S. Embassy- San Salvador, *reporting*, March 5, 2007.

<sup>1190</sup> Government of El Salvador, *Plan Nacional*, 41-44. See also ILO-IPEC, *Supporting the Time-bound Programme for the Elimination of the Worst Forms of Child Labour in El Salvador*, Technical Progress Report, Geneva, September 30, 2006.

<sup>1191</sup> ILO-IPEC, *Supporting the Time-bound Programme for the Elimination of the Worst Forms of Child Labour in El Salvador*, Technical Progress Report, Geneva, September 6, 2007, 14.

<sup>1192</sup> U.S. Embassy- San Salvador, *reporting*, December 4, 2007.

<sup>1193</sup> ILO-IPEC, *El Salvador TBP, Technical Progress Report*, 11-13.

<sup>1194</sup> ILO-IPEC, *Combating the Worst Forms of Child Labour in El Salvador 2002-2005*, Project Document, Geneva, July 2001. See also ILO-IPEC, *Supporting the Time-bound Programme for the Elimination of the Worst Forms of Child Labour in El Salvador- Phase II*, Project Document, Geneva, September 30, 2006.

<sup>1195</sup> ILO-IPEC, *El Salvador Education Initiative*, Technical Progress Report, Geneva, August 30, 2007, 18.

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<sup>1196</sup> ILO-IPEC, "Stop the Exploitation" ("*Alto a la explotación*") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, RLA/02/P51-05/52/USA, San Jose, 2002, 2005, 1 and 63. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, Geneva, September 2005, 1 and 22.

<sup>1197</sup> CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, April 19, 2007, 1-2. See also CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, September 29, 2006.

<sup>1198</sup> CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and the Dominican Republic*, Project Document, 2004, 5. See also ILO-IPEC, *Elimination of Commercial Sexual Exploitation of Children*, Project Addendum, 22-23.

<sup>1199</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

## Equatorial Guinea

### **Incidence and Nature of Child Labor**

In Equatorial Guinea, working children can be found primarily on family farms, in auto mechanic workshops, and sometimes in the informal sector as street vendors, market vendors, and car washers.<sup>1200</sup> Reports on the nature and incidence of child trafficking are conflicting. While in the past, children from Nigeria, Benin, Cameroon, and Gabon were trafficked predominantly to the cities of Malabo and Bata, sometimes for commercial sexual exploitation, it is unclear whether such trafficking continues.<sup>1201</sup> West African children were most vulnerable to trafficking by relatives or family acquaintances who required them to work in domestic service or in the informal, agricultural, and commercial sectors.<sup>1202</sup> Recent reports have questioned the extent of trafficking in Equatorial

Guinea and noted a reduction in trafficking in past years.<sup>1203</sup>

### **Child Labor Laws and Enforcement**

Child labor laws in Equatorial Guinea are contradictory. The Labor Law sets the minimum age for employment at 14 years.<sup>1204</sup> Children under 16 years are specifically prohibited from work that might harm their health, safety, or morals.<sup>1205</sup> According to the labor law, children over 13 years can perform light work.<sup>1206</sup> A Government decree on child trafficking establishes that children under 10 years are specifically protected from child labor in street vending and other jobs in the informal and formal sectors during school and night hours.<sup>1207</sup> The criminal penalty for employing children under this law is a year in prison and a fine.<sup>1208</sup> USDOS

notes that during the reporting period, this law was enforced and parents of children working in occupations covered by the law were subject to fines.<sup>1209</sup>

<i>Selected Statistics and Indicators on Child Labor<sup>1210</sup></i>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	11
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	122
Net primary enrollment rate (%), 2003:	87
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2001:	33
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	

Another Government decree bans all children under the age of 17 years from being on the streets after 11 p.m.<sup>1211</sup> The decree forbids parents or tutors from exploiting children in labor such as street vending, car washing, or working in bars or restaurants. Under the decree, youth found in the above situations will be automatically arrested, and businesses that employ minors, including family businesses, are subject to a fine or may be closed.<sup>1212</sup> USDOS reports that the Government of Equatorial Guinea regularly enforced these laws through street-level police patrols who fine individuals employing child workers, especially in markets.<sup>1213</sup>

Forced or compulsory child labor is forbidden.<sup>1214</sup> The law prohibits the smuggling of migrants or trafficking in persons, and the law stipulates a penalty of 10 to 15 years imprisonment and a fine for trafficking offenses.<sup>1215</sup> The Government has provided training on trafficking in persons to over 160 military and police officials on trafficking in

persons through a Government-funded local NGO.<sup>1216</sup> The Government also began distributing procedural manuals for police and military outposts that include measures for processing suspected traffickers and provides wallet cards to help identify and care for trafficking victims.<sup>1217</sup> During the reporting period the Government of Equatorial Guinea increased the monitoring of trans-border movement of minors and has regularly patrolled open-air markets to deter child labor and identify potential child trafficking victims.<sup>1218</sup> However, USDOS reports that Government efforts to combat trafficking have seldom resulted in prosecutions and convictions.<sup>1219</sup>

Equatorial Guinea was 1 of 24 countries to adopt the Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>1220</sup> As part of the Multilateral Cooperative Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>1221</sup>

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

The Government of Equatorial Guinea is currently implementing its 5-year National Plan of Action to Combat Child Trafficking.<sup>1222</sup> Under this National Plan the Government has conducted activities to raise awareness, including public workshops and media campaigns about the trafficking law and trafficking issues.<sup>1223</sup> The Government also provides funding to a local NGO that trains military and police officials on trafficking in persons and security issues.<sup>1224</sup>

<sup>1200</sup> U.S. Department of State, "Equatorial Guinea," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100479.htm>. See also European Union Fund for Development official, Interview with USDOL consultant, May 22, 2007. See also Ministry of Labor and Social Security official, "La Explotación Laboral y Sexual de la Niña"

(paper presented at the Conferencia Nacional sobre la Situación de la Mujer y la Niña en Guinea Ecuatorial, Bata, February 7-8, 2005).

<sup>1201</sup> U.S. Department of State, "Equatorial Guinea (Tier 3)," in *Trafficking in Persons Report- 2007*, Washington, DC, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also Government of Equatorial Guinea, *Plan de Acción Contra el Tráfico*, 10. See also U.S. Department of State, "Country Reports- 2007: Equatorial Guinea," section 5.

<sup>1202</sup> Government of Equatorial Guinea, *Plan de Acción Contra el Tráfico*, 10-11.

<sup>1203</sup> U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 1a. See also U.S. Department of State, "Country Reports- 2007: Equatorial Guinea," section 5.

<sup>1204</sup> U.S. Department of State official, E-mail communication to USDOL official, July 14, 2008.

<sup>1205</sup> Government of Equatorial Guinea, *Ordenamiento General del Trabajo*, 2/1990, (January 4, 1990), article 11.

<sup>1206</sup> *Ibid.*

<sup>1207</sup> Government of Equatorial Guinea, *Sobre el Tráfico Ilícito de Migrantes y la Trata de Personas*, 1/2004, (September 14, 2004), article 4. See also Alicia Campos Serrano and Plácio Micó Abogo, *Labor and Trade Union Freedom in Equatorial Guinea*, Fundación Paz y Solidaridad Serafín Aliaga de Comisiones Obreras, Madrid, 2006, 48.

<sup>1208</sup> Government of Equatorial Guinea, *Tráfico Ilícito de Migrantes y la Trata de Personas*, article 5.

<sup>1209</sup> U.S. Department of State, "Country Reports- 2007: Equatorial Guinea," section 6d.

<sup>1210</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Equatorial Guinea and UNICEF, *El Tráfico y la Explotación de los Niños Están Prohibidos*, [hard copy on file]. See also Government of Equatorial Guinea, *Plan de Acción de Lucha Contra el Tráfico y la Trata de Niños 2005-2009*, 2005, 14. See also Government of Equatorial Guinea, *Constitution of the Republic of Equatorial Guinea*, (1991), article 23; available from <http://www.ceiba-guinea-ecuatorial.org/guineeangl/indexbienv1.htm>. See also

Government of Equatorial Guinea, *Reformado el Decreto-Ley sobre Educación General en Guinea Ecuatorial*, (January 9, 1995), article 3.

<sup>1211</sup> Government of Equatorial Guinea, *Regulación Sobre la Circulación de Menores de Edad Durante Determinadas Horas Nocturnas, así como su Explotación para Actividades con Fines Lucrativos*, 4/2005, (June 20, 2005), article 1.

<sup>1212</sup> *Ibid.*, articles 2-3.

<sup>1213</sup> U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2a,e.

<sup>1214</sup> Government of Equatorial Guinea, *Ordenamiento General del Trabajo*, article 3.

<sup>1215</sup> Government of Equatorial Guinea, *Tráfico Ilícito de Migrantes y la Trata de Personas*, article 3. See also U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2a.

<sup>1216</sup> U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2g.

<sup>1217</sup> *Ibid.*, para 3d.

<sup>1218</sup> U.S. Embassy- Malabo, *reporting*, September 27, 2007. See also U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2a.

<sup>1219</sup> U.S. Embassy- Malabo, *reporting*, March 5, 2008.

<sup>1220</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>1221</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical progress Report, 10-11.

<sup>1222</sup> Government of Equatorial Guinea, *Plan de Acción Contra el Tráfico*, 2.

<sup>1223</sup> U.S. Department of State, "Trafficking in Persons Report 2007: Equatorial Guinea." See also Ministry of Labor and Social Security official, "La Explotación Laboral". See also Government of Equatorial Guinea, *Plan de Acción Contra el Tráfico*, 19-40. See also U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2g.

<sup>1224</sup> U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 4g.

## Eritrea

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1225</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	Grade 7
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	66
Net primary enrollment rate (%), 2005:	49
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	79
ILO-IPEC participating country:	No
*Must pay for miscellaneous school expenses.	

### Incidence and Nature of Child Labor

In Eritrea, children work on the street, in the agricultural sector, and as domestic servants.<sup>1226</sup> Children living in rural areas often work in family businesses, including subsistence farming, and engage in activities such as fetching firewood and water as well as herding livestock, sometimes starting at about age five.<sup>1227</sup> For children working in urban areas, street vending is typical.<sup>1228</sup> Many underage apprentices work in shops and workshops such as garages or metal workshops in towns.<sup>1229</sup>

Children are reportedly involved in prostitution.<sup>1230</sup> However, specific data on the commercial sexual exploitation of children in Eritrea is lacking.<sup>1231</sup> Some boys were trafficked to Kuwait to be camel jockeys, but reports indicate that they have since been repatriated.<sup>1232</sup>

Although the law prohibits recruitment of children under 18 years into the armed forces, concerns exist regarding the training and recruitment of children for military service.<sup>1233</sup> The Government requires all secondary school students to complete their final year of education at a location adjacent to the Sawa Military Training Camp (Sawa) in order to graduate, regardless of age.<sup>1234</sup> In addition to not qualifying for graduation, students who do not attend this final year of secondary education are prohibited to sit for examinations that determine eligibility for advanced education.<sup>1235</sup> There is concern that this school is under the authority of the military; at least one official stated that the students are considered members of the armed forces.<sup>1236</sup> USDOS reported that students attend Sawa and undergo military training during their final year of secondary school. Training is provided indiscriminate of age; as a result, children as young as 14 years may be trained there.<sup>1237</sup>

### Child Labor Laws and Enforcement

Eritrean law sets the minimum age of employment and apprenticeship at 14 years.<sup>1238</sup> Young persons between 14 and 18 years may not work between the hours of 6 p.m. and 6 a.m. or more than 7 hours per day. Children under 18 years are not permitted to work jobs that have been specified as dangerous or unhealthy, including jobs that involve heavy lifting, contact with toxic chemicals, underground work, commercial sexual exploitation, the transport industry, dangerous machines, or exposure to electrical hazards.<sup>1239</sup>

The recruitment of children under 18 years into the armed forces is prohibited.<sup>1240</sup> Child prostitution, pornography, and sexual exploitation are criminal offenses. Trafficking in persons is prohibited with penalties of a fine and up to 10 years in prison.<sup>1241</sup>

The Ministry of Labor and Human Welfare (MLHW) is responsible for enforcing child labor laws, but according to USDOS, inspections are infrequent<sup>1242</sup> because of the ministry's finite resources. Legal remedies available to the labor ministry include criminal penalties, fines, and court orders.<sup>1243</sup>

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

The Government of Eritrea is currently implementing a National Program of Action on Children that aims to protect children from exploitive labor. However, lack of resources may postpone the anticipated end-of-2007 completion date.<sup>1244</sup> With Government support, UNICEF is implementing programs on child labor that primarily focus on preventing or rehabilitating children who have been exploited in the workplace. In 2006, the most recent year from which data are available, more than 3,700 working street-children were beneficiaries of these programs, which are integrating or reintegrating children with families, communities, and schools.<sup>1245</sup>

The MLHW works with children who are at risk of entry into work by providing a small subsidy to their families to help with food and clothing, as well as counseling services to help children reintegrate into their nuclear or extended families. At-risk children are also enrolled or reenrolled at local schools, and the MLHW tracks their development through local committees or ministry employees.<sup>1246</sup> Additionally, the Government provides school-aged street children with allowances to purchase uniforms and books necessary for school participation.<sup>1247</sup> The MLHW also offers street children, between the ages 15 to 17 years with vocational training in artisanal skills such as mechanics, administration, navigation, metal, wood, fish processing, electrical, and leather work, among others. Nearly 1,200 street children have benefited from this Government training program as of mid-2007.<sup>1248</sup>

Through State media, the Government routinely provides information on its strategy and obligations under the Convention on the Rights of the Child, and has focused on the issue of child labor, in particular commercial sexual exploitation, in awareness-raising campaigns for the general public. Officials charged with enforcing child labor laws have also received training.<sup>1249</sup>

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education is compulsory, and free public education, see Government of Eritrea, *Proclamation No.118/2001: The Labour Proclamation of Eritrea*, (2001), article 68(1). See also ILO Committee of Experts, *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Eritrea (ratification:2000)*, [online] 2007 [cited December 11, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>. See also U.S. Department of State, "Eritrea," in *Country Reports on Human Rights Practices- 2007* Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100480.htm>. See also Muluberhan Hagos, *Harmonisation of laws relating to children: Eritrea*, African Child Policy Forum, 2007, 86; available from <http://www.africanchild.info/documents/Eritrea%20Report%20final%20Sarah.doc>.

<sup>1226</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention, Concluding Observations: Eritrea*, CRC/C/15/Add.204, United Nations, Geneva, July 2, 2003, para 55; available from <http://tb.ohchr.org/default.aspx?country=er>.

<sup>1227</sup> U.S. Department of State, "Country Reports- 2007: Eritrea," section 6d. See also ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Eritrea (ratification:2000)*, [online] 2004 [cited December 12, 2007]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=15755&chapter=9&query=%28Eritrea%29+%40ref&highlight=&querytype=bool&context=0>.

<sup>1228</sup> U.S. Department of State, "Country Reports- 2007: Eritrea," section 6d.

<sup>1229</sup> ILO Committee of Experts, *Individual Direct Request, Minimum Age Convention*.

<sup>1230</sup> U.S. Department of State, "Country Reports- 2007: Eritrea," section 5. See also U.S. Embassy- Asmara, *reporting*, December 3, 2007.

<sup>1231</sup> UN Committee on the Rights of the Child, *Consideration of Reports under Article 44 - Concluding Observations*, para 57. See also U.S. Embassy- Asmara, *reporting*, December 3, 2007.

<sup>1232</sup> U.S. Embassy- Asmara, *reporting*, December 3, 2007.

<sup>1233</sup> Coalition to Stop the Use of Child Soldiers, *Global Report 2004: Eritrea*, [online] 2004 [cited March 17, 2008]; available from <http://www.child-soldiers.org/regions/country?id=66>. See also *Violence against Girls in Eritrea: A Report to the Committee on the Rights of the Child*, 2003, 213; available from [http://www.omct.org/pdf/VAW/Publications/2003/Eng\\_2003\\_05\\_Eritrea.pdf](http://www.omct.org/pdf/VAW/Publications/2003/Eng_2003_05_Eritrea.pdf).

<sup>1234</sup> U.S. Department of State, "Country Reports- 2007: Eritrea," section 5. See also Amnesty International, *Eritrea: 'You Have No Right to Ask' - Government Resists*

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<sup>1225</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which

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*Scrutiny on Human Rights*, AFR 64/003/2004, Amnesty International, London, May 2004.

<sup>1235</sup> U.S. Department of State, "Country Reports- 2007: Eritrea," section 5. See also U.S. Embassy- Asmara, *reporting*, February 29, 2008, para 2b.

<sup>1236</sup> Amnesty International, *You Have No Right to Ask*, 25. See also Coalition to Stop the Use of Child Soldiers, *Global Report 2004: Eritrea*. See also Human Rights Watch, *Essential Background: Overview of Human Rights Issues in Eritrea*, Human Rights Watch, Washington, D.C., January 2004; available from <http://hrw.org/english/docs/2004/01/21/eritre6987.htm>.

<sup>1237</sup> U.S. Embassy- Asmara, *reporting*, December 3, 2007.

<sup>1238</sup> Government of Eritrea, *The Labour Proclamation of Eritrea*, articles 9(1), 68(1). See also ILO Committee of Experts, *Individual Direct Request, Minimum Age Convention*.

<sup>1239</sup> Government of Eritrea, *The Labour Proclamation of Eritrea*, articles 68-9. See also U.S. Department of State, "Country Reports- 2007: Eritrea," section 6d.

<sup>1240</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention, Initial reports of the States parties due in 1996: Addendum, Eritrea*, CRC/C/41/Add.12, United Nations, Geneva, December 23, 2002, para 88; available from <http://tb.ohchr.org/default.aspx?country=er>.

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<sup>1241</sup> Government of Eritrea, *The Transitional Eritrean Penal Code*, (1991), articles 605-607. See also Hanibal Goitom, *Eritrea: Child Labor*, Law Library of Congress, February 2008, 3. See also U.S. Embassy- Asmara, *reporting*, February 29, 2008, para 3a.

<sup>1242</sup> U.S. Department of State, "Country Reports- 2007: Eritrea," section 6d. See also UN Committee on the Rights of the Child, *Addendum: Eritrea*, para 422.

<sup>1243</sup> U.S. Embassy- Asmara, *reporting*, December 3, 2007.

<sup>1244</sup> *Ibid.* See also U.S. Department of State, "Country Reports- 2007: Eritrea," section 6d.

<sup>1245</sup> U.S. Embassy- Asmara, *reporting*, December 3, 2007.

<sup>1246</sup> *Ibid.*

<sup>1247</sup> UN Committee on the Rights of the Child, *Summary Record of the 866th Meeting (Thirty-third Session) - Consideration of Reports of States Parties (Continued), Initial Report of Eritrea (Continued)*, CRC/C/SR.866, New York, June 2, 2003, para 77. See also U.S. Embassy- Asmara, *reporting*, December 3, 2007.

<sup>1248</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention, Second and third periodic reports of States parties due in 2006: Eritrea*, CRC/C/ERI/3, United Nations, Geneva, October 23, 2007, 87; available from <http://tb.ohchr.org/default.aspx?country=er>.

<sup>1249</sup> U.S. Embassy- Asmara, *reporting*, December 3, 2007.

## Ethiopia

### Incidence and Nature of Child Labor

In Ethiopia, most children work for their families without pay.<sup>1250</sup> The number of working children is higher in the Amhara, Oromiya, Southern Nation, Nationalities and Peoples (SNNPR), and Tigray regions, compared with other regions.<sup>1251</sup> In both rural and urban areas, children often begin working at young ages, with many starting work at age 5.<sup>1252</sup> In rural areas, children work primarily in agriculture with their families,<sup>1253</sup> commercial agriculture, and domestic service.<sup>1254</sup> Children in rural areas, especially boys, engage in activities such as cattle herding, petty trading, plowing, harvesting, and weeding, while other children, mostly girls, collect firewood and water.<sup>1255</sup>

In urban areas, many children, including orphans, work in domestic service.<sup>1256</sup> Child domestics work long hours, which may prevent them from attending school regularly. Many feel unable to quit their jobs and fear physical, verbal, and sexual abuse from their employers while performing their work.<sup>1257</sup> Children in urban areas also work in construction, manufacturing,<sup>1258</sup> shoe shining, tailoring, portering, directing customers into taxis, trading, and animal herding. Girls also work in bars and hotels.<sup>1259</sup> The Government estimates that there are between 150,000 and 200,000 street children in the country, while UNICEF places this figure at 600,000. Many of these children live and work on the streets of Addis Ababa, and some work in the informal sector in order to survive.<sup>1260</sup>

**Selected Statistics and Indicators  
on Child Labor<sup>1261</sup>**

Working children, 5-14 years (%), 2005:	50.1
Working boys, 5-14 years (%), 2005:	58.1
Working girls, 5-14 years (%), 2005:	41.6
Working children by sector, 5-14 years (%), 2005:	
- Agriculture	95.2
- Manufacturing	1.3
- Services	3.4
- Other	0.2
Minimum age for work:	14
Compulsory education age:	Not Compulsory
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	98
Net primary enrollment rate (%), 2006:	66
School attendance, children 5-14 years (%), 2005:	29.2 Unavailable
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated
*Must pay for miscellaneous school expenses	

The commercial sexual exploitation of children is on the rise in Ethiopia, especially in urban areas.<sup>1262</sup> Young girls, some as young as age 11, have reportedly been recruited to work in brothels, where they are sought by customers who believe them to be free of sexually transmitted infections. Girls are also exploited in prostitution at hotels, bars, rural truck stops, and in resort towns.<sup>1263</sup> Reports indicate that some young girls have been forced into prostitution by their family members, while other girls have been forcibly sexually exploited by their teachers in exchange for favors such as better grades.<sup>1264</sup>

Within Ethiopia, children are trafficked from rural areas to urban areas, including from Oromiya and SNNPR to other regions for forced or bonded labor in domestic service. Most children are trafficked for domestic service, commercial sexual exploitation, and for forced labor in activities such as weaving and begging.<sup>1265</sup>

In 2007, the Ministry of Labor and Social Affairs (MOLSA) and UNICEF published the National Study on Child Trafficking in Ethiopia, which focused on child trafficking within the country. The study found that children are most often trafficked by family members, friends, or members of their communities, including priests, in some cases.<sup>1266</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years.<sup>1267</sup> The law forbids employers to employ “young workers,” defined as children 14 to 18 years, when the nature of the job or the conditions under which it is carried out might endanger the life or health of a child. Prohibited activities include transporting goods by air, land, or water; working with electric power generation plants; and performing underground work.<sup>1268</sup> Young workers are prohibited from working more than 7 hours per day, or between 10 p.m. and 6 a.m., during weekly rest days, and on public holidays.<sup>1269</sup>

The law states that children have the right to be protected against exploitive practices and work conditions and should not engage in employment that could threaten their health, education, or well-being.<sup>1270</sup> The law prohibits all forms of human trafficking for forced labor and sexual exploitation.<sup>1271</sup> The trafficking of women and children carries a penalty of 5 to 20 years of imprisonment and a fine.<sup>1272</sup> The law also prohibits the compulsory or forced labor of children. The minimum age for conscription and voluntary recruitment into the military is 18 years.<sup>1273</sup>

According to USDOS, the Government’s efforts to enforce child labor laws have not been effective.<sup>1274</sup>

In 2007, the police received reports of nearly 700 cases of child trafficking. Of the 50 cases that were referred for prosecution, 18 went to trial.<sup>1275</sup> One trafficker who had forced 2 children to engage in domestic service was convicted and sentenced to a fine and 13 years in prison. Police also intercepted at least 10 would-be traffickers attempting to sell children to farmers in Oromiya.<sup>1276</sup>

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

The Government of Ethiopia is currently implementing its National Plan of Action on Sexual Abuse and Exploitation of Children (2006-2010). The National Plan of Action outlines targets for reducing commercial sexual exploitation and addresses issues related to the prevention, protection, and recovery of children from sexual exploitation.<sup>1277</sup>

The Government of Ethiopia continues to participate in the 4-year, Kenya, Uganda, Rwanda, and Ethiopia Together (KURET) project, funded by USDOL at USD 14.5 million and World Vision at 5.8 million. Implemented by World Vision, in partnership with the International Rescue Committee and the Academy for Educational Development, the KURET project aims to withdraw or prevent a total of 30,600 children from exploitive labor in HIV/AIDS-affected areas of these four countries through the provision of educational services.<sup>1278</sup> In 2007, KURET worked with local districts (“woredas”) to incorporate child labor activities into their workplans.<sup>1279</sup> The Government of Ethiopia also participated in the Community Based Innovations to Reduce Child Labor through Education (CIRCLE) global project, funded by USDOL at USD 8.1 million and USAID at USD 500,000. Implemented by Winrock International and various community-based organizations, the project has withdrawn and prevented a total of 24,194 children from exploitive child labor through the provision of educational opportunities in 23 countries, including Ethiopia.<sup>1280</sup>

NGOs, such as the Forum on Street Children-Ethiopia, provided assistance to children engaged in commercial sexual exploitation including shelter; educational and employment services; and family reunification services. They also worked with the Government to develop policy and program objectives.<sup>1281</sup>

The Government continues to work with the UN and the IOM on the implementation of a campaign to combat child trafficking.<sup>1282</sup> In Addis Ababa police stations, Child Protection Units rescued children who had been trafficked and referred them to the IOM and NGOs for care pending their return home. The Child Protection Units also

collected data on rescued children to facilitate their reunification with their families, and the local police and administrators helped repatriate these children to their home regions.<sup>1283</sup> Various government officials, including judges, law enforcement officers, and magistrates received counter-trafficking training by IOM in 2007.<sup>1284</sup> The Government participates in a USAID-funded USD 345,000 project implemented by the IOM and Good Samaritan Association to expand return and reintegration activities for trafficking victims and to build government capacity to combat trafficking.<sup>1285</sup> A USAID-funded center in Addis Ababa provides shelter, medical care, counseling, and reintegration assistance to girls victimized by trafficking.<sup>1286</sup>

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<sup>1250</sup> Lorenzo Guarcello, Scott Lyon, and Furio Camillo Rosati, *The Twin Challenges of Child Labor and Youth Employment in Ethiopia*, Understanding Children's Work Rome, July 2006, 9; available from <http://www.ucw-project.org/pdf/publications/Youthethiopia.pdf>.

<sup>1251</sup> Tassew Woldehanna et al., *Child Labour, Gender Inequality and Rural/Urban Disparities: How Can Ethiopia's National Development Strategies be Revised to Address Negative Spill-over Impacts on Child Education and Wellbeing?*, Working Paper No. 20, London, 2005, 15-17; available from <http://www.savethechildren.org/uk/younglives/data/publications/pdfs/WP20Labour.pdf> [hard copy on file].

<sup>1252</sup> Ibid. See also Lorenzo Guarcello, Scott Lyon, and Furio Camillo Rosati, *The Twin Challenges of Child Labor and Youth Employment in Ethiopia*, 6.

<sup>1253</sup> Lorenzo Guarcello, Scott Lyon, and Furio C Rosati, *Child Labor and Youth Employment: Ethiopia Country Study*, The Understanding Children's Work Project, Rome, July 2006.

<sup>1254</sup> U.S. Department of State, "Ethiopia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007>.

<sup>1255</sup> Tassew Woldehanna et al., *Child Labour, Gender Inequality, and Rural/Urban Disparities: Ethiopia*, 15-17, 30. See also Sonia Bhalotra, *Child Labour in Africa*, OECD Social, Employment and Migration Working Papers, Paris: OECD, April 28, 2003, 48-49; available from <http://www.oecd.org/cataoecd/28/21/2955692.pdf>.

See also Lorenzo Guarcello, Scott Lyon, and Furio Camillo Rosati, *The Twin Challenges of Child Labor and Youth Employment in Ethiopia*, 6-7.

<sup>1256</sup> Abiy Kifle, *Ethiopia- Child Domestic Workers in Addis Ababa: A Rapid Assessment*, Geneva: ILO-IPEC, July 2002, 18-19, 22, 55; available from <http://www.ilo.org/>

iloroot/docstore/ipecc/prod/eng/2002\_ra\_38\_et\_domestic\_en.pdf. See also Integrated Regional Information Networks, "Ethiopia: Child Domestic Work Rampant in Addis Ababa", IRINnews.org, [online], June 16, 2004; available from <http://www.irinnews.org/Report.aspx?ReportId=50255>

<sup>1257</sup> Kifle, *Rapid Assessment of Child Domestic Workers in Addis Ababa*, 18-19, 22. See also U.S. Department of State, "Country Reports- 2007: Ethiopia," section 6d.

<sup>1258</sup> Lorenzo Guarcello, Scott Lyon, and Furio Camillo Rosati, *The Twin Challenges of Child Labor and Youth Employment in Ethiopia*, 11.

<sup>1259</sup> U.S. Department of State, "Country Reports- 2007: Ethiopia," section 6d.

<sup>1260</sup> *Ibid.*, section 5.

<sup>1261</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Ethiopia, *Labour Proclamation* (January 20, 1993), chapter II., section 89, article 2; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/31977/64870/E93ETH10.htm>. See also UN Committee on the Rights of the Child, *Third Periodic Report of States Parties Due in 2003: Ethiopia*, CRC/C/129/Add.8, prepared by Government of Ethiopia, pursuant to Article 44 of the Convention on the Rights of the Child, April 27, 2005, para 183; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/512c282017f34921c12570b2003f5410?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/512c282017f34921c12570b2003f5410?Opendocument). See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention, Concluding Observations: Ethiopia*, CRC/C/ETH/CO/3, Geneva, November 1, 2006, section 6, item 63; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/426c8f0ecd895f1c125724300541453?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/426c8f0ecd895f1c125724300541453?Opendocument). See also UNGEI, *The School Fee Abolition Initiative (SFAI)*, [online] 2006 [cited December 14, 2007]; available from [http://www.ungei.org/infobycountry/247\\_712.html](http://www.ungei.org/infobycountry/247_712.html). See also Andrew Heavens, *In Ethiopia, Better Education for a Better Future*, UNICEF, June 15, 2006; available from [http://www.unicef.org/infobycountry/ethiopia\\_34570.html?q=printme](http://www.unicef.org/infobycountry/ethiopia_34570.html?q=printme).

<sup>1262</sup> *Ibid.*, sections 5 and 6d. See also Addis Ababa City Administrative Social and NGO Affairs Office, Save the Children Denmark, and ANPPCAN-Ethiopia Chapter, *Study on the Worst Forms of Child Labour With Special Focus on Child Prostitution- in Addis Ababa*, Addis Ababa, June 2003; available from [http://www.redbarnet.dk/Files/Filer/sexuelt\\_misbrug/ChildProstitutionStudy.doc](http://www.redbarnet.dk/Files/Filer/sexuelt_misbrug/ChildProstitutionStudy.doc). See also ECPAT International CSEC Database, *Ethiopia*, accessed

December 17, 2007; available from <http://www.ecpat.net>.

<sup>1263</sup> U.S. Department of State, "Country Reports- 2007: Ethiopia," sections 5 and 6d.

<sup>1264</sup> ECPAT, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children: Ethiopia*, Bangkok, 2007, 12, [online]; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/AF/Global\\_Monitoring\\_Report-ETHIOPIA.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/AF/Global_Monitoring_Report-ETHIOPIA.pdf).

<sup>1265</sup> Integrated Regional Information Networks, "Ethiopia: Campaign Launched Against Child Trafficking", IRINnews.org, [previously online], October 20, 2005 [cited July 7, 2006]; available from <http://www.irinnews.org/print.asp?ReportID=49655> [hard copy on file]. See also U.S. Department of State, "Country Reports- 2007: Ethiopia," sections 5 and 6d.

<sup>1266</sup> U.S. Embassy- Addis Ababa, *reporting*, March 4, 2008 para 7H.

<sup>1267</sup> Government of Ethiopia, *Labour Proclamation*, chapter II., section 89, article 1.

<sup>1268</sup> *Ibid.*, chapter II., section 89, articles 1, 3, and 4.

<sup>1269</sup> *Ibid.*, chapter II., sections 90 and 91.

<sup>1270</sup> Government of Ethiopia, *The Constitution of the Federal Democratic Republic of Ethiopia*, article 36; available from <http://www.ethiopianembassy.org/constitution.pdf>.

<sup>1271</sup> U.S. Department of State, "Ethiopia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>1272</sup> U.S. Department of State, "Country Reports- 2007: Ethiopia," sections 5 and 6c.

<sup>1273</sup> Coalition to Stop the Use of Child Soldiers, "Ethiopia." *In Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/library/global-reports>.

<sup>1274</sup> U.S. Department of State, "Country Reports- 2007: Ethiopia," section 6d.

<sup>1275</sup> U.S. Embassy- Addis Ababa, *reporting*, March 4, 2008, para 6c.

<sup>1276</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Ethiopia."

<sup>1277</sup> ECPAT, *Global Monitoring Report on Status of Anti-CSEC Efforts: Ethiopia*, 14-15.

<sup>1278</sup> World Vision, *Kenya, Uganda, Rwanda, and Ethiopia Together (KURET) Initiative*, Project Document, July 18, 2005, i, 2, and 9.

<sup>1279</sup> World Vision, *KURET (Kenya, Uganda, Rwanda, Ethiopia Together) Initiative*, Technical Progress Report, September 30, 2007, 10.

<sup>1280</sup> U.S. Department of Labor, *Community Based Innovations to Combat Child Labor through Education I and II (CIRCLE I and II)*, Project Summary, 2008. See also Winrock International, *Project Fact Sheet: Reducing Child Labor through Education (CIRCLE 1)*, [online] [cited

December 17, 2007]; available from <http://www.winrock.org/fact/facts.asp?CC=5411&bu=><sup>1281</sup> ECPAT International, *Annual Report 2004-2005*, Bangkok; available from [http://www.ecpat.net/eng/Ecpat\\_inter/annual\\_report/index.asp](http://www.ecpat.net/eng/Ecpat_inter/annual_report/index.asp). See also U.S. Department of State, "Country Reports- 2007: Ethiopia," section 5.

<sup>1282</sup> Integrated Regional Information Networks, "Ethiopia: Campaign Against Child Trafficking".

<sup>1283</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Ethiopia."

<sup>1284</sup> U.S. Embassy- Addis Ababa, *reporting, March 4, 2008*, para 7H.

<sup>1285</sup> U.S. Department of State, *United States Government*

*Funds Obligated in FY2005 for Anti-Trafficking in Persons Projects*, [online] [cited December 17, 2007]; available from <http://www.state.gov/g/tip/rls/rpt/78464.htm>.

<sup>1286</sup> Integrated Regional Information Networks, "Ethiopia: Centre for Helping Victims of Trafficking Opens", IRINnews.org, [previously online], June 29, 2004; available from <http://www.irinnews.org/print.asp?ReportID=41909> [hard copy on file]. See also ECPAT International, *The First-ever Centre to Help Victims of Trafficking Opened in the Ethiopian Capital, Addis Ababa, on Tuesday*, Addis Ababa, June 29, 2004; available from [http://www.ecpat.net/eng/Ecpat\\_inter/IRC/tmpNew.s.asp?SCID=1446](http://www.ecpat.net/eng/Ecpat_inter/IRC/tmpNew.s.asp?SCID=1446).

## Fiji

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1287</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	103
Net primary enrollment rate (%), 2005:	94
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2003:	99
ILO-IPEC participating country:	No
*Must pay for miscellaneous school expenses	

### Incidence and Nature of Child Labor

Children work in agriculture in Fiji, including on tobacco and sugar farms.<sup>1288</sup> Children also work in the informal sector, in family businesses, and on the streets, selling snacks, shining shoes and delivering goods.<sup>1289</sup> There is exploitation of children through prostitution, pornography, and sex tourism.<sup>1290</sup> Children are also trafficked within Fiji for the purpose of commercial sexual exploitation.<sup>1291</sup> Urban migration, poverty, homelessness, and living away from parents have all increased a child's chance of being sexually exploited.<sup>1292</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for work at 15 years.<sup>1293</sup> The law states that no child under 12 years shall be employed except in family owned businesses and agricultural undertakings. The law also sets guidelines for the employment of "children" defined as 12 to 14 years, and "young persons," defined as 15 to 17 years. Children may not work more than 6 hours a day, and young persons more than 8 hours a day.<sup>1294</sup> Children may not work in any industrial undertaking, and neither children nor young persons may be employed in dangerous working conditions or at night.<sup>1295</sup>

The Constitution prohibits forced labor.<sup>1296</sup> The law also prohibits the procurement of women and girls into prostitution within and outside the borders of Fiji, as well as the sale, purchase, or hiring of minors less than 16 years for prostitution, illicit sexual intercourse, or any unlawful immoral purpose. It also prohibits the production and possession of obscene materials depicting both adults and children. Penalties for those violating these statutes range from 2 to 5 years of imprisonment, with the possibility of corporal punishment.<sup>1297</sup> Currently, there is no law on the minimum age of conscription into the military. The minimum age for voluntary military service is 18 years.<sup>1298</sup> The law criminalizes trafficking in persons for both labor and sexual exploitation, and violators can be punished with a maximum sentence of 20 years in prison, as well as fines.<sup>1299</sup> USDOS has reported that the country's child labor laws and enforcement mechanisms are insufficient due to the lack of a comprehensive child labor policy and of resources to investigate reports of child labor.<sup>1300</sup>

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

Fiji has a committee with a broad range of members, including the Ministry of Labor, the Ministry of Women, the Ministry of Education, the Ministry of Information, the Fiji Police Force, employer and worker organizations, the ILO, and UNICEF, that focus on the elimination of the worst forms of child labor.<sup>1301</sup> Fiji is also one of several countries in Asia and the Pacific participating in a campaign by MTV Europe to raise awareness on human trafficking.<sup>1302</sup>

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<sup>1287</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Fiji, *Employment Ordinance*, (1978). See also U.S. Department of State, "Fiji," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100520.htm>. See also U.S. Embassy- Suva, *reporting*, December 9, 2007.

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<sup>1288</sup> Farm Consultancy, *Child Labour in the Fiji Tobacco Industry*, 2004, 2, 17-18; available from <http://www.eclt.org/filestore/BAT-%20Fiji.pdf>. See also IIECL Database, *Child Labor Information Bank: Fiji*, [online] [cited May 20, 2008]; available from [http://www.endchildlabor.org/db\\_infoBank.cfm](http://www.endchildlabor.org/db_infoBank.cfm). See also U.S. Embassy Suva Official, E-mail communication to USDOL official, July 14, 2008.

<sup>1289</sup> U.S. Department of State, "Fiji," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100520.htm>. See also IIECL Database, *Child Labor Information Bank: Fiji*. See also U.S. Embassy- Suva, *reporting*, December 9, 2007. See also U.S. Embassy Suva Official, E-mail communication, July 14, 2008.

<sup>1290</sup> Save the Children Fiji, *The Commercial Sexual Exploitation and Sexual Abuse of Children in Fiji: A Situational Analysis*, 2006, 15-20. See also ECPAT International CSEC Database, *Fiji* accessed November 21, 2007; available from [www.ecpat.net](http://www.ecpat.net). See also U.S. Embassy- Suva, *reporting*, March 2, 2007. See also U.S. Department of State, "Fiji (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>1291</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Fiji."

<sup>1292</sup> U.S. Department of State, "Country Reports- 2007: Fiji." See also ECPAT International CSEC Database, *Fiji*

<sup>1293</sup> Government of Fiji, *Employment Ordinance*, article 2. See also APPLIS, *List of Ratifications of International Labour Conventions: Fiji*, [online] [cited March 11, 2008]; available from [webfusion.ilo.org/public/db/standards/normes/appl/appl-byCtry.cfm?CTYCHOICE=2080&hdroff=1&lang=EN](http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byCtry.cfm?CTYCHOICE=2080&hdroff=1&lang=EN).

<sup>1294</sup> Government of Fiji, *Employment Ordinance*, articles 59-71.

<sup>1295</sup> *Ibid.*, Articles 59-71. See also Government of Fiji, *Employment Amendment Act*, No. 6, (June 1996), article 65.

<sup>1296</sup> Government of Fiji, *Fiji Constitution*, (1988), section 24.

<sup>1297</sup> Government of Fiji, *Penal Code*, (1978), sections 157-163, 188.

<sup>1298</sup> Coalition to Stop the Use of Child Soldiers, "Fiji," in *Child Soldiers Global Report 2004*, London, 2004. See also CIA, *The World Factbook*, [online] March 6, 2008 [cited March 11, 2008]; available from <https://www.cia.gov/library/publications/the-world-factbook/fields/2024.html>.

<sup>1299</sup> Government of Fiji, *Immigration Act*, (2003), section 5. See also U.S. Embassy- Suva, *reporting*, March 2, 2007.

<sup>1300</sup> U.S. Department of State, "Country Reports- 2007:

Fiji," section 6d. See also U.S. Embassy- Suva, *reporting, December 9, 2007*.

<sup>1301</sup> Global March Against Child Labour, *Plans to Stamp Out Child Labour*, [online] May 4, 2006 [cited May 20, 2008]; available from <http://www.globalmarch.org/clns/clns-may-2006-details.php3>. See also ILO, *Commemoration of the World Day Against Child Labour*, June 12, 2004; available from

[http://www.ilo.org/public/english/standards/ipecc/themes/domestic/download/wdacl\\_fiji\\_090704.pdf](http://www.ilo.org/public/english/standards/ipecc/themes/domestic/download/wdacl_fiji_090704.pdf). See also Government of Fiji *Committee Set Up to See Eradication of Child Labour*, [Press Release] June 30, 2005; available from <http://www.fiji.gov.fj/cgi-bin/cms/exec/view.cgi/64/4884>. See also U.S. Embassy- Suva, *reporting, December 9, 2007*.

<sup>1302</sup> U.S. Embassy- Bangkok, *reporting, June 27, 2007*.

## Gabon

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1303</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%)	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	No
Gross primary enrollment rate (%), 2004:	152
Net primary enrollment rate (%), 2001:	88
School attendance, children 5-14 years (%)	-
Survival rate to grade 5 (%), 2002:	69
ILO-IPEC participating country:	Yes

### Incidence and Nature of Child Labor

Children in Gabon work in the informal economy.<sup>1304</sup> Child work and child trafficking are closely related in Gabon; one study indicated that 97 percent of children in Gabon's workforce are foreign nationals.<sup>1305</sup> Trafficked boys work in small

workshops and as street vendors, while girls who have been trafficked work as domestic servants and in the informal commercial sector, including in restaurants and market vending.<sup>1306</sup> Children are trafficked into the country from Benin, Guinea, Nigeria, and Togo, and to a lesser extent from Burkina Faso, Cameroon, and Sierra Leone.<sup>1307</sup> Children are trafficked from Benin to Gabon for agricultural work, including on cocoa and sugar plantations.<sup>1308</sup> Children trafficked from Nigeria are found working as mechanics.<sup>1309</sup> Togolese children are trafficked to Gabon for forced domestic service and prostitution.<sup>1310</sup> Children trafficked to Gabon from other West African countries are typically from poor families, who believe their children will receive an education, opportunities, and wages for their work. While some children receive such benefits, many children are victims of trafficking and generally receive only rudimentary room and board, and wages are seldom paid either to them or their families.<sup>1311</sup> In general, trafficked children work long hours, are subject to physical abuse, and do not receive an education.<sup>1312</sup> The Gabonese social tradition of placement, where children of poor families are sent to live with affluent families to receive an education and opportunities, is believed to facilitate trafficking and the commercial sexual exploitation of children in the country.<sup>1313</sup> Gabonese children are trafficked to Equatorial Guinea for work in the cities of Malabo and Bata.<sup>1314</sup>

## Child Labor Laws and Enforcement

The law sets the minimum age for employment at 16 years. Younger children, however, may work with consent from the Ministries of Labor, Education, and Public Health. Children between 14 and 16 years may work as apprentices with permission from the Ministry of National Education.<sup>1315</sup> The employment of children in jobs that are unsuitable for them because of their age, state, or condition, or that interfere with their education is also prohibited.<sup>1316</sup> Children under 16 years who have been removed from exploitive labor must be placed in appropriate reception or transit centers. If they are of foreign nationality, the children must be repatriated to their country of origin at the expense of their guardian or employer.<sup>1317</sup> Children under 18 years are prohibited from working at night in industrial establishments, except if the establishment is exclusively run by family members; however, children over 16 years are permitted to work in certain industries that, by their nature, must be continued at night, such as sugar refineries and metalworks.<sup>1318</sup> The law imposes a fine for violations of minimum age laws and a larger fine along with a prison term of 2 to 6 months for repeat violators.<sup>1319</sup>

Gabonese law also prohibits forced labor, slavery, abduction, and pimping.<sup>1320</sup> The penalty for imposing forced labor is imprisonment for 1 to 6 months and a fine, and recurring violations are punishable with imprisonment for 2 to 12 months and a heavier fine.<sup>1321</sup> Gabon's trafficking law outlines measures to protect children under 18 years from trafficking for labor and commercial sexual exploitation and stipulates 5 to 15 years imprisonment and a fine for perpetrators.<sup>1322</sup> Procurement of a minor for the purpose of prostitution is punishable by imprisonment for 2 to 5 years and a fine.<sup>1323</sup> The minimum age for voluntary recruitment into the military is 20 years, and there is no conscription.<sup>1324</sup>

The Ministry of Justice is responsible for enforcement of child labor laws, while the Ministry of Labor is charged with receiving, investigating, and addressing child labor complaints.<sup>1325</sup> Minimum age laws were strictly enforced for the

protection of Gabonese children in urban areas, but rarely in rural areas.<sup>1326</sup> Theoretically, the law also protects foreign children in Gabon, many of whom are victims of child trafficking, but these children rarely reported child labor abuses. According to USDOS, the number of labor inspectors was inadequate, and child labor complaints were not routinely investigated.<sup>1327</sup>

With a fleet of 10 boats, the Government of Gabon conducts regular patrols to combat maritime child trafficking. As of June 2007, there were up to 20 trafficking cases pending within the judicial system. However, USDOS reported that enforcement and investigation of trafficking cases remains weak.<sup>1328</sup>

Gabon was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, especially Women and Children in West and Central African Regions.<sup>1329</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>1330</sup>

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

Gabon's UN Development Assistance Framework 2007-2011 includes a component to bring national legislation into alignment with Gabon's bilateral and regional agreements to combat child trafficking, as well as ILO Convention 182 and other international conventions it has ratified.<sup>1331</sup>

The Government continued to operate three reception centers for trafficking victims, which included children.<sup>1332</sup> The Government's child trafficking "Watch Committees," located in each of the country's nine provinces, continue to identify and provide assistance to trafficking victims; and the Government is working to repatriate trafficked children to their countries of origin.<sup>1333</sup> The Government has worked with UNICEF to raise awareness on child trafficking through workshops and seminars, radio and television messages, and

posters.<sup>1334</sup> In collaboration with UNICEF, the Government continues to support a toll free hotline for child trafficking victims, which provides assistance and free transportation to a shelter.<sup>1335</sup>

<sup>1303</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Gabon, *Code du travail*, Loi no 3/94, (November 21, 1994), article 177; available from <http://natlex.ilo.org/txt/F94GAB01.htm>. See also U.S. Department of State, "Gabon," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007>.

<sup>1304</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1990 (No.182) Gabon (ratification: 2001)* [online] 2007; available from <http://www.ilo.org/ilolex/english/iloquery.htm>.

<sup>1305</sup> U.S. Embassy-Libreville, *reporting*, December 4, 2007, para 1. See also U.S. Department of State, "Country Reports- 2007: Gabon," section 6d.

<sup>1306</sup> U.S. Department of State, "Gabon (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Embassy-Libreville, *reporting*, December 4, 2007, para 9. See also Integrated Regional Information Networks, "Gabon: Laws Fail to Curb Child Trafficking Racket", IRINnews.org, [previously online], February 4, 2005; available from <http://irinnews.org/print.asp?ReportID=45400> [hard copy on file].

<sup>1307</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Gabon." See also Antoine Lawson, "Gabon cracks down on child trafficking," *Mail and Guardian*, February 26, 2005; available from [http://www.mg.co.za/articlePage.aspx?articleid=198353&area=/insight/insight\\_africa/](http://www.mg.co.za/articlePage.aspx?articleid=198353&area=/insight/insight_africa/).

<sup>1308</sup> "Benin parliament cracks down on child trafficking," *Agence France Presse*, February 3, 2006. See also Silvia Scarpa, "Child trafficking: The worst face of the world," in *Global Migration Perspectives: No. 40*, Geneva: Global Commission on International Migration, 2005, 9; available from [http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy\\_and\\_research/gcim/gmp/gmp40.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy_and_research/gcim/gmp/gmp40.pdf).

<sup>1309</sup> U.S. Department of State, "Country Reports- 2007: Gabon," section 5.

<sup>1310</sup> UNODC, *Measures to Combat Trafficking in Human Beings in Benin, Nigeria, and Togo*, Vienna, September

2006, 30; available from [http://www.unodc.org/pdf/human\\_trafficking/ht\\_research\\_report\\_nigeria.pdf](http://www.unodc.org/pdf/human_trafficking/ht_research_report_nigeria.pdf). See also U.S. Department of State, "Country Reports- 2007: Gabon."

<sup>1311</sup> Integrated Regional Information Networks, "Laws Fail to Curb Child Trafficking Racket". See also The Protection Project, "Gabon," in *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children*, Washington, DC, 2005; available from <http://www.protectionproject.org>.

<sup>1312</sup> U.S. Department of State, "Country Reports- 2007: Gabon," section 5. See also Lawson, "Gabon cracks down on child trafficking." See also Committee on Government Reform, Subcommittee on Human Rights and Wellness, Statement of Mohamed Y. Mattar: The Role of the Government in Combating Trafficking in Persons- A Global Human Rights Approach, October 29, 2003; available from <http://protectionproject.org/gabon.doc>.

<sup>1313</sup> ECPAT International CSEC Database, *Gabon*, accessed December 13, 2007; available from <http://www.ecpat.net/>.

<sup>1314</sup> U.S. Department of State, "Equatorial Guinea (Tier 3)," in *Trafficking in Persons Report 2007*, Washington, DC, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also Government of Equatorial Guinea, *Plan de Acción de Lucha Contra el Tráfico y la Trata de Niños 2005-2009*, 2005, page 10.

<sup>1315</sup> Government of Gabon, *Code du travail*, articles 82 and 177.

<sup>1316</sup> *Ibid.*, article 6.

<sup>1317</sup> ILO, *The Effective Abolition of Child Labour*, [previously online], 2003; available from <http://www.ilo.org/public/english/standards/decl/download/review03/childlabour.pdf> [hard copy on file].

<sup>1318</sup> Government of Gabon, *Code du travail*, articles 167 and 168.

<sup>1319</sup> *Ibid.*, article 195.

<sup>1320</sup> U.S. Department of State, "Gabon (Tier 2)," in *Trafficking in Persons Report- 2005*, Washington, DC, June 3, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46613.htm>.

<sup>1321</sup> Government of Gabon, *Code du travail*, articles 4 and 16.

<sup>1322</sup> ILO, *Report of the Committee of Experts on the Application of Conventions and Recommendations, Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon*, Observation, CEACR 2005/76th Session, Geneva, 2005; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displaycomment.cfm?hdroff=1&ctry=2610&year=2005&type=O&conv=C182&lang=EN>. See also U.S.

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Department of State, "Trafficking in Persons Report-2007: Gabon."

<sup>1323</sup> Government of Gabon, *Penal Code*, articles 260 and 261; available from [www.protectionproject.org](http://www.protectionproject.org) [hard copy on file].

<sup>1324</sup> Coalition to Stop the Use of Child Soldiers, "Gabon," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=774](http://www.child-soldiers.org/document_get.php?id=774).

<sup>1325</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Gabon."

<sup>1326</sup> U.S. Department of State, "Country Reports- 2007: Gabon," section 6d.

<sup>1327</sup> Ibid.

<sup>1328</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Gabon."

<sup>1329</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006. See also ILO-IPEC Geneva official, E-mail

communication to USDOL official, November 16, 2006.

<sup>1330</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in West and Central Africa*. See also ILO-IPEC, *Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (LUTRENA)*, technical progress report, Geneva, September 1, 2007. See also Emmanuel Goujon, "African States Sign Up to Fight Human Trafficking," *Agence France-Presse*, July 7, 2006.

<sup>1331</sup> U.S. Embassy-Libreville, *reporting, December 4, 2007*, para 3.

<sup>1332</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Gabon."

<sup>1333</sup> U.S. Embassy-Libreville, *reporting, December 4, 2007*, paras 4 and 10.

<sup>1334</sup> UNICEF, *At a Glance: Gabon*, [online] [cited December 13, 2007]; available from <http://www.unicef.org/infobycountry/gabon.html>.

<sup>1335</sup> U.S. Department of State, "Country Reports- 2007: Gabon," section 5.

## The Gambia

### Incidence and Nature of Child Labor

Working children in The Gambia are primarily found in the informal sector, agriculture, and domestic service.<sup>1336</sup> Working girls are most likely to engage in street vending, selling food items such as candy, water, and fruits for their parents.<sup>1337</sup>

Working boys are most commonly found doing such odd jobs as hauling items or sweeping and working as taxi or bus attendants in urban areas.<sup>1338</sup>

Many children between 14 and 16 years work in technical sectors such as lumbering, sewing, plumbing, masonry, and auto repair.<sup>1339</sup> The practice of sending boys to Koranic teachers to receive education is a common tradition. While some boys are cared for and receive lessons, many are forced by their teachers to beg and surrender the money that they have earned.<sup>1340</sup>

Commercial sexual exploitation of children, including prostitution, is common in The Gambia.<sup>1341</sup> Both Gambian men as well as visiting European pedophiles exploit children through prostitution and sex tourism.<sup>1342</sup>

The Gambia is country of origin, transit, and destination for children trafficked for forced labor and commercial sexual exploitation. Children are reportedly trafficked to the country from Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea-Bissau, Guinea, Benin, Mali, and Guinea-Conakry.<sup>1343</sup> Gambian boys are trafficked to Senegal for forced begging.<sup>1344</sup> Girls are trafficked to and from Gambia for sexual exploitation and forced domestic servitude.<sup>1345</sup> Boys are trafficked to Gambia for a wide range of activities including, but not limited to, sexual exploitation, street vending, and begging.<sup>1346</sup>

### Child Labor Laws and Enforcement

Laws governing the minimum age for work in The Gambia are contradictory. The Labor Law of 2007 prohibits children, defined in Gambian law as those under 18 years, from engaging in agricultural, industrial or non-industrial work.<sup>1347</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1348</sup>	
Working children, 5-14 years (%), 2005-2006:	36.4
Working boys, 5-14 years (%), 2005-2006:	28.5
Working girls, 5-14 years (%), 2005-2006:	43.8
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	Not Compulsory
Free public education:	Yes*
Gross primary enrollment rate (%), 2004:	76
Net primary enrollment rate (%), 2003:	72
School attendance, children 5-14 years (%), 2005-2006:	65.7
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
*Must pay for miscellaneous school expenses	

The Gambian Children's Act specifically prohibits the economic exploitation of children, including night work, hazardous work, and work that interferes with a child's education.<sup>1349</sup> According to the Act, however, children over 16 years can engage in light work and children may serve as apprentices at 12 years or upon the completion of basic education.<sup>1350</sup>

Employers are required to keep a register of all children employed, detailing their date of birth or age, and all employees are given employee labor cards that include their age.<sup>1351</sup> These cards are registered with the labor commissioner, who is authorized to enforce child labor laws.<sup>1352</sup> Penalties for child labor violations range from a fine to imprisonment for up to 5 years.<sup>1353</sup> The Department of Labor is responsible for implementing laws and international convention provisions on the worst

forms of child labor.<sup>1354</sup> The Children's Court handles child labor cases.<sup>1355</sup> However, reports indicate that inspections rarely occurred.<sup>1356</sup>

Children under 18 years may not be recruited into the Armed Forces.<sup>1357</sup> Multiple Gambian laws prohibit promoting child prostitution and procuring a child for sexual exploitation in The Gambia. Penalties for such offenses range from 2 to 14 years imprisonment and a fine, and include penalties specific to tourists who commit sexual offenses against a child.<sup>1358</sup> Forced labor is prohibited by law.<sup>1359</sup> Trafficking of children is specifically prohibited under multiple Gambian laws.<sup>1360</sup> Under the Children's Act, which takes precedence over other legislation, child trafficking offenses are punishable by life imprisonment.<sup>1361</sup> Enforcement of the laws pertaining to child trafficking is primarily the responsibility of the Tourism Security Unit, and at least one individual was prosecuted and convicted for commercial sexual exploitation of a child by a foreign national in November 2007.<sup>1362</sup> Child Protection Units (CPU) have been established within the Police Department and the Armed Forces to handle children's rights and welfare within their respective agencies.<sup>1363</sup> The CPUs have been trained in investigative techniques for commercial sexual exploitation of children and in services for victims.<sup>1364</sup>

The Gambia was 1 of 24 countries to adopt the Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>1365</sup> As part of the Multilateral Cooperative Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>1366</sup>

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

During the reporting period, the Government passed a Trafficking in Persons Act establishing a Trafficking in Persons Agency to help identify and investigate child trafficking cases.<sup>1367</sup> The Government is implementing its 2004-2008 *National*

*Policy for Children in The Gambia*, which includes components addressing child economic and sexual exploitation.<sup>1368</sup> The Government has collaborated with NGOs and international agencies to raise awareness of the worst forms of child labor.<sup>1369</sup> During the reporting period the Child Protection Alliance (CPA), a consortium of government agencies and NGOs, conducted several awareness campaigns to educate hotel personnel about child sexual tourism. With the help of the Department of State for Justice, the CPA launched a government-funded trafficking education campaign and broadcasted public awareness messages about child trafficking through radio and television media.<sup>1370</sup> The CPA also conducted training for the Gambia Armed Forces, The Gambia Police Force and the National Intelligence Agency on children's rights, child protection, commercial sexual exploitation, and investigation techniques for victims of abuse and exploitation.<sup>1371</sup> The Government operates a hotline that can be used to report trafficking cases and operates a 24-hour shelter available to trafficking victims.<sup>1372</sup> The Government also established a child protection database, which includes tracking and monitoring of sexual exploitation.<sup>1373</sup>

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<sup>1336</sup> U.S. Embassy- Banjul, *reporting*, November 30, 2007, para E.

<sup>1337</sup> Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment for Children Living and Working in the Streets of Banjul*, Christian Children's Fund, January 3, 2006, 13. See also Department of State for Education official, Interview with USDOL contractor, September 4, 2006, 33.

<sup>1338</sup> Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment*, 13. See also U.S. Embassy-Banjul, *reporting*, November 30, 2007, para E. See also U.S. Department of State, "The Gambia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100483.htm>.

<sup>1339</sup> U.S. Embassy- Banjul, *reporting*, November 30, 2007, para E. See also U.S. Department of State, "Country Reports- 2007: The Gambia," section 6d.

<sup>1340</sup> U.S. Embassy- Banjul, *reporting*, February 29, 2008, para 2b. See also Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment*, 3, 13, 15. See also Peter Easton et al., *Research Studies Series no. 8*,

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International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>1341</sup> ECPAT, *Report on the Status of Action Against Commercial Sexual Exploitation of Children: The Gambia*, 2007, 11; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/AF/Global\\_Monitoring\\_Report-GAMBIA.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/AF/Global_Monitoring_Report-GAMBIA.pdf). See also Department of State for Education official, Interview, September 4, 2006, 32. See also U.S. Department of State, "Country Reports- 2007: The Gambia," section 5, 6d.

<sup>1342</sup> U.S. Embassy- Banjul, *reporting*, February 29, 2008, para 2b, 3m. See also Integrated Regional Information Networks, "Gambia: Rising Poverty Breeds Sexual Exploitation of Children by Sugar Daddies", IRINnews.org, [online], May 6, 2004 [cited December 6, 2007]; available from <http://newsite.irinnews.org/PrintReport.aspx?ReportId=49784>. See also ECPAT, *Report on the Status of Action*, 11.

<sup>1343</sup> U.S. Department of State, "The Gambia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Embassy- Banjul, *reporting*, February 29, 2008, para 2b.

<sup>1344</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: The Gambia." See also Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment*, 8, 9. See also U.S. Department of State, "Country Reports- 2007: The Gambia," section 5.

<sup>1345</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: The Gambia." See also ECPAT, *Report on the Status of Action*, 12. See also U.S. Embassy- Banjul, *reporting*, November 30, 2007, para E.

<sup>1346</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: The Gambia."

<sup>1347</sup> Government of the Gambia, *Labour Act*, 5/2007, (October 17, 2007), article 45.

<sup>1348</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of the Gambia, *Children's Act*, (July 21, 2005), articles 18, 43(1). See also U.S. Department of State official, E-mail communication to USDOL, February 28, 2008.

<sup>1349</sup> Government of the Gambia, *Children's Act*, articles 41-44. See also Government of the Gambia, *Constitution*,

(1997), article 29(2); available from <http://confinder.richmond.edu>. See also Government of the Gambia, *Labour Act*, article 46.

<sup>1350</sup> Government of the Gambia, *Children's Act*, articles 43, 51. See also U.S. Embassy- Banjul, *reporting, November 30, 2007*, para A.

<sup>1351</sup> Government of the Gambia, *Children's Act*, article 45-49. See also Government of the Gambia, *Labour Act*, article 47.

<sup>1352</sup> U.S. Department of State, "Country Reports- 2007: The Gambia," section 6d.

<sup>1353</sup> Government of the Gambia, *Labour Act*, article 48.

<sup>1354</sup> U.S. Department of State, "Country Reports- 2007: The Gambia," section 6d.

<sup>1355</sup> U.S. Embassy- Banjul, *reporting, November 30, 2007*.

<sup>1356</sup> Ibid. See also U.S. Department of State, "Country Reports- 2007: The Gambia," section 6d. See also International Confederation of Free Trade Unions, *Internationally Recognized Core Labour Standards in Gambia: Report for the WTO General Council Review of the Trade Policies of Gambia*, February 4, 2004, section 3; available from <http://www.icftu.org/www/pdf/gambiacls2004.pdf>.

<sup>1357</sup> Government of the Gambia, *Children's Act*, article 59(1).

<sup>1358</sup> Ibid., articles 26-38. See also ECPAT, *Report on the Status of Action*, 21. See also ILO NATLEX National Labor Law Database, *Tourism Offences Act*, accessed December 6, 2007; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home). See also AllAfrica Global Media, "New Law Criminalizes Human Trafficking", [allafrica.com](http://allafrica.com), [online], September 14, 2007 [cited December 6, 2007]; available from <http://allafrica.com/stories/printable/200709140815.html>.

<sup>1359</sup> U.S. Department of State, "Country Reports- 2007: The Gambia," section 6c.

<sup>1360</sup> Government of the Gambia, *Children's Act*, articles 26, 39. See also U.S. Embassy- Banjul, *reporting, November 8, 2007*, para A. See also Government of the Gambia, *Trafficking in Persons Act*, (October 5, 2007), article 28.

<sup>1361</sup> Government of the Gambia, *Children's Act*, article 39(2). See also Government of the Gambia, *Trafficking in Persons Act*, article 56. See also ECPAT, *Report on the Status of Action*, 22.

<sup>1362</sup> U.S. Department of State, "Country Reports- 2007:

The Gambia," section 5. See also AllAfrica Global Media, "German National Convicted of Child Pornography", [allafrica.com](http://allafrica.com), [online], November 6, 2007 [cited December 6, 2007]; available from <http://allafrica.com/stories/printable/200711051261.html>.

<sup>1363</sup> Department of State official, E-mail communication to USDOL, February 27, 2008. See also U.S. Embassy- Banjul, *reporting, February 29, 2008*, para 2c, 4i.

<sup>1364</sup> U.S. Embassy- Banjul, *reporting, February 29, 2008*, para 4i. See also The Point Newspaper, "CPA Sensitizes Security Forces", [online], June 14, 2007 [cited February 26, 2008]; available from <http://www.thepoint.gm/youthf85.htm>.

<sup>1365</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>1366</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, 10-11.

<sup>1367</sup> U.S. Embassy- Banjul, *reporting, November 8, 2007*, section 4. See also AllAfrica Global Media, "New Law Criminalizes Human Trafficking".

<sup>1368</sup> Government of the Gambia, *2004-2008 National Policy for Children in The Gambia*, 2003, sections 4.64-4.68.

<sup>1369</sup> U.S. Embassy- Banjul, *reporting, November 30, 2007*, para D. See also U.S. Embassy- Banjul, *reporting, February 29, 2008*, para 4g.

<sup>1370</sup> U.S. Embassy- Banjul, *reporting, November 30, 2007*, para D. See also U.S. Department of State, "Trafficking in Persons Report- 2007: The Gambia."

<sup>1371</sup> U.S. Embassy- Banjul, *reporting, February 29, 2008*, para 3g. See also The Point Newspaper, "CPA Sensitizes Security Forces".

<sup>1372</sup> U.S. Embassy- Banjul, *reporting, February 29, 2008*, para 4b, h.

<sup>1373</sup> U.S. Embassy- Banjul, *reporting, November 30, 2007*, para d. See also U.S. Embassy- Banjul, *reporting, February 29, 2008*, para 3b.

# Georgia

## *Selected Statistics and Indicators on Child Labor<sup>1374</sup>*

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	94
Net primary enrollment rate (%), 2005:	87
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	79
ILO-IPEC participating country:	Associated
* Must pay for school supplies and related items	

### **Incidence and Nature of Child Labor**

Children in Georgia work in the streets, begging or selling small items.<sup>1375</sup> A 2007 study of street children by the NGO Save the Children indicates that the number of street children has significantly decreased compared with earlier estimates. The study found 700-800 children on the street in the entire country, with about half of them living in Tbilisi.<sup>1376</sup> Prostitution of boys and girls is a problem; however, no statistics are available.<sup>1377</sup> Trafficking of children rarely occurred, but street children and children living in orphanages were allegedly more vulnerable to the threat.<sup>1378</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for work at 16 years.<sup>1379</sup> However, children as young as 14 years may work with parental consent if the work does not damage the health of the minor or hinder their

studies. Children between 16 and 18 years are permitted to work 36 hours per week, while children 14 to 16 years may work only 24 hours per week.<sup>1380</sup> Children under 18 years are not permitted to work in heavy, harmful, or dangerous work, including underground work. Examples of harmful or dangerous work include mechanical engineering, metallurgy, and welding.<sup>1381</sup> Employment of children under 18 years is prohibited between the hours of 10 p.m. and 6 a.m. and during holidays.<sup>1382</sup> Minors are also banned from selling alcoholic beverages or tobacco; or magazines and newspapers containing pornographic materials; and from working in gambling institutions, night clubs, and bars.<sup>1383</sup>

Forced labor is prohibited in Georgia.<sup>1384</sup> The law provides that sexual contact with any person under 16 years is a crime, and states that any person involving children under 18 years in prostitution or other sexual depravity may be punished with imprisonment up to 3 years.<sup>1385</sup> The production, sale, distribution, or promotion of child pornography is punishable by a fine or by corrective labor or imprisonment of up to 3 years in length. The punishment for involving a minor in the production of pornographic material is up to 5 years imprisonment.<sup>1386</sup> The law prohibits trafficking in minors for sexual exploitation, forced labor, and other forms of exploitation. Punishment for these crimes is imprisonment from 8 years to life.<sup>1387</sup> The minimum age for entry into the armed forces is 18 years.<sup>1388</sup>

The Ministry of Health and Social Security's Department for Social Protection is responsible for labor-related issues and employs two office employees and one labor inspector nationwide. It responds primarily to job-related accidents and has not received a child labor-related complaint since 2006.<sup>1389</sup> The Permanent Anti-Trafficking Coordination Council is responsible for coordinating Government efforts against trafficking.<sup>1390</sup> In 2007, 16 alleged traffickers were prosecuted, resulting in 13 convictions, and sentences ranging from 8 to 26 years imprisonment. At the end of 2007, the courts opened 24 new trafficking investigations, one involving a minor.<sup>1391</sup>

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

The Government of Georgia continued to implement a National Plan of Action for Children (2003-2007), which included goals to assist street children and eliminate child labor and child sexual exploitation.<sup>1392</sup> The Ministry of Health and Social Affairs continued to operate two trafficking shelters in Batumi and Tbilisi, which were opened in 2006 and 2007 respectively.<sup>1393</sup>

In July 2007, the Government of Georgia's Permanent Anti-Trafficking Coordination Council approved a strategy for rehabilitating and reintegrating trafficking victims into society.<sup>1394</sup>

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<sup>1374</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Embassy- Tbilisi, *reporting*, December 6, 2007. See also U.S. Department of State, "Georgia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100560.htm>.

<sup>1375</sup> Government of Georgia, *National Plan of Action for Children 2003-2007 [Draft-English Edition]*, Tbilisi, 2003, 38.

<sup>1376</sup> U.S. Embassy- Tbilisi, Email communication to USDOL Official, July 24, 2008.

<sup>1377</sup> Government of Georgia, *National Plan of Action for Children 2003-2007 [Draft-English Edition]*, 38 and 41.

<sup>1378</sup> U.S. Department of State, "Country Reports- 2007: Georgia," section 5.

<sup>1379</sup> Government of Georgia et al., *Information on Child Labor Protection in Georgia*, Tbilisi, February 2, 2005, 1.

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See also U.S. Embassy- Tbilisi, *reporting*, December 6, 2007.

<sup>1380</sup> Government of Georgia, *National Plan of Action for Children 2003-2007 [Draft-English Edition]*, 40.

<sup>1381</sup> Government of Georgia et al., *Information on Child Labor Protection*, 2-3.

<sup>1382</sup> U.S. Embassy- Tbilisi, *reporting*, December 6, 2007.

<sup>1383</sup> Government of Georgia et al., *Information on Child Labor Protection*, 2-3.

<sup>1384</sup> U.S. Department of State, "Country Reports- 2007: Georgia," section 6c.

<sup>1385</sup> Government of Georgia, "Georgia," in *Legislation of Interpol Member States on Sexual Offences Against Children- Georgia, 2006*, accessed December 5, 2007; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaGeorgia.asp>.

<sup>1386</sup> U.S. Embassy- Tbilisi, *reporting*, December 6, 2007. See also U.S. Embassy- Tbilisi, Email communication, July 24, 2008.

<sup>1387</sup> U.S. Department of State, "Country Reports- 2007: Georgia," section 5.

<sup>1388</sup> Coalition to Stop the Use of Child Soldiers, "Georgia," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=901](http://www.child-soldiers.org/document_get.php?id=901).

<sup>1389</sup> U.S. Embassy- Tbilisi, *reporting*, December 6, 2007.

<sup>1390</sup> U.S. Department of State, "Georgia (Tier 1 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>1391</sup> U.S. Department of State, "Country Reports- 2007: Georgia," section 5.

<sup>1392</sup> Government of Georgia, *National Plan of Action for Children 2003-2007 [Draft-English Edition]*.

<sup>1393</sup> U.S. Department of State, "Country Reports- 2007: Georgia," section 5. See also U.S. Embassy- Tbilisi, Email communication, July 24, 2008.

<sup>1394</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Georgia."

## Ghana

### Incidence and Nature of Child Labor

In rural areas of Ghana, children work in commercial agriculture,<sup>1395</sup> including on cocoa farms.<sup>1396</sup> Children, including girls, are also engaged in quarrying and small-scale mining activities, including extraction, transportation, and

processing.<sup>1397</sup> The fishing industry on Lake Volta employs many children in hazardous work, such as deep sea diving and casting and drawing nets.<sup>1398</sup> Girls work in domestic service for fishermen in the Lake Volta area of Yeji.<sup>1399</sup> In urban centers, children work in the informal economy in such

activities as transportation, restaurant work, street vending, and petty trading.<sup>1400</sup> Many girls work as head porters (“kayaye”) in urban areas such as Accra, Kumasi, and Takoradi. These girls often live on the streets and are especially vulnerable to being exploited in prostitution.<sup>1401</sup> Children in Ghana are also engaged in commercial sexual exploitation, including in the tourist destinations of Elmina and Cape Coast.<sup>1402</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1403</sup>	
Working children, 5-14 years (%), 2000:	24.2
Working boys, 5-14 years (%), 2000:	24.5
Working girls, 5-14 years (%), 2000:	24
Working children by sector, 5-14 years (%), 2000:	
- Agriculture	71
- Manufacturing	5.8
- Services	22.6
- Other	0.6
Minimum age for work:	15
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	92
Net primary enrollment rate (%), 2006:	64
School attendance, children 5-14 years (%), 2000:	80
Survival rate to grade 5 (%), 2002:	63
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses.	

According to a 2002 study carried out by the International Institute of Tropical Agriculture in Ghana, Côte d’Ivoire, Cameroon, and Nigeria, the majority of children in the cocoa sector work alongside their families on farms owned by immediate or extended relatives.<sup>1404</sup> According to the IITA study, approximately one-third of children who live in cocoa-producing households have never attended school. Children working on cocoa farms are at risk of being involved in hazardous tasks, such as carrying heavy loads, spraying pesticides without protection, using machetes to clear undergrowth, and burning vegetation.<sup>1405</sup> In 2007, a pilot study carried out by the Government

of Ghana in 6 cocoa-growing districts substantiated many of the findings of the 2002 IITA study.<sup>1406</sup>

Some children are involved in *Trokosi*, a religious practice indigenous to the southern Volta region, which involves pledging children to atone for family members’ sins by assisting with prayers and the upkeep of religious shrines. During their period of atonement, which can last from a few months to 3 years, *Trokosis* may live near their shrines of service with members of their extended family.<sup>1407</sup> Opinions differ on whether *trokosi* constitutes forced or ritual servitude, which is banned under the law,<sup>1408</sup> but Ghana’s Ministry of Manpower, Youth, and Development and the Ghana Cocoa Board (COCOBOD) have stated that the *Trokosi* system does represent ritual servitude.<sup>1409</sup>

Ghana is a source, transit, and destination country for child trafficking for commercial sexual exploitation and forced labor.<sup>1410</sup> Ghanaian children are trafficked to Côte d’Ivoire, Togo, Nigeria, The Gambia, and Equatorial Guinea for labor exploitation.<sup>1411</sup> Children from Côte d’Ivoire, Togo, Benin, and Nigeria are trafficked to Ghana for forced labor in domestic service and commercial sexual exploitation.<sup>1412</sup> Children are also trafficked to Ghana from Burkina Faso.<sup>1413</sup>

The internal trafficking of children is also a problem. Within Ghana, children are trafficked for forced labor in fishing, agriculture, mining, quarrying, portering, street vending, truck pushing, domestic service, and commercial sexual exploitation.<sup>1414</sup> The IOM estimates that thousands of children have been trafficked internally to work in the fishing villages surrounding Lake Volta.<sup>1415</sup> The common cultural practice of “adoption,” whereby impoverished parents send their children to live with more affluent relatives and family friends, has contributed to the problem of child trafficking in Ghana.<sup>1416</sup>

### **Child Labor Laws and Enforcement**

Ghanaian law sets the minimum age for employment at 15 years, and at 13 years for light work. Light work is defined as work that is not harmful to the health or development of a child and does not affect the child’s attendance or ability

to benefit from school.<sup>1417</sup> The law stipulates that children 15 years and older, or children who have completed basic education, can work as apprentices if the craftsman provides food, training, and a safe and healthy work environment. Children under 18 years may not engage in night work between 8 p.m. and 6 a.m. The law prohibits persons under 18 years from engaging in hazardous labor, which includes work in mines or quarries; at sea; in bars, hotels, or places of entertainment; in manufacturing that involves chemicals; in places that operate machinery; or in any job that involves carrying heavy loads.<sup>1418</sup> Employers who violate any of the above provisions regulating children's employment, with the exception of those related to apprenticeships, are subject to a fine and/or 2 years of imprisonment. Employers who operate in the formal sector must keep a register with the dates of birth or apparent ages of the children they employ; failure to keep this register is punishable by a fine.<sup>1419</sup>

The law prohibits forced or bonded labor.<sup>1420</sup> Ritual servitude is illegal in Ghana and is punishable by 3 years of imprisonment.<sup>1421</sup> The law prohibits persons with custody, charge, or care of a child under 16 years from encouraging or causing that child to become involved in prostitution.<sup>1422</sup> It is a misdemeanor to procure females under 21 years, except "known prostitutes," for prostitution.<sup>1423</sup> Sexual relations with a girl under 14 years is against the law and is punishable by imprisonment of 1 to 10 years.<sup>1424</sup> The law also prohibits forced child prostitution.<sup>1425</sup> Ghanaian law contains specific provisions against trafficking in persons, providing another person for trafficking, and using a trafficked person. Each of these offenses carries a penalty of at least 5 years of imprisonment.<sup>1426</sup> The law mandates that police officers respond to all requests for assistance from trafficking and offer protection to persons who report cases of alleged trafficking, even if such a person is not the victim. The law provides for the rescue, temporary shelter and care, counseling, family tracing, and rehabilitation of victims of trafficking; it also establishes a Human Trafficking Fund to assist victims.<sup>1427</sup> The law also prohibits children from transporting illicit drugs.<sup>1428</sup> The minimum age for military recruitment is 18 years, and there is no conscription.<sup>1429</sup>

The Inspectorate of the Ministry of Manpower, Youth, and Employment (MMYE) is responsible for enforcing child labor laws and providing employers with information about child labor laws.<sup>1430</sup> District labor officers and other district officials are responsible for conducting annual workplace inspections and investigating allegations of violations. The Government received four cases of child labor violations in 2007, but made no prosecutions. Inspections were limited mainly to the formal sector, although most working children are found in the informal sector.<sup>1431</sup> According to the U.S. Department of State, enforcement of child labor laws in Ghana was inconsistent and ineffective.<sup>1432</sup>

The Ghana Police Service investigated eight cases of child trafficking between January and September of 2007.<sup>1433</sup> The Government's first conviction under the 2005 Human Trafficking Act was obtained in 2007.<sup>1434</sup> In another case, a father was sentenced to 10 years imprisonment for attempting to traffic his son out of the country. An investigation by Interpol is still ongoing in the case of a group of children who were trafficked to Guinea, in which one child died.<sup>1435</sup> In 2007, the Ministry of Women and Children issued a press statement indicating that the Government will be stepping up its efforts to enforce this trafficking law.<sup>1436</sup> The Domestic Violence Victim Support Unit of the police is responsible for enforcing anti-trafficking laws. The Ministry of Manpower, Youth, and Employment's Department of Social Welfare is responsible for providing assistance to trafficking victims.<sup>1437</sup>

Ghana was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, especially Women and Children in West and Central African Regions.<sup>1438</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>1439</sup>

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

According to Tulane University, the Governments of Ghana and Côte d'Ivoire have taken steps towards implementing agreements under the Harkin-Engel Protocol, by creating task forces and developing national action plans to combat exploitive child labor in the cocoa sector, and commencing child labor surveys in the cocoa sector.<sup>1440</sup> (For more information on the Harkin-Engel Protocol, please see the Glossary.) In addition, members of the Governments of Ghana and Côte d'Ivoire participate in the International Cocoa Verification Board (ICVB), which was created by Verité, Inc. in December 2007, with funding from the international cocoa industry, in order to strengthen remediation efforts, improve national surveys, and work towards verification. Plans for verification include two phases, the first verifying methodology and data of surveys and the second improving the linkage between information collected and efforts to remediate the worst forms of child labor in the cocoa sector.<sup>1441</sup>

The Government of Ghana included child labor as a problem to be addressed in its Growth and Poverty Reduction Strategy for 2006 through 2009 (GPRS II), indicating that priority will be given to special programs to combat the worst forms of child labor, including commercial sexual exploitation and child trafficking.<sup>1442</sup> The Government of Ghana, with assistance from ILO-IPEC, included child labor concerns in the National Social Protection Strategy (NSPS) that it developed in 2007 as part of GPRS II. The Livelihood Empowerment Against Poverty, a cash transfer program for families, is one component of the NSPS, and it includes child labor as one of the selection criteria for families to receive assistance.<sup>1443</sup> The Government's National Policy Guidelines on Orphans and Other Children Made Vulnerable by HIV/AIDS includes children engaged in the worst forms of child labor and street children as target groups.<sup>1444</sup>

The Government of Ghana continued to implement its 5-year National Program for the Elimination of the Worst Forms of Child Labor in the Cocoa Sector (NPECLC), which is a component of the Government of Ghana's National Timebound

Program for Eliminating the Worst Forms of Child Labor. The objective of the national cocoa sector program is to eliminate the worst forms of child labor in cocoa production by 2011 and contribute to the elimination of other worst forms of child labor by 2015.<sup>1445</sup> The program will scale-up the child labor monitoring system (CLMS) developed under the USDOL-funded West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labor (WACAP).<sup>1446</sup> The program is funded by the Government, cocoa industry partners, and multilateral and bilateral donors; implementation is overseen by the MMYE.<sup>1447</sup> As part of the NPECLC, the MMYE conducted a pilot survey of child labor in cocoa in six cocoa-growing districts of Ghana and released its report in April 2007.<sup>1448</sup>

In 2007, the Government, under NPECLC, worked to build the capacity of government officials and civil society on the issues of child labor, international laws, and child protection, particularly as they relate to the cocoa sector.<sup>1449</sup> District and community-level Child Protection Committees have been established and charged with developing child labor action plans, monitoring children, investigating cases of children engaged in child labor, and assisting in addressing such cases. The MMYE signed MOUs with 11 district assemblies to implement their actions plans for eliminating child labor in 2007. Also, Child Labor Desks have been set up at COCOBOD headquarters and regional offices to monitor the worst forms of child labor in cocoa and, with other partners, to intervene in such cases. In 2007, COCOBOD conducted awareness-raising campaigns in many cocoa-growing areas through weekly radio programs.<sup>1450</sup>

The Government continued to cooperate with a 3-year project to oversee the efforts of the international cocoa industry and the Governments of Ghana and Côte d'Ivoire to eliminate the worst forms of child labor in the cocoa sector, funded by USDOL at USD 4.3 million and implemented by Tulane University in partnership with the West African Health Organization (WAHO). In October 2007, Tulane submitted its first annual report to the U.S. Congress on the status of public and private efforts to implement agreements under the Harkin-Engel Protocol.<sup>1451</sup>

The Government continued to collaborate with ILO-IPEC on a 4-year, USDOL-funded USD 4.75 million Project of Support to the Ghana Timebound Program which establishes timeframes for progress toward the elimination of selected worst forms of child labor in Ghana. The project aims to withdraw 4,700 children and prevent 5,300 children from exploitive labor through the provision of educational services.<sup>1452</sup> The Government participated in the second phase of the regional anti-trafficking LUTRENA project through December 2007, implemented by ILO-IPEC in West and Central Africa, with activities in Ghana. The first phase of this project in Ghana was funded by USDOL; the second phase in Ghana was funded by the Danish International Development Agency.<sup>1453</sup> The Government of Ghana also participated in the Community Based Innovations to Combat Child Labor through Education (CIRCLE) global project, funded by USDOL at 8.1 million and USAID at USD 500,000 and implemented by Winrock International and various community-based organizations.<sup>1454</sup> The Government collaborated with ILO-IPEC on the implementation of several other child labor and education projects, including a USD 1.53 million regional project funded by Canada to provide skills training to urban youth.<sup>1455</sup> USAID, the World Cocoa Foundation, and the international cocoa industry fund the Sustainable Tree Crops Program in Ghana, a public-private partnership implemented by the International Institute for Tropical Agriculture that promotes a sustainable cocoa economy through various activities at the community and policy levels.<sup>1456</sup>

The Government carried out a national campaign to raise awareness on the 2005 Human Trafficking Act, and provided staff and in-kind support to the ILO and UNODC for trainings for law enforcement and other officials on trafficking.<sup>1457</sup> The Government continued to collaborate with IOM on the implementation of a trafficking project, funded by the U.S. Department of State and private donors, which works with fishermen, children, and parents to prevent and remove children from exploitive labor in fishing on Lake Volta, and to rehabilitate, return and reintegrate them into their communities.<sup>1458</sup> The Government, through the Department of Social Welfare, also provides staff and in-kind support to an IOM shelter in Medina

and operates two facilities in Accra for child trafficking victims.<sup>1459</sup>

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<sup>1395</sup> ILO-IPEC, *Support for the Implementation of Timebound Measures for the Elimination of the Worst Forms of Child Labor in Ghana*, Project Document, Geneva, September 3, 2004, 2 and 4.

<sup>1396</sup> Ministry of Manpower Youth and Employment and the Ghana Cocoa Board, *National Programme for the Elimination of the Worst Forms of Child Labour in the Cocoa Sector 2006-2011*, The Republic of Ghana, 2006, v, 9-11, 13. See also ILO-IPEC, *West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labour (WACAP)*, Project Document, Geneva, September 26, 2002.

<sup>1397</sup> ILO-IPEC, *Girls in Mining: Research Findings from Ghana, Niger, Peru, and the United Republic of Tanzania*, Geneva, 2007, 1-2; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=5304>.

<sup>1398</sup> Raggie Johansen, "Child Trafficking in Ghana", UNODC eNewsletter, [online], 2006; available from <http://www.unodc.org/newsletter/en/perspectives/0601/page002.html>. See also Afrol News, "Progress in Freeing Ghanaian Slave Boys", *afrol.com*, [online], March 5, 2003; available from [http://www.afrol.com/News2003/gha008\\_labour.htm](http://www.afrol.com/News2003/gha008_labour.htm).

<sup>1399</sup> U.S. Embassy- Accra, *reporting, December 15, 2006*, para 6E.

<sup>1400</sup> ILO-IPEC, *Ghana Timebound Project, Project Document*, 2. See also Ghana Statistical Service, *Ghana Child Labour Survey*, March 2003. See also U.S. Department of State, "Country Reports- 2007: Ghana," section 6d.

<sup>1401</sup> ILO-IPEC, *Girl Child Labour in Agriculture, Domestic Work and Sexual Exploitation: Rapid Assessments on the Cases of the Philippines, Ghana and Ecuador*, Geneva, 2004; available from

[http://www.ilo.org/iloroot/docstore/ipcec/prod/eng/gcl\\_vol1\\_2004.pdf](http://www.ilo.org/iloroot/docstore/ipcec/prod/eng/gcl_vol1_2004.pdf). See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Ghana (ratification: 2000)*, [online] 2006 [cited December 14, 2007]; available from <http://www.ilo.org/ilolex/english/iloquery.htm>. See also U.S. Department of State, "Country Reports- 2007: Ghana," section 5.

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<sup>1418</sup> *Ibid.*, article 98-99, 88, 91.

<sup>1419</sup> *Ibid.*, article 93-94. See also Government of Ghana, *Labour Act (Act 651)*, (2003), articles 60-61.

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<sup>1427</sup> *Ibid.*, sections 10, 14-22.

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<sup>1448</sup> Samuel Asuming-Brempong, Daniel B. Sarpong, Philip Amoo, and Asenso-Okyere, *Pilot Labour Survey in Cocoa Production in Ghana- 2006*, Briefing Document and 85,91,93-94,101,105,107-109.

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## Grenada

### *Selected Statistics and Indicators on Child Labor*<sup>1460</sup>

Gross primary enrollment rate (%), 2005:	94
Net primary enrollment rate (%), 2005:	85
Survival rate to grade 5 (%), 2002:	79

#### **Incidence and Nature of Child Labor**

No changes have been recorded since the last reporting period regarding the incidence and nature of child labor in Grenada.\*

#### **Child Labor Laws and Enforcement**

No changes have been recorded since the last reporting period regarding child labor laws and enforcement in Grenada.\*

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

Research has not identified any policies or programs by the Government of Grenada to address exploitive child labor.

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories

should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

<sup>1460</sup> For statistical data not cited here, see the Data Sources and Definitions section.

## Guatemala

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1461</sup>	
Working children, 7-14 years (%), 2003:	21.1
Working boys, 7-14 years (%), 2003:	26.2
Working girls, 7-14 years (%), 2003:	16
Working children by sector, 7-14 years (%), 2003:	
- Agriculture	62.3
- Manufacturing	11.4
- Services	24.2
- Other	2
Minimum age for work:	14
Compulsory education age:	11
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	113
Net primary enrollment rate (%), 2005:	94
School attendance, children 7-14 years (%), 2003:	73.6
Survival rate to grade 5 (%), 2004:	68
ILO-IPEC participating country:	Yes

### Incidence and Nature of Child Labor

In Guatemala, the majority of working children are of indigenous heritage and from rural areas.<sup>1462</sup> Children work mostly in the informal sector and in small family enterprises. Working children are found primarily in the agricultural, fishing, hunting, and forestry industry sectors, followed by restaurants, hotels, and trade. To a lesser extent, children work in manufacturing and providing community, social, and personal services.<sup>1463</sup> In rural and indigenous communities, children work to supplement the family income. Children reportedly work in flower production, food processing, and handling fresh produce.<sup>1464</sup> Children can also be found working in mining,

pyrotechnics, domestic labor, and performing deepwater work.<sup>1465</sup>

Trafficking and commercial sexual exploitation of children are problems in Guatemala. In border areas, child migrants are vulnerable to forced prostitution.<sup>1466</sup> Children in border areas with Mexico are also at risk for forced labor and begging. Children are trafficked into begging rings in Guatemala City.<sup>1467</sup>

### Child Labor Laws and Enforcement

The Constitution and the Labor Code set the minimum age for employment at 14 years.<sup>1468</sup> In some exceptional cases, the Labor Inspectorate can issue work permits to children under 14 years, provided that the work is related to an apprenticeship, is light and of short duration and intensity, is necessary because of extreme poverty of the child's family, and does not interfere with the child's ability to meet compulsory education requirements.<sup>1469</sup> Minors aged 14 to 17 are prohibited from working at night, working overtime, performing unhealthy and dangerous tasks, or working in bars or other establishments where alcoholic beverages are served.<sup>1470</sup> The workday for minors less than 14 years is limited to 6 hours per day or 36 hours per week. Minors 14 to 17 years may work a maximum of 7 hours per day or 42 hours per week.<sup>1471</sup> A 2006 governmental agreement identified the worst forms of child labor in Guatemala, established sanctions for violations, and called for inter-institutional coordination to combat the problem.<sup>1472</sup>

The law prohibits child pornography and prostitution. Procuring and inducing a minor to engage in prostitution are crimes that can result in fines and 2 to 6 years of imprisonment; the penalty increases by two-thirds from 3.3 to 10 years imprisonment if the victim is younger than 12 years.<sup>1473</sup> Guatemalan law prohibits forced or

compulsory labor.<sup>1474</sup> Trafficking is prohibited, with penalties of 6 to 12 years of incarceration. Punishments are increased by one-third from 8 to 16 years if the victim is a minor.<sup>1475</sup> Legislation adopted as part of the Peace Accords protects children under 18 years from military recruitment and deployment into armed conflicts.<sup>1476</sup>

The Ministry of Labor's Child Workers Protection Unit is responsible for enforcing child labor regulations as well as educating children, parents, and employers regarding the labor rights of minors.<sup>1477</sup> Out of a total of 245 labor inspectors, the Labor Inspectorate has five specialized child labor inspectors. The Labor Inspectorate conducted 295 inspections involving child labor during 2007. The inspections identified 3,393 adolescents ages 14 to 17 years working illegally, and resulted in 42 complaints filed against employers.<sup>1478</sup> In March 2007, a settlement was negotiated between an NGO and a food processing company, which benefited 24 child workers with payment of outstanding wages, school placement, removal from the job, and the guarantee of a position once they reach the age of 18.<sup>1479</sup> In 2007, the Labor Inspectorate granted 36 work permits for children under 14 years of age.<sup>1480</sup>

An Inter-Agency Commission to Combat Trafficking in Persons and Related Crimes has been established to coordinate initiatives in combating trafficking. The Commission is headed by the Vice Minister of Foreign Affairs and includes Government, NGO, and international organization representatives.<sup>1481</sup> The Public Ministry, which operates the Office of Special Prosecutor for Crimes against Women, Children and Victims of Trafficking, received 32 TIP-related cases, of which 28 remain under investigation, and no convictions have been secured.<sup>1482</sup> USDOS reports increased governmental attention to rescuing minors from commercial sexual exploitation in bars, brothels, and other establishments.<sup>1483</sup> However, it also reports that some local officials reportedly compromised police investigations and raids of brothels by taking bribes.<sup>1484</sup>

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

The Government of Guatemala, through its National Commission for the Elimination of Child

Labor, is implementing the National Plan for the Prevention and Eradication of Child Labor and the Protection of the Adolescent Worker.<sup>1485</sup> Government agencies and NGOs, under the coordination of the Secretariat of Social Welfare of the Presidency, are implementing the National Plan of Action against the Commercial Sexual Exploitation of Children and Adolescents in Guatemala.<sup>1486</sup> The Secretariat executes the Program Against Commercial Sexual Exploitation, which focuses on prevention, eradication, awareness raising, the promotion of public policy, and legislation on the issue.<sup>1487</sup>

During 2007, the Government trained officials of the Child Workers Protection Unit and the Special Unit of Labor Inspections on how to handle child labor cases. Labor inspectors nationwide received training on the protocol for attending to the adolescent worker.<sup>1488</sup> The Government continued running seven shelters for trafficking victims, and also referred victims to NGOs to receive services. Three hundred children were rescued and transferred to NGOs.<sup>1489</sup> The Guatemala City municipal government offers free meals and scholarships to families with former child workers in the gravel, coffee, broccoli, and fireworks industries.<sup>1490</sup>

The Government also participates in regional projects funded by USDOL. These include a USD 8.8 million regional project implemented by ILO-IPEC that seeks to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region. The project includes activities to remove and prevent children from exploitive work, as well as awareness raising, institutional capacity building, and regional and national coordination in Guatemala.<sup>1491</sup> Additionally, the Government is part of the 4-year USDOL-funded USD 5.7 million regional project, the Child Labor Education Initiative, implemented by CARE to strengthen the Government and civil society's capacity to combat child labor through education, and withdraw or prevent 2,984 children from exploitive child labor.<sup>1492</sup> Guatemala also participates in a 460,000 Euros ILO-IPEC global program funded by the Netherlands to combat child domestic work.<sup>1493</sup>

<sup>1461</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Guatemala, *Constitution*, (May 31, 1985, reformed November 17, 1993), article 102; available from <http://www.georgetown.edu/pdba/Constitutions/Guatemala/guate93.html>. See also U.S. Department of State, "Guatemala," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100641.htm>.

<sup>1462</sup> Ministry of Labor and Social Security, *Plan Nacional para la Prevención y Erradicación del Trabajo Infantil y Protección a la Adolescencia Trabajadora, Guatemala*, 2001, 6-7; available from [http://www.oit.org.pe/ipec/documentos/plan\\_eti\\_gt.pdf](http://www.oit.org.pe/ipec/documentos/plan_eti_gt.pdf).

<sup>1463</sup> ILO-IPEC, *Summary of the Results of the Child Labour Survey in Guatemala*, 2004, 4,5; available from [http://white.oit.org.pe/ipec/documentos/gua\\_summary.pdf](http://white.oit.org.pe/ipec/documentos/gua_summary.pdf).

<sup>1464</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 6d.

<sup>1465</sup> Government of Guatemala, *Informe al Departamento de Trabajo de los Estados Unidos*, submitted in response to U.S. Department of Labor Federal Register Notice (2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, 2007.

<sup>1466</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 5.

<sup>1467</sup> U.S. Department of State, "Guatemala (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 5, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Country Reports- 2007: Guatemala," section 6d.

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<sup>1469</sup> Government of Guatemala, *Código de Trabajo*, article 150.

<sup>1470</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 6d. See also *Código de Trabajo de la República de Guatemala*, 1996, 148.

<sup>1471</sup> Government of Guatemala, *Código de Trabajo*, article 149,116.

<sup>1472</sup> Government of Guatemala, *Acuerdo gubernativo 250-2006*; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=es&p\\_country=GT](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=es&p_country=GT)

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<sup>1473</sup> Government of Guatemala, *Código Penal*, Articles 188-189; available from [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).

<sup>1474</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 6c.

<sup>1475</sup> Government of Guatemala, *Decreto núm. 14-2005 por el que se reforma el Artículo 194 del Código Penal (Trata de Personas)*. available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_isn=74634](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=74634).

<sup>1476</sup> Coalition to Stop the Use of Child Soldiers, "Guatemala," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=827](http://www.child-soldiers.org/document_get.php?id=827).

<sup>1477</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 6d.

<sup>1478</sup> U.S. Embassy - Guatemala City, *reporting*, January 30, 2008.

<sup>1479</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 6d.

<sup>1480</sup> U.S. Embassy - Guatemala City, *reporting, January 30, 2008*.

<sup>1481</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 5.

<sup>1482</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Guatemala."

<sup>1483</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 5.

<sup>1484</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Guatemala."

<sup>1485</sup> ILO, *Ficha País:Guatemala*, [online] 2007 [cited December 7, 2007]; available from [http://www.oit.org.pe/ipec/documentos/ficha\\_pais\\_gua.pdf](http://www.oit.org.pe/ipec/documentos/ficha_pais_gua.pdf). See also Ministry of Labor and Social Security, *Plan Nacional para la Prevención y Erradicación del Trabajo Infantil*.

<sup>1486</sup> ECPAT International CSEC Database, *Guatemala*, accessed December 7, 2007; available from <http://www.ecpat.net/>.

<sup>1487</sup> Secretariat of Social Welfare of the Presidency, *Programa contra la Explotación Sexual Comercial*, [online] 2007 [cited December 7, 2007]; available from <http://www.sbs.gob.gt/4-programas-6-centro-3.html>.

<sup>1488</sup> U.S. Embassy- Guatemala City, *reporting*, January 30, 2008.

<sup>1489</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Guatemala."

<sup>1490</sup> U.S. Department of State, "Country Reports- 2007: Guatemala," section 6d.

<sup>1491</sup> ILO-IPEC, "Stop the Exploitation" ("Alto a la explotación") *Contribution to the Prevention and Elimination*

of *Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, RLA/02/P51-05/52/USA, San Jose, 2002, 2005, 1 and 63. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, Geneva, September 2005, 1 and 22.

<sup>1492</sup> CARE International, *Primero Aprendo Project*:

*Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, April 19, 2007, 1-2. See also CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, September 29, 2006.

<sup>1493</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

## Guinea

### *Selected Statistics and Indicators on Child Labor*<sup>1494</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	12
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	86
Net primary enrollment rate (%), 2005:	69
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	76
ILO-IPEC participating country:	Yes
* Must pay miscellaneous school expenses.	

### **Incidence and Nature of Child Labor**

The majority of working children in Guinea are found in agriculture and domestic work. Children work in subsistence farming, herding, and fishing.<sup>1495</sup> Girls as young as 5 perform domestic labor in urban areas, and some report beatings, sexual exploitation, carrying heavy loads, and not being paid for the work they perform.<sup>1496</sup> The practice of sending boys to Koranic teachers to receive education is a tradition in various countries,

including Guinea.<sup>1497</sup> Some of these children end up working in agriculture and animal husbandry,<sup>1498</sup> while others perform domestic activities, sell water or shine shoes on the streets in exchange for school instruction and room and board from Koranic teachers. Children are also found in the informal sector, carrying out activities such as small-scale commerce, transportation, and mining.<sup>1499</sup>

In Upper and Lower Guinea, many children work in gold and diamond mines and quarries breaking granite, extracting gravel, transporting material, and selling water and other items. More boys than girls work in the mines, though girls also push water through sieves.<sup>1500</sup> Many of the children work between 12 to 18 hours per day and do not wear protective gear. Children working in mines and quarries suffer accidents and illness, including respiratory and dermatological conditions.<sup>1501</sup>

Guinea is a source, transit, and destination country for trafficking in children. Children are trafficked internally, largely from Upper and Middle Guinea, and to Conakry.<sup>1502</sup> Boys are trafficked for forced labor as street vendors, beggars, shoe shiners, miners and for agricultural work; and girls are trafficked for forced domestic labor and sexual exploitation. Girls trafficked to Guinea come from Nigeria, Ghana, Mali, Burkina Faso, Liberia, Senegal, and Guinea-Bissau.<sup>1503</sup> Some Guinean children are trafficked to Sierra Leone for work in diamond mines and for domestic work.<sup>1504</sup>

## Child Labor Laws and Enforcement

The minimum age for admission to work is 16 years. Children under the age of 16 can work with consent from authorities. The law sets the minimum age for apprenticeship at 14 years, though the age for apprenticeship can be reduced to 12 years with approval by a labor inspector for certain activities such as agriculture.<sup>1505</sup> Workers less than 18 years are not permitted to work at night or for more than 10 consecutive hours per day.<sup>1506</sup>

The law prohibits forced or bonded labor as well as hazardous work for children less than 18 years. Children are also prohibited from working in unhealthy or dangerous establishments. Violations of these laws are punishable by fines and sentences of 8 days to 2 months in prison.<sup>1507</sup> The official age for voluntary recruitment or conscription into the armed forces is 18 years.<sup>1508</sup>

Trafficking in persons is prohibited by law, as is procurement or solicitation for the purposes of prostitution. Violation of the procurement or solicitation law can result in 2 to 5 years imprisonment when the crime involves a minor less than 18 years. The penalty for labor trafficking of children and adults is 5 to 10 years of imprisonment and the confiscation of money or property received through trafficking activities.<sup>1509</sup>

Guinea was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>1510</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>1511</sup>

The Government has created a police squad to investigate child protection, child trafficking, and other crimes. While they are understaffed, the police squad has been able to bring cases to court.<sup>1512</sup> The Committee to Combat Trafficking in Persons was also able to bring trafficking cases to court. In January 2007, the Government arrested

and sent a man to prison for attempting to sell his 5-year old daughter. In July of the same year, the Government arrested and charged four women for attempting to traffic 10 children into Sierra Leone.<sup>1513</sup>

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

In June 2007, the Government participated in the commencement of a nationwide network to combat child trafficking, entitled the Constitutive Assembly of the NGO Coalition to Combat Trafficking in Persons.<sup>1514</sup> The Government of Guinea also continued to work with NGOs to place trafficked children in foster homes<sup>1515</sup> and participates in IOM's program for the return and reintegration of children being trafficked into and out of Guinea.<sup>1516</sup> The Government also continued to support a 24-hour victim's hotline.<sup>1517</sup>

The Government continued its awareness-raising activities with UNICEF, including a national media campaign to combat trafficking.<sup>1518</sup> In 2007, the Government integrated trafficking issues into its primary school curriculum.<sup>1519</sup>

The Government of Guinea takes part in a 4-year USDOL-funded USD 4.4 million child labor education initiative, targeting 1,200 children for withdrawal and 3,600 children for prevention from exploitive labor.<sup>1520</sup> The Government also participated in a regional ILO-IPEC project funded by Denmark at USD 325,378 that ended in December 2007, which focused on combating child trafficking for labor exploitation.<sup>1521</sup> The Ministry of Labor and ILO have also created an inspection circular for child labor on plantations to provide personnel with instruction on how to monitor child labor activities.<sup>1522</sup> The Government also participates in a project funded by USAID in Guinea that sensitizes families throughout 15 villages about child traffickers.<sup>1523</sup>

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<sup>1494</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Guinea, *Code du travail de la République de Guinée*, (1988), article 5. See also UNESCO, *EFA Global Monitoring Report 2008: Education for All by 2015 Will We*

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*Make it?*, France, 2007, 282; available from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=49591&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=49591&URL_DO=DO_TOPIC&URL_SECTION=201.html). See also U.S. Department of State, "Guinea," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/c25283.htm>.

<sup>1495</sup> U.S. Department of State, "Country Reports- 2007: Guinea," section 6d. See also ILO, *Etude de Base sur le Travail de Enfants en Guinee, Rapport d'analyse des resultats* Conakry, October 2006, 40-41. See also Republic of Guinea and UNICEF, *Etude sur les "Enfants Travaillant dans les Mines et Carrieres"*, Conakry, 2006, 41. See also Action Against the Exploitation of Children and Women, *Etude sur le trafic et travail domestique des enfant en Guinee*, Anti Slavery International, Conakry, November, 2005, 26; available from [http://www.crin.org/docs/ACEEF\\_Trafic\\_Enfants\\_Guinee.doc](http://www.crin.org/docs/ACEEF_Trafic_Enfants_Guinee.doc).

<sup>1496</sup> Human Rights Watch, *Bottom of the Ladder: Exploitation and Abuse of Girl Domestic Workers*, New York, June 2007, 27; available from <http://hrw.org/reports/2007/guinea0607/>. See also Human Rights Watch, *Legal, Policy and Programmatic Responses to Protect Child Domestic Workers*, [online] 2006 [cited December 5, 2007]; available from <http://hrw.org/reports/2007/guinea0607/10.htm>. See also Action Against the Exploitation of Children and Women, *Etude sur le trafic et travail domestique*, 24 and 27. See also ILO, *Rapport d'analyse des resultats*, 40-42.

<sup>1497</sup> Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>1498</sup> Save the Children- US official, E-mail communication to USDOL official, April 9, 2008.

<sup>1499</sup> U.S. Department of State, "Country Reports- 2007: Guinea," section 6d. See also ILO, *Rapport d'analyse des resultats*, 40-41. See also Republic of Guinea and UNICEF, *Etude sur les "Enfants Travaillant dans les Mines et Carrieres"*, 41. See also Action Against the Exploitation of Children and Women, *Etude sur le trafic et travail domestique*, 26.

<sup>1500</sup> Republic of Guinea and UNICEF, *Etude sur les "Enfants Travaillant dans les Mines et Carrieres"*, 2, 16-19, 23, 26, and 31.

<sup>1501</sup> *Ibid.*

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<sup>1502</sup> U.S. Department of State, "Guinea (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Embassy- Conakry, *reporting*, February 29, 2008, para 2.a.

<sup>1503</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Guinea." See also U.S. Embassy- Conakry, *reporting*, February 29, 2008, para 2.a.

<sup>1504</sup> U.S. Department of State, "Country Reports- 2007: Guinea," section 5.

<sup>1505</sup> Government of Guinea, *Code du travail*, 1988, articles 5 and 31. See also ILO Committee of Experts, *Direct Request Minimum Age Convention, 1973 (No.138) Guinea (ratification: 2003)* [online] 2007 [cited December 3, 2007], articles 6 and 7; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>1506</sup> Government of Guinea, *Code du travail*, 1988, articles 145 and 148.

<sup>1507</sup> *Ibid.*, articles 2, 186, 187, and 205.

<sup>1508</sup> Coalition to Stop the Use of Child Soldiers, "Child Soldiers Global Report 2004," London, 2004; available from <http://www.child-soldiers.org/home>.

<sup>1509</sup> Government of Guinea, *Penal Code*; available from <http://www.protectionproject.org> [hard copy on file].

<sup>1510</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2006, 2.

<sup>1511</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *LUTRENA, Technical Progress Report*, 10-11.

<sup>1512</sup> Human Rights Watch, *Legal, Policy and Programmatic Responses*. See also Human Rights Watch, *Exploitation and Abuse of Girl Domestic Workers*, 99.

<sup>1513</sup> U.S. Department of State, "Country Reports- 2007: Guinea," section 5.

<sup>1514</sup> U.S. Embassy- Conakry, *reporting*, July 20, 2007, para 5.

<sup>1515</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Guinea."

<sup>1516</sup> Human Rights Watch, *Legal, Policy and Programmatic Responses*.

<sup>1517</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Guinea."

<sup>1518</sup> *Ibid.*

<sup>1519</sup> *Ibid.*

<sup>1520</sup> Save the Children- U.S., *Combating Child Labor and Exploitation in Guinea (CCLEE)*, Project Document,

Westport, November 6, 2006, 1 and 14.

<sup>1521</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, February 27, 2008.

<sup>1522</sup> Human Rights Watch, *Legal, Policy and Programmatic Responses*.

<sup>1523</sup> U.S. Embassy- Bamako, *reporting*, December 3, 2007, para 8.

## Guinea-Bissau

<i>Selected Statistics and Indicators on Child Labor<sup>1524</sup></i>	
Working children, 5-14 years (%), 2000:	64.2
Working boys, 5-14 years (%), 2000:	64.4
Working girls, 5-14 years (%), 2000:	64.0
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	Not Compulsory
Free public education:	Yes*
Gross primary enrollment rate (%), 2001:	70
Net primary enrollment rate (%), 2001:	45
School attendance, children 5-14 years (%), 2000:	37.3
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
*Must pay for miscellaneous school expenses	

### Incidence and Nature of Child Labor

Children in Guinea-Bissau primarily work in the informal sector.<sup>1525</sup> In urban areas, many children work as street vendors.<sup>1526</sup> Children also work as shoe shiners and car washers. Many serve as trade apprentices in workshops where they may perform hazardous work, such as that involving metallurgy, mechanics, or carpentry.<sup>1527</sup> Some children, including orphans, live with other families as unpaid domestic servants.<sup>1528</sup> In rural areas, children perform unpaid farming and cattle

herding.<sup>1529</sup> For four months each year, during the annual cashew harvest, some children are partially or completely withdrawn from school to work in the fields.<sup>1530</sup>

Girls are sometimes exploited as prostitutes in Guinea-Bissau, but the extent of this problem is unknown.<sup>1531</sup> Children, primarily boys, are trafficked for begging and agricultural labor. Most come from the Bafata and Gabu regions and are trafficked to Senegal; some are sent to other locations such as Mali and Guinea.<sup>1532</sup> The practice of sending boys to Koranic teachers to receive education is a tradition in various countries, including Guinea-Bissau; more recently children under this custom have been sent further away, including to foreign nations. While some boys receive lessons; many are forced to beg by their teachers for money and food. Each child must present to the teacher an established amount and are often subject to beaten if they fail to do so. Children may also be forced to shine shoes or perform agricultural work on teacher's plantations.<sup>1533</sup> Children from neighboring Guinea are also trafficked to Guinea-Bissau and forced to work in exploitive conditions by Koranic teachers.<sup>1534</sup>

### Child Labor Laws and Enforcement

The minimum age for employment is set at 14 years. For heavy or dangerous labor, including work in mines, the minimum age is 18 years.<sup>1535</sup> Working minors may not work overtime and must have fulfilled the compulsory education requirements, except in areas where no schools are available. Fines are established for violations of Labor Code provisions involving children.<sup>1536</sup> However, the Code applies only to certain kinds of work that involve wage payments and does not

apply to many types of work performed by children, such as domestic and agricultural work.<sup>1537</sup>

Forced child labor is prohibited.<sup>1538</sup> Prostitution is illegal, as is the use of violence, threats, or other coercive actions to transport victims to foreign countries.<sup>1539</sup> Laws against kidnapping and removal of minors, sexual exploitation, and abuse may be used to prosecute trafficking cases.<sup>1540</sup> Kidnapping of children is punishable by 2 to 10 years imprisonment.<sup>1541</sup> To prevent trafficking, the law requires that persons traveling with children outside of the country submit their personal identification documents as well as the identification documents of the children's parents or of the children.<sup>1542</sup> The compulsory recruitment age is 18 years; however, boys under 16 years may volunteer for the armed forces with the consent of their parents or tutors.<sup>1543</sup>

According to USDOS, although minimum age requirements are generally respected in the formal sector, these requirements were not enforced by the Ministries of Justice or Civil Service and Labor in the informal sector.<sup>1544</sup> Child labor violations are not prosecuted in courts, as there is a general lack of awareness regarding relevant laws. Perpetrators often flee before court hearings and the families of many victims believe that they will incur related financial costs, although the Public Prosecution Service may provide a lawyer at no cost for those who cannot afford one.<sup>1545</sup> The Ministry of Interior has an inspector responsible for crimes against children who coordinates law enforcement efforts on trafficking.<sup>1546</sup> The Government does not actively investigate trafficking cases and there have been no trafficking prosecutions, but police have detained suspected traffickers and assisted victims. The Government, through local law enforcement, deter child trafficking by punishing parents who turn their children over to traffickers. Parents who allow their children to be trafficked are subject to imprisonment and the Government has sentenced one parent to jail.<sup>1547</sup> USDOS reports that deference to religious teachers and lack of resources negatively affects the enforcement of laws regarding child trafficking.<sup>1548</sup>

Guinea-Bissau was 1 of 24 countries to adopt the Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action

against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>1549</sup> As part of the Multilateral Cooperative Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>1550</sup>

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

During the reporting period, the Government made efforts to repatriate over 60 children trafficked to Senegal.<sup>1551</sup> The Government of Guinea-Bissau, including its embassy in Senegal, cooperates with Senegalese authorities, NGOs, and international organizations to repatriate trafficking victims from Senegal, provide them with assistance, and raise awareness about trafficking.<sup>1552</sup> Ministry and local government officials, including police officials and judges, have participated in public anti-trafficking awareness efforts.<sup>1553</sup> Such efforts have focused on Muslim communities that are often the source for trafficked children.<sup>1554</sup> The Government also provides funding to a local NGO whose efforts include awareness raising, victim assistance, managing a shelter for trafficking victims, and establishing Koranic study in villages to discourage parents from sending children to study in cities.<sup>1555</sup>

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<sup>1524</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see General Labor Inspectorate official, Interview with USDOL consultant, May 26, 2006, para 137. See also U.S. Department of State, "Guinea-Bissau," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100486.htm>. See also Ministry of Education official, Interview with USDOL consultant, June 14, 2006. See also Cooperation and Development official, Interview with USDOL consultant, June 12, 2006.

<sup>1525</sup> General Labor Inspectorate official, Interview, May 26, 2006. See also Chamber of Commerce, Industry, and Agriculture official, Interview with USDOL consultant, June 7, 2006. See also U.S. Embassy- Dakar, *reporting*,

September 28, 2007, para 4b.

<sup>1526</sup> African Young Workers and Children Movement representative, Interview with USDOL consultant, May 24, 2006. See also Network of Young Educators official, Interview with USDOL consultant, May 25, 2006. See also Independent consultant on child labor, Interview with USDOL consultant, June 5, 2006.

<sup>1527</sup> African Young Workers and Children Movement representative, Interview, May 24, 2006. See also Network of Young Educators official, Interview, May 25, 2006. See also Cooperation and Development official, Interview, June 12, 2006.

<sup>1528</sup> African Young Workers and Children Movement representative, Interview, May 24, 2006. See also Cooperation and Development official, Interview, June 12, 2006.

<sup>1529</sup> Independent consultant on child labor, Interview, June 5, 2006. See also Cooperation and Development official, Interview, June 12, 2006. See also Guinea-Bissau PLAN International official, Interview with USDOL consultant, June 13, 2006. See also U.S. Department of State, "Country Reports- 2007: Guinea-Bissau," section 6d.

<sup>1530</sup> Association for Children's Rights official, Interview with USDOL consultant, June 6, 2006. See also Cooperation and Development official, Interview, June 12, 2006. See also Guinea-Bissau PLAN International official, Interview, June 13, 2006. See also Ministry of Education official, Interview, June 14, 2006. See also U.S. Department of State, "Country Reports- 2007: Guinea-Bissau," section 6d.

<sup>1531</sup> General Labor Inspectorate official, Interview, May 26, 2006. See also Independent consultant on child labor, Interview, June 5, 2006. See also Association of Friends of Children official, Interview with USDOL consultant, June 6, 2006. See also U.S. Department of State, "Country Reports- 2007: Guinea-Bissau," section 5.

<sup>1532</sup> U.S. Embassy - Dakar, *reporting*, February 21, 2008, para 27a. See also U.S. Department of State, "Guinea-Bissau (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also Integrated Regional Information Networks, "On the Child Trafficking Route", IRINnews.org, [online], November 23, 2007 [cited November 23, 2007]; available from <http://www.irinnews.org/report.aspx?ReportID=75485>.

<sup>1533</sup> U.S. Embassy - Dakar, *reporting*, February 28, 2007, para 27a. See also UNICEF, *Under the Facade of Religious Study, Children Fall Victim to Trafficking*, July 9, 2007; available from [http://www.unicef.org/infobycountry/guineabissau\\_40282.html](http://www.unicef.org/infobycountry/guineabissau_40282.html). See also Integrated Regional Information Networks, "Coming Home from the Street", IRINnews.org, [online], November 30, 2007 [cited

December 2, 2007]; available from <http://www.irinnews.org/report.aspx?ReportID=75485>. See also Integrated Regional Information Networks, "On the Child Trafficking Route". See also Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>1534</sup> Independent consultant on child labor, Interview, June 5, 2006. See also Cooperation and Development official, Interview, June 12, 2006. See also Guinea-Bissau PLAN International official, Interview, June 13, 2006.

<sup>1535</sup> General Labor Inspectorate official, Interview, May 26, 2006. See also U.S. Department of State, "Country Reports- 2007: Guinea-Bissau," section 6d.

<sup>1536</sup> General Labor Inspectorate official, Interview, May 26, 2006. See also ILO official, Interview with USDOL consultant, May 26, 2006.

<sup>1537</sup> General Labor Inspectorate official, Interview, May 26, 2006. See also Chamber of Commerce, Industry, and Agriculture official, Interview, June 7, 2006.

<sup>1538</sup> U.S. Department of State, "Country Reports- 2007: Guinea-Bissau," section 6c.

<sup>1539</sup> U.S. Embassy - Dakar, *reporting*, February 28, 2007, para 29a.

<sup>1540</sup> Ibid.

<sup>1541</sup> U.S. Embassy - Dakar, *reporting*, February 21, 2008, para 28b.

<sup>1542</sup> UN Committee on the Rights of the Child, *Initial Reports of State Parties due in 1992*, prepared by Government of Guinea-Bissau, pursuant to Article 44 of the Convention on the Rights of the Child, July 26, 2001, para 176; available from <http://tb.ohchr.org/default.aspx?country=gw>.

<sup>1543</sup> Ibid., para 137. See also Coalition to Stop the Use of Child Soldiers, "Guinea-Bissau," in *Child Soldiers Global Report 2004*, London, January 26, 2004; available from [http://www.child-soldiers.org/library/global-reports?root\\_id=159&directory\\_id=165](http://www.child-soldiers.org/library/global-reports?root_id=159&directory_id=165).

<sup>1544</sup> U.S. Department of State, "Country Reports- 2007: Guinea-Bissau," section 6d.

<sup>1545</sup> Network of Young Educators official, Interview, May 25, 2006. See also Child Guardianship official, Interview with USDOL consultant, May 30, 2006.

<sup>1546</sup> U.S. Embassy - Dakar, *reporting*, February 21, 2008, para 30b.

<sup>1547</sup> Ibid., para 28f and 28h. See also U.S. Department of State, "Country Reports- 2007: Guinea-Bissau," section 5.

<sup>1548</sup> U.S. Embassy - Dakar, *reporting, February 21, 2008*, para 29a. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Guinea Bissau."

<sup>1549</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, technical progress report, Washington, DC, September 1, 2006, 2.

<sup>1550</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, *Technical progress Report*, 10-

11.

<sup>1551</sup> U.S. Embassy - Dakar, *reporting, February 21, 2008*, para 27a.

<sup>1552</sup> *Ibid.*, para 27a, 27b and 29j. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Guinea Bissau."

<sup>1553</sup> UNICEF, *Under the Facade of Religious Study*. See also Integrated Regional Information Networks, "On the Child Trafficking Route". See also U.S. Embassy - Dakar, *reporting, February 21, 2008*, para 27e, 30b.

<sup>1554</sup> U.S. Embassy - Dakar, *reporting, February 21, 2008*, para 30b.

<sup>1555</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Guinea Bissau." See also U.S. Embassy - Dakar, *reporting, February 21, 2008*, para 29a, 29c, 30b.

## Guyana

### *Selected Statistics and Indicators on Child Labor*<sup>1556</sup>

Working children, 5-14 years (%), 2000:	26.3
Working boys, 5-14 years (%), 2000:	28.7
Working girls, 5-14 years (%), 2000:	23.9
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	124
Net primary enrollment rate (%), 2002:	93
School attendance, children 5-14 years (%), 2000:	95.8
Survival rate to grade 5 (%), 2001:	64
ILO-IPEC participating country:	Associated

### **Incidence and Nature of Child Labor**

Children in Guyana work as porters, domestic servants, street vendors, and wait staff in bars and restaurants. Some are found working in sawmills and markets.<sup>1557</sup> The work done in sawmills includes fetching sawdust, cutting timber, and operating machinery used to shape logs, while the work done in markets mainly consists of selling goods. Children are known to work in mining and the illicit drug trade.<sup>1558</sup> There are reports of sexual exploitation of children in Guyana, including prostitution.<sup>1559</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 15 years for most sectors, such as mining, manufacturing, construction, utilities, sanitation, transportation, and commercial agriculture. The minimum age does not apply to work done for the purpose of family business.<sup>1560</sup> Children at least 14 years old may be employed if the work conducted is for general, vocational or technical education.

Children younger than 16 years are prohibited from night work in industrial undertakings which include mining and quarrying, construction, reconstruction, maintenance, and transportation of passengers or goods.<sup>1561</sup> Businesses that employ

children are required to keep a child labor registry. There are fines for employers and parents who are guilty of direct involvement with child labor.<sup>1562</sup>

Forced labor is prohibited by the constitution.<sup>1563</sup> The law sets the minimum age for voluntary enlistment in the armed forces at 18 years.<sup>1564</sup> All forms of trafficking are prohibited by law, and penalties include life imprisonment, forfeiture of property, and payment of full restitution to the trafficked person.<sup>1565</sup> Although child pornography or prostitution is not specifically mentioned in Guyanese law, the penalty for selling, publishing, or exhibiting obscene matter is 2 years in prison; carnal knowledge of a girl under 12 is life in prison; and carnal knowledge of a girl age 12 to 16 is 10 years in prison. Also, the law sets the age of sexual consent at 16, thus prohibiting sex with children younger than 16.<sup>1566</sup> In addition, the penalty for procurement of a female under age 21 is 10 years in prison.<sup>1567</sup> The penalty for unlawful detention of girl under age 18 for carnal knowledge is 10 years. The owner or occupier of a premises that permits the defilement of a girl ages 12 to 13 for the purposes of unlawful carnal knowledge is subject to 10 years imprisonment; if the victim was a girl under the age of 12, the penalty is life in prison.<sup>1568</sup>

The Child Protection Agency within the Ministry of Labor, Human Services and Social Security has principal responsibility for enforcing legislation relating to child labor. In the case of the unconditional worst forms of child labor, enforcement is handled by the Guyana National Police.<sup>1569</sup> As of December 2006, the most recent date such information is available, the Ministry of Labor had 20 labor officers with authority to enter all workplaces to conduct inspections, including inspections concerning child labor.<sup>1570</sup> Within the Ministry, an anti-trafficking-in-persons unit has been established to enforce anti-trafficking laws.<sup>1571</sup> In addition, the Ministry of Education has responsibility for enforcing provisions of the Education Act relating to the employment of children. As such, the Ministry of Education's attendance officers are authorized to enter any premise or place between 6 a.m. and 5 p.m. on any day except Sunday and inquire whether any child resides or is employed there.<sup>1572</sup> Although the law sets minimum age requirements for employment of children, according to USDOS,

the Ministry of Labor lacks sufficient inspectors to enforce child labor laws effectively.<sup>1573</sup>

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

The Guyanese Government continues to participate in a USDOL-funded USD 2 million project implemented by Partners of the Americas to combat exploitive child labor through education, which aims to withdraw 1,267 and prevent 1,777 children from exploitive labor. The project also aims to build the capacity of the Guyanese Government to combat child labor, increase awareness about exploitive child labor in the country, and improve education access for working and at-risk children.<sup>1574</sup> The Government of Guyana also participated during the report period in a USD 1.4 million regional project funded by the Government of Canada and implemented by ILO-IPEC aimed at combating the worst forms of child labor.<sup>1575</sup>

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<sup>1556</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01) [revised 1999]*, article 3; available from [http://www.gina.gov.gy/gina\\_pub/laws/Laws/cap9901.pdf](http://www.gina.gov.gy/gina_pub/laws/Laws/cap9901.pdf). See also Government of Guyana, *Education Act, revised 1999*, Chapter 39:01, article 22; available from [http://www.gina.gov.gy/gina\\_pub/laws/Laws/cap3901.pdf](http://www.gina.gov.gy/gina_pub/laws/Laws/cap3901.pdf). See also Government of Guyana, *Constitution of the Co-operative Republic of Guyana*, article 27; available from <http://pdba.georgetown.edu/Constitutions/Guyana/guyana96.html>.

<sup>1557</sup> George K. Danns, *Guyana The Situation of Children in the Worst Forms of Child Labor: A Rapid Assessment*, International Labour Office, Port of Spain, October 2002, 34; available from [http://www.ilocarib.org.tt/childlabour/library/rapid\\_assessment/raguy.pdf](http://www.ilocarib.org.tt/childlabour/library/rapid_assessment/raguy.pdf).

<sup>1558</sup> Ibid.

<sup>1559</sup> Partners of the Americas, *Educare-Guyana: Combating Child Labor through Education in Guyana*, technical progress report, September 30, 2007, 33. See also U.S. Department of State, "Guyana," in *Country Report on Human Rights Practices- 2007*, Washington, DC, March 11, 2008; available from

<http://www.state.gov/g/drl/rls/hrrpt/2007/>.

<sup>1560</sup> Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01)*, article 2-7, and Parts I and II. See also Government of Guyana, *Education Act (Chapter 39:01)*, article 17-24. See also Clive Pegus, *A Review of Child Labour Laws of Guyana - A Guide to Legislative Reform*, ILO Subregional Office for the Caribbean, June 2005, 23.

<sup>1561</sup> Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01)*, article 2-7, and Parts I and II. See also Government of Guyana, *Education Act (Chapter 39:01)*, article 17-24. See also Clive Pegus, *A Review of Child Labour Laws of Guyana*, 23.

<sup>1562</sup> Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01)*, articles 3 and 5. See also Government of Guyana, *Education Act (Chapter 39:01)*, article 20-21.

<sup>1563</sup> Government of Guyana, *Constitution of Guyana*, article 140.

<sup>1564</sup> Coalition to Stop the Use of Child Soldiers, "Guyana," in *Global Report 2004*; available from [http://www.child-soldiers.org/document\\_get.php?id=828](http://www.child-soldiers.org/document_get.php?id=828).

<sup>1565</sup> Clive Pegus, *A Review of Child Labour Laws of Guyana*, 26-27.

<sup>1566</sup> U.S. Department of State, "Country Reports- 2007: Guyana."

<sup>1567</sup> Government of Guyana, *Criminal Law (Offences) Act* articles 69, 70, 73, and 351; available from [http://www.gina.gov.gy/gina\\_pub/laws/Laws/cap801.pdf](http://www.gina.gov.gy/gina_pub/laws/Laws/cap801.pdf).

<sup>1568</sup> *Ibid.*, articles 86-88.

<sup>1569</sup> Clive Pegus, *A Review of Child Labour Laws of Guyana*, 31.

<sup>1570</sup> U.S. Embassy- Georgetown, *reporting*, December 20, 2006.

<sup>1571</sup> Guyana Government Information Agency, *TIP seminar opens at GWLI*, [online] April 20, 2005 [cited December 14, 2007]; available from <http://www.gina.gov.gy/archive/daily/b050420.html>.

<sup>1572</sup> Government of Guyana, *Education Act (Chapter 39:01)*, articles 11 and 12.

<sup>1573</sup> U.S. Department of State, "Country Reports- 2007: Guyana," Section 6d.

<sup>1574</sup> Partners of the Americas, *Educare-Guyana, technical progress report*, 2, 12-14, 44.

<sup>1575</sup> ILO-IPEC Geneva official, Electronic communication to USDOL official, December 12, 2007.

## Haiti

### Incidence and Nature of Child Labor

Children in Haiti work on family farms and in the informal sector, such as street vending. In general, because of high unemployment and job competition, few children work in the industrial sector or on commercial farms.<sup>1576</sup>

The most common form of work for children in Haiti is domestic service.<sup>1577</sup> The practice of sending children, particularly girls, from poor rural areas to work as domestic servants for relatively richer families is common. While some of these children, referred to as "restaveks," are cared for and receive an education, many are victims of trafficking. Such children receive no schooling; are sexually exploited and physically abused; and are unpaid, undocumented, and unprotected.<sup>1578</sup> It is estimated that up to 300,000 children work under the restavek system in Haiti.<sup>1579</sup> A requirement to pay a salary to

domestic workers of 15 years and older encourages employers to dismiss the restaveks before they reach that age, which in turn contributes to a large population of street children in Haiti.<sup>1580</sup> Many children who live on the streets in Haiti are former domestic servants. Children on the streets work as vendors, beggars, and also in prostitution.<sup>1581</sup>

In addition to internal trafficking, children are also trafficked from Haiti to the Dominican Republic.<sup>1582</sup> An IOM/UNICEF study in 2002 found that more than 2,000 Haitian children are victims of such trafficking each year.<sup>1583</sup> Haitian children trafficked to the Dominican Republic work in domestic service, agriculture, and construction, and they often live in miserable conditions.<sup>1584</sup> There have been conflicting reports as to whether the transport of undocumented Haitians for work on Dominican sugarcane plantations has lessened.<sup>1585</sup> Girls are also trafficked from the Dominican Republic to

Haiti for commercial sexual exploitation.<sup>1586</sup> In 2003, ILO-IPEC published a rapid assessment on the commercial sexual exploitation of children in Haiti, which found that the majority of the child commercial sex workers surveyed were street children in the age range of 13 to 17 years, with some as young as 9 and 10 years old.<sup>1587</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1588</sup>	
Working children, 5-14 years (%), 2005:	29
Working boys, 5-14 years (%), 2005:	32.2
Working girls, 5-14 years (%), 2005:	26
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	11
Free public education:	Yes *
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2005:	81.2
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses.	

Haiti continues to experience a lack of public safety.<sup>1589</sup> Children are involved with armed groups in the country; they work as porters, spies, messengers, and combatants.<sup>1590</sup>

### **Child Labor Laws and Enforcement**

The minimum age for work in industrial, agricultural, or commercial enterprises in Haiti is 15 years, while the minimum age for domestic service is 12 years.<sup>1591</sup> However, there are no legal penalties for employing children in domestic labor as *restaveks*.<sup>1592</sup> The minimum age for work as an apprentice is 14 and a medical exam of the child is required.<sup>1593</sup> Minors ages 15 to 18 years old must obtain a work authorization from the Ministry of Labor. Employing a child without a work

authorization is punishable by fines.<sup>1594</sup> Children less than 18 years of age are prohibited from night work in industrial jobs, and minors (of undefined age) are prohibited from hazardous work.<sup>1595</sup>

The law prohibits the forced labor of adults and children.<sup>1596</sup> The law also prohibits the corruption of youth below the age of 21, including by prostitution, with penalties ranging from 6 months to 3 years imprisonment.<sup>1597</sup> Child trafficking is illegal, as is recruiting children for sexual exploitation, pornography, and illicit activities.<sup>1598</sup> There are no penalties for trafficking, although there are laws prohibiting and penalizing slavery and kidnapping.<sup>1599</sup> The law obligates Haitians over the age of 18 to perform military service, but the military forces have been disbanded by presidential order.<sup>1600</sup>

The Ministry of Social Affairs and Labor, through the Institute of Social Welfare and Research (IBESR), is responsible for enforcing child labor laws.<sup>1601</sup> IBESR often takes the lead on anti-child trafficking efforts.<sup>1602</sup> The Haitian National Police's Brigade for the Protection of Minors (BPM) is responsible for investigating crimes against children, which include trafficking. The BPM monitors the movement of children crossing into the Dominican Republic.<sup>1603</sup> However, due to a lack of regulations and penalties, the BPM does not investigate *restavek* cases.<sup>1604</sup> In August 2007, authorities working with two NGOs released 47 children from a fake orphanage. Nonetheless, USDOS reports that a lack of resources, training, and established procedures hamper the work of the BPM.<sup>1605</sup> According to USDOS, an absence of governmental institutions, the lack of capacity to adequately monitor borders, and the lack of a well-trained and equipped national police force have inhibited the Government from effectively addressing child trafficking.<sup>1606</sup>

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

The Ministry of Social Affairs provides minimal assistance to street children. The Government refers victims of trafficking to NGOs and social welfare agencies that provide return and reintegration services. The Government also provides a small sum to repatriated persons, who may be victims of trafficking, to aid in their return

to their communities of origin.<sup>1607</sup> The Government of Haiti participated in a USD 400,000 regional project that ended in June 2007 to eradicate the worst forms of child labor, funded by the Government of Canada and implemented by ILO-IPEC.<sup>1608</sup> The Government is also participating in a USD 1 million project funded by USAID and implemented by the Pan American Development Foundation to strengthen legislation and law enforcement associated with trafficking.<sup>1609</sup>

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<sup>1576</sup> U.S. Department of State, "Country Reports- 2007: Haiti," section 6d.

<sup>1577</sup> ILO-IPEC, "Haiti escenario de moderna esclavitud," *Boletín Encuentros* (August 2005); available from <http://www.oit.or.cr/ippec/encuentros/noticia.php?notCodigo=469>. See also U.S. Department of State, "Country Reports- 2007: Haiti," section 6d.

<sup>1578</sup> U.S. Department of State, "Country Reports- 2007: Haiti," section 5. See also U.S. Department of State, "Haiti," in *Trafficking in Persons Report- 2007*, Washington, DC, June 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/86204.htm>. See also ILO, *Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22 and 35 of the Constitution), Third Item on the Agenda: Information and Reports on the Application of Conventions and Recommendations*, ILO Conference, 92nd session, Geneva, 2005; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=7698&chapter=6&query=%28C029%29+%40ref+%2B+%28Haiti%29+%40ref&highlight=&querytype=bool&context=0>. See also IOM, *Americas: Assistance for Children Victims of Human Trafficking in Haiti*, [online] December 4, 2006 [cited December 15, 2007]; available from <http://www.iom.int/jahia/Jahia/featureArticleAM/cache/offonce?entryId=12185>. See also ILO, "Hope for Haiti's restavecs: South-South cooperation against child labour," *Relief Web* (2008); available from <http://www.reliefweb.int/rw/RWB.NSF/db900SID/E GUA-7BJN9W?OpenDocument>.

<sup>1579</sup> The Protection Project, "Haiti," in *2007 Human Rights Report on Trafficking in Persons, Especially Women and Children*, 2007; available from <http://www.protectionproject.org/haiti.doc>. See also ILO, "Hope for Haiti's restavecs: South-South cooperation against child labour." See also ILO, *Report of the Committee of Experts*.

<sup>1580</sup> ILO, *Report of the Committee of Experts*. See also Government of Haiti, *Code du travail*, article 350.

<sup>1581</sup> U.S. Department of State, "Country Reports- 2007:

Haiti," sections 5 and 6d.

<sup>1582</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti." See also The Protection Project, "Haiti," in *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children*, 2005; available from <http://www.protectionproject.org/haiti.doc>.

<sup>1583</sup> UNICEF, *At a Glance: Haiti: Background*, [online] [cited December 15, 2007]; available from <http://www.unicef.org/infobycountry/haiti.html>. See also IOM, *Americas: Assistance for Children Victims*.

<sup>1584</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti." See also U.S. Department of State, "Dominican Republic (Tier 2 Watch)," in *Trafficking in Persons Report*, Washington, DC, June 2007; available from

<http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also IOM, *Americas: Assistance for Children Victims*.

<sup>1585</sup> U.S. Department of State, "Dominican Republic," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from

<http://www.state.gov/g/drl/rls/hrrpt/2007/100637.htm>. See also IOM, *Americas: Assistance for Children Victims*. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti."

<sup>1586</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti."

<sup>1587</sup> ILO-IPEC, *Etude exploratoire sur l'exploitation sexuelle des mineurs à des fins commerciales*, Port-au-Prince, 2003, 50, 52. See also Ministry of the Feminine Condition and Women's Rights official, Interview with USDOL consultant, July 14, 2006.

<sup>1588</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Haiti, *Code du travail*, (1984), article 335; available

from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/135/64790/F61HTI01.htm>. See also UNESCO, *Education for All Global Monitoring Report 2006: Literacy for Life*, Paris, 2005, 306; available

from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=43283&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=43283&URL_DO=DO_TOPIC&URL_SECTION=201.html). See also Government of Haiti, *Constitution de la République d'Haiti*, (1987), article 32; available from <http://pdba.georgetown.edu/Constitutions/Haiti/haiti1987fr.html>. See also U.S. Department of State, "Haiti," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100643.htm>.

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<sup>1589</sup> U.S. Department of State, "Haiti," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78895.htm>. See also UNICEF, *At a Glance: Haiti: Background*. See also Louis Joinet, *Situation of Human Rights in Haiti*, UN Economic and Social Council, January 24, 2006, 2.

<sup>1590</sup> UNICEF, *At a Glance: Haiti: Background*. See also Child Protection Unit official, UN Mission for the Stabilization of Haiti, Interview with USDOL consultant, July 25, 2006.

<sup>1591</sup> Government of Haiti, *Code du travail*, articles 335 and 341.

<sup>1592</sup> U.S. Department of State, "Country Reports- 2007: Haiti," section 6d.

<sup>1593</sup> Government of Haiti, *Code du travail*, article 73.

<sup>1594</sup> *Ibid.*, articles 337 and 340.

<sup>1595</sup> *Ibid.*, articles 333 and 334.

<sup>1596</sup> *Ibid.*, article 4. See also 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*, (June 5, 2003), article 2.

<sup>1597</sup> Government of Haiti, *Código penal de Haiti*, article 282; available from [http://www.unifr.ch/ddp1/derechopenal/legislacion/ht/cp\\_haiti.htm](http://www.unifr.ch/ddp1/derechopenal/legislacion/ht/cp_haiti.htm).

<sup>1598</sup> Government of Haiti, *Loi relative à l'interdiction et à l'élimination de toutes formes d'abus*, article 2.

<sup>1599</sup> U.S. Department of State, "Country Reports- 2007: Haiti," section 5.

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<sup>1600</sup> Coalition to Stop the Use of Child Soldiers, "Haiti," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=829](http://www.child-soldiers.org/document_get.php?id=829).

<sup>1601</sup> Ministry of Social Affairs and Labor official, Interview with USDOL consultant, July 17, 2006. See also U.S. Embassy- Port-au-Prince, *reporting*, February 28, 2008.

<sup>1602</sup> U.S. Embassy - Port-au-Prince, *reporting*, February 28, 2008.

<sup>1603</sup> U.S. Department of State, "Country Reports- 2007: Haiti," section 5.

<sup>1604</sup> U.S. Embassy - Port-au-Prince, *reporting*, February 28, 2008.

<sup>1605</sup> U.S. Department of State, "Country Reports- 2007: Haiti," section 5.

<sup>1606</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti." See also U.S. Embassy - Port-au-Prince, *reporting*, February 28, 2008.

<sup>1607</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti." See also U.S. Embassy - Port-au-Prince, *reporting*, March 6, 2007.

<sup>1608</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>1609</sup> U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, accessed March 11, 2008; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

## Honduras

### Incidence and Nature of Child Labor

A September 2007 census by the National Statistics Institute of Honduras reported that the majority of working children in Honduras work in agriculture. Children work in melon, coffee, and sugarcane production, at garbage dumps, and in the forestry, hunting, and fishing sectors, including as deckhands and divers in the lobster industry. Children also work selling goods such as fruit, begging, washing cars, and hauling loads. Some work in limestone and lime production.<sup>1610</sup> Children, predominantly girls, also work as

domestic servants, where they are sometimes subject to abuse by third-party employers.<sup>1611</sup>

Commercial sexual exploitation of children is especially problematic in tourist areas, border areas between neighboring countries, and in big cities such as Tegucigalpa, San Pedro Sula, La Ceiba and the Bay Islands.<sup>1612</sup> Honduras is a transit and source country for children trafficked for commercial sexual exploitation. Honduran children are trafficked internally, usually from rural to urban settings. Children, most of whom are girls, are also trafficked internationally to neighboring countries, often en route to the United States.<sup>1613</sup>

***Selected Statistics and Indicators  
on Child Labor<sup>1614</sup>***

Working children, 5-14 years (%), 2004:	5.4
Working boys, 5-14 years (%), 2004:	8.2
Working girls, 5-14 years (%), 2004:	2.6
Working children by sector, 5-14 years (%), 2004:	
- Agriculture	63.3
- Manufacturing	8.3
- Services	26.5
- Other	1.9
Minimum age for work:	14/16
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	116
Net primary enrollment rate (%), 2005:	93
School attendance, children 5-14 years (%), 2004:	84.7
Survival rate to grade 5 (%), 2004:	70
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses	

### **Child Labor Laws and Enforcement**

A 2007 analysis of Honduran law on the minimum age for employment of children by the Social Services section of the Ministry of Labor and Social Security places the minimum age at 14 years; however, laws governing the minimum age for work in Honduras are generally conflictive.<sup>1615</sup> The Constitution (Article 128) prohibits children under 16 years and those who are in school from working. Similarly, Article 128 of the Labor Code states that 16 years is the minimum age for employment. In contrast, Article 32 of the Labor Code, Article 120 of the Code of Childhood and Adolescence and Article 6 of the Child Labor Regulation, list 14 years as the minimum age to work if authorization is obtained.<sup>1616</sup> The Constitution and the Labor Law state that labor authorities can authorize employment for children under 16 years when it is indispensable for the subsistence of the family, as long as it does not interfere with the child's education, and is done with the parents' consent; however, authorization will not be granted for children under 14 years of age.<sup>1617</sup>

The legal work hours for adolescents are also conflictive. While according to the Constitution, children under age 17 may not work more than 6 hours per day and 36 hours per week, the Child and Adolescent Code states that minors between 14 and 16 years can only work 4 hours per day, and minors ages 16 to 18 years cannot work more than 6 hours per day.<sup>1618</sup> The Labor Code restricts work hours to 6 hours per day and 36 hours per week for children ages 14 to 16, but does not provide restrictions on work hours for children ages 16 to 18. According to the Child and Adolescent Code and Child Labor Regulation, night work is prohibited, but minors ages 16 and 17 years can be authorized to work until 8 p.m. under certain conditions.<sup>1619</sup> According to the Labor Code, minors must have a 2 hour rest period during the work day.<sup>1620</sup> All minors between 14 and 18 years must receive authorization to work from the Secretary of State, Office of Labor and Social Security, and businesses employing children must have a child labor registry.<sup>1621</sup>

The worst forms of child labor as defined by ILO Convention 182, such as the involvement of children in commercial sexual exploitation and drug trafficking, are prohibited by Honduran law.<sup>1622</sup> Under Article 8 of the Child Labor Code, minors cannot work in unhealthy or dangerous conditions, including: in static positions or on high scaffolding; diving underwater; working in tunnels or underground; in agricultural work that implies health risks; working with heavy machinery, ovens, smelters, heavy presses or glass; exposure to toxic substances, vehicular traffic, loud noise, high-voltage electrical currents, and garbage. Despite these limitations, minors ages 16 or 17 years may receive authorization from the Office of Labor and Social Security to perform dangerous labor under certain conditions.<sup>1623</sup>

According to USDOS, enforcement of child labor laws by the Ministry of Labor is not effective outside the apparel sector. Violations occur mostly in the agricultural export sector, family farming, small-scale services, and commerce.<sup>1624</sup>

The law prohibits forced or bonded labor. Honduran law requires recruits to be 18 years in order to enlist voluntarily into the Armed Forces. There is no compulsory conscription.<sup>1625</sup>

Individuals who violate child labor laws in traditional work sectors may receive prison sentences of 3 to 5 years and fines.<sup>1626</sup> The law is more strict in prohibiting economic exploitation of children, child prostitution, and child pornography.<sup>1627</sup> The penalty for promoting or facilitating commercial sexual exploitation of children is between 9 to 15 years in prison plus fines. The use of children in pornography is punishable by prison terms of 10 to 15 years plus fines while possessing child pornography is punishable by 4 to 6 years in prison.<sup>1628</sup> The penalty for the use of children for commercial sexual exploitation in tourism is 12 to 18 years in prison, plus fines. Other penalties and fines exist for exposing children to places where commercial sexual exploitation occurs, for using minors in sex shows, or payment of sexual services from minors.<sup>1629</sup>

Honduras prohibits trafficking for the purpose of commercial sexual exploitation through Article 149 of its penal code and an anti-trafficking statute enacted in February 2006, but does not prohibit trafficking for the purpose of labor exploitation although the two are often linked. USDOS reports that there has been some progress in the enforcement of the revised penal code which addresses trafficking in persons.

The Office of the Special Prosecutor for Children in Tegucigalpa has four analysts working on cases of children sexually exploited for commercial purposes.<sup>1630</sup> By the end of 2007, the Government rescued 15 minors in Tegucigalpa in seven different cases. The Government also increased anti-trafficking training for police and prosecutors, among other government officials.<sup>1631</sup> The Government's Division against Abuse, Trafficking and Commercial Sexual Exploitation conducted operations throughout the country. Honduran consular officials have been trained to identify trafficking victims and refer them to NGOs for repatriation.<sup>1632</sup> In 2007, the Government also launched a national trafficking system to track cases in San Pedro Sula and Tegucigalpa.<sup>1633</sup>

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

Honduras is implementing a National Plan of Action to Eradicate Commercial Sexual

Exploitation of Children. The Plan was introduced in 2008 and will last seven years. It has five strategic objectives: promoting inter-institutional cooperation among governmental, non-governmental, and civil society organizations; guaranteeing justice for child victims of commercial sexual exploitation and trafficking; preventing risk factors in the child population; promoting child participation in the creation of networks of support against commercial sexual exploitation and trafficking; and assistance for victims to facilitate their social reintegration.<sup>1634</sup> The Government also coordinates with NGOs and the IOM to place trafficking victims in shelters and reintegrate them into society.<sup>1635</sup>

The Government of Honduras is currently participating in a USD 8.8 million regional project implemented by ILO-IPEC which seeks to combat commercial sexual exploitation through a variety of activities including capacity building and legal reform. In addition, the project aims to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region.<sup>1636</sup> The Government of Honduras also participates in a USD 500,000 ILO-IPEC project funded by the Government of Canada that focuses on combating child labor through strengthening labor ministries and workers.<sup>1637</sup> During the reporting period, the Government participated in an ILO-IPEC Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain.<sup>1638</sup> The Government also collaborated with the Organization of American States in a USD 300,000 regional project funded by USDOS to build capacity and international cooperation across the foreign ministries of the nine participating governments to prevent trafficking in persons.<sup>1639</sup>

In addition, the Government of Honduras is participating in a 2004-2008 USDOL-funded USD 5.7 million regional project implemented by CARE to combat child labor through education. The project targets 2,984 children for withdrawal or prevention from exploitive child labor.<sup>1640</sup>

As part of an effort to build capacity to improve labor law compliance among the CAFTA-DR partners, USDOL is also providing USD 2.6 million for a project to strengthen outreach efforts in the

agriculture sector in the region, where child labor is a serious problem.<sup>1641</sup>

<sup>1610</sup> ILO-IPEC, *National Report on the Results of the Child Labour Survey in Honduras*, San José, May 2002, 39-41; available from <http://www.ilo.org/ipecoinfo/product/searchProduct.do?type=normal=&selectedMonthFrom=1=&selectedMonthTo=1=&selectedCountries=234&selectedThemes=91&selectedMediaTypes=12&selectedMediaTypes=73&keywords=&userType=3&resultPerPage=20&selectedSortById=4>.

See also U.S. Department of State, "Honduras," in *Country Report on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/>.

<sup>1611</sup> ILO-IPEC, *Trabajo Infantil Doméstico en Honduras: A Puerta Cerrada*, 2003.

<sup>1612</sup> ILO-IPEC, *Explotación Sexual Comercial de Niños, Niñas, y Adolescentes en Honduras*, 2002, 30, 33; available from [http://tejiendoredes.net/documentos/explotacion\\_sexual\\_hn.pdf](http://tejiendoredes.net/documentos/explotacion_sexual_hn.pdf).

<sup>1614</sup> U.S. Department of State, "Honduras (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>1614</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Honduras, *Constitución*, (January 11, 1982), article 128; available from <http://www.georgetown.edu/pdba/Constitutions/Honduras/hond82.html>. See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, Decreto No. 73-96, (September 5, 1996), article 128; available from <http://www.iin.oea.org/badaj/docs/lcodhn96.htm>.

See also Government of Honduras, *Código de Trabajo y sus Reformas*, Decreto No. 189, (July 15, 1959), article 32; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/29076/64849/S59HND01.htm#t3>. See also Ministry of Education, *Educación Básica*, [online] 2003 [cited March 26, 2008]; available from [http://www.se.gob.hn/index.php?a=Webpage&url=BASICA\\_home](http://www.se.gob.hn/index.php?a=Webpage&url=BASICA_home). See also UNESCO, *EFA Global Monitoring Report, Literacy for Life*, Geneva, 2006; available from <http://unesdoc.unesco.org/images/0014/001416/141639e.pdf>.

<sup>1615</sup> Office of Labor and Social Security official, Letter to Primero Aprendo Project Coordinator, July 25, 2007.

<sup>1616</sup> Government of Honduras, *Código de Trabajo*, article

32. Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 120. Government of Honduras, *Reglamento sobre Trabajo Infantil en Honduras*, Acuerdo Ejecutivo No. STSS-211-01, (October 10, 2001), article 6. See also U.S. Department of State Official, E-mail communication to USDOL Official, August 5, 2008.

<sup>1617</sup> Government of Honduras, *Constitución*, article 128(7). See also Government of Honduras, *Código de Trabajo*, article 32. See also U.S. Department of State Official, E-mail communication, August 5, 2008.

<sup>1618</sup> Government of Honduras, *Constitución*, article 128. See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 125.

<sup>1619</sup> Government of Honduras, *Código de Trabajo*, article 32. See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 125. Government of Honduras, *Government of Honduras, Reglamento sobre Trabajo Infantil*, article 7(c).

<sup>1620</sup> Government of Honduras, *Código de Trabajo*, article 130.

<sup>1621</sup> Office of Labor and Social Security, *Reglamento sobre Trabajo Infantil en Honduras*, (December 11, 2001), article 6. See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 126.

<sup>1622</sup> Office of Labor and Social Security, *Reglamento sobre Trabajo Infantil*, article 10.

<sup>1623</sup> Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 122. See also Office of Labor and Social Security, *Reglamento sobre Trabajo Infantil*, article 8.

<sup>1624</sup> U.S. Department of State, "Country Reports- 2007: Honduras," section 6d.

<sup>1625</sup> Coalition to Stop the Use of Child Soldiers, "Honduras," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=830](http://www.child-soldiers.org/document_get.php?id=830).

<sup>1626</sup> Government of Honduras, *Código de la Niñez y de la Adolescencia*, articles 126, 128, 134. See also Office of Labor and Social Security, *Reglamento sobre Trabajo Infantil*, articles 29-43.

<sup>1627</sup> Government of Honduras, *Código de la Niñez y de la Adolescencia*, articles 134, 141. See also Government of Honduras, *Reforma al Código Penal*, Decreto No. 243-2005, (2005); available from [http://genero.bvsalud.org/lildbi/docsonline/1/8/681-OIT\\_DECRETO\\_234\\_2005.pdf](http://genero.bvsalud.org/lildbi/docsonline/1/8/681-OIT_DECRETO_234_2005.pdf).

<sup>1628</sup> Government of Honduras, *Reforma al Código Penal*, articles 148, 149-D.

<sup>1629</sup> *Ibid.*, articles 149-A, 149-B, 149-E.

<sup>1630</sup> U.S. Department of State, "Honduras (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also U.S. Department of State, "Country Reports- 2007: Honduras," section 5.

<sup>1631</sup> U.S. Department of State, "Country Reports- 2007: Honduras," section 5.

<sup>1632</sup> Ibid. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Honduras."

<sup>1633</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Honduras." See also U.S. Department of State, "Country Reports- 2007: Honduras," section 5.

<sup>1634</sup> Interinstitutional Commission against the Commercial Sexual Exploitation of Children and Adolescents in Honduras, *Plan de Acción Nacional Contra la Explotación Sexual Comercial de Niñas, Niños y Adolescentes en Honduras*, Tegucigalpa, 2006, 31-38; available from [http://white.oit.org.pe/ipecc/documentos/plan\\_esc\\_honduras.pdf](http://white.oit.org.pe/ipecc/documentos/plan_esc_honduras.pdf).

<sup>1635</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Honduras." See also U.S. Department of State, "Country Reports- 2007: Honduras," section 5.

<sup>1636</sup> ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama, and the Dominican Republic*, Project Document, RLA/02/P51/USA, San José, 2005.

<sup>1637</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>1638</sup> Ibid.

<sup>1639</sup> U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, [online] February 2008 [cited March 10, 2008]; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>1640</sup> U.S. Department of Labor, *Project Revision Form: Proyecto Primero Aprendo*, Washington, DC, 2007.

<sup>1641</sup> Social Accountability International, *Project CULTIVAR: Advancing Labor Rights in Agriculture in Central America*, Project Document, New York, August 8, 2007.

## India

### Incidence and Nature of Child Labor

According to the Government of India, the largest number of working children can be found in the state of Uttar Pradesh, followed by Andhra Pradesh, Rajasthan, and Bihar. The Government also found that most children working in rural areas are in agriculture and related activities such as livestock tending, forestry, and fishing.<sup>1642</sup> Children also work in service industries such as hotels, food service, and tourism.<sup>1643</sup> Working children are found in industries such as quarrying of sandstone and other materials; gemstone polishing; *zari*-production, consisting of embroidering or sewing beads and colored threads to fabric; *sari*-weaving; hybrid seed production; and in the manufacturing of matches, bricks, carpets, locks, glass bangles, fireworks, leather goods, *bidis* (cigarettes), footwear, garments, sporting goods, brassware, and other metal goods. The government has identified many of these industries as hazardous for children.<sup>1644</sup> Most working children can be found in the informal economy, and the ILO reports that children's work is increasingly occurring in home-based production rather than organized factory settings.<sup>1645</sup> Other activities in which children work in the informal

economy include vending food and other goods; repairing vehicles and tires; construction; food preparation; scavenging and rag-picking; shoe-shining; car washing; begging; and domestic service. The majority of children working in domestic service are girls ages 12 to 17 years, though some are reportedly as young as 5 or 6 years, and many work very long hours and suffer abusive treatment.<sup>1646</sup> A large proportion of the working children engaged in waste-picking are from the scheduled castes and tribes, which are communities that have traditionally suffered from societal discrimination.<sup>1647</sup>

Some reports indicate that large numbers of children work under forced labor conditions in India.<sup>1648</sup> Past reports have identified forced or indentured child labor in floriculture; quarrying; agricultural activities; fishing; circuses; shops; carpet weaving; salt production; gemstone cutting; and the manufacture of fireworks, glassware, silver goods, matches, *bidis*, leather goods, silk goods, and bricks.<sup>1649</sup> More recent reports suggest the existence of forced or indentured child labor in hybrid seed production and *dhabas* (small roadside food stalls).<sup>1650</sup> High-profile police raids in and around New Delhi in late 2006 and 2007 found children

working under forced labor conditions in the gold and silver jewelry industry,<sup>1651</sup> the garment industry,<sup>1652</sup> and rice mills.<sup>1653</sup> The vast majority of bonded laborers are from scheduled castes and tribal groups.<sup>1654</sup>

opposition groups in zones where armed conflict is occurring.<sup>1659</sup>

India is a source, transit, and destination country for minors trafficked for commercial sexual exploitation, domestic servitude, sweatshops, agricultural labor, and activities such as begging,<sup>1660</sup> driving auto rickshaws, and hotel services.<sup>1661</sup> The majority of such children are Indians trafficked within the country and even within the same state.<sup>1662</sup> Nepali and Indian girls from rural areas are trafficked for commercial sexual exploitation in major urban centers such as Mumbai (Bombay), Kolkata (Calcutta), and New Delhi.<sup>1663</sup> In 2007 there were reports of large numbers of children trafficked from rural areas to New Delhi to work in the *zari* industry.<sup>1664</sup> Children living in conflict areas, such as the northeastern states, are especially vulnerable to trafficking.<sup>1665</sup>

### Child Labor Laws and Enforcement

Indian law prohibits the employment of children under 14 years in any factory or mine, or in 15 hazardous occupations and 57 hazardous processes, including the following: the manufacture or handling of pesticides and insecticides, carpet weaving, trash picking, and work in slaughterhouses, roadside eateries (*dhabas*), restaurants, hotels, motels, tea shops, and other recreational establishments.<sup>1666</sup> Children 14 to 18 years may work limited hours in factories during the daytime if they have been granted a certificate of fitness by a certifying surgeon.<sup>1667</sup> Children of any age may be employed in all other activities, if employers adhere to restrictions including a maximum 6-hour workday with a 1-hour rest period, at least 1 day off per week, and no night work or overtime work. Penalties include fines or imprisonment of 3 months to 1 year, or up to 2 years for repeat offenses.<sup>1668</sup>

Bonded child labor is illegal in India, and the law provides for district-level vigilance committees, headed by district collectors (the principal government officer of the district), to investigate allegations of bonded labor and to release anyone found in bondage. Persons found using bonded labor may be fined and imprisoned for up to 3 years.<sup>1669</sup> The state of Tamil Nadu reported that 13,051 of the 35,884 bonded laborers identified have been released from bondage and rehabilitated at a

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1655</sup>	
Working children, 5-14 years (%), 1999-2000:	4.1
Working boys, 5-14 years (%), 1999-2000:	4.1
Working girls, 5-14 years (%), 1999-2000:	4.0
Working children by sector, 5-14 years (%), 1999-2000:	
- Agriculture	73.3
- Manufacturing	12.4
- Services	11.5
- Other	2.8
Minimum age for work:	14 for specified hazardous occupations and processes
Compulsory education age:	Not compulsory*
Free public education:	No*
Gross primary enrollment rate (%), 2005:	115
Net primary enrollment rate (%), 2005:	88
School attendance, children 5-14 years (%), 2000:	71.5
Survival rate to grade 5 (%), 2004:	73
ILO-IPEC participating country:	Yes
* The Constitution provides for free, compulsory education for children ages 6-14 years, but the Parliament has not enacted legislation to implement this Constitutional guarantee	

The commercial sexual exploitation of children is a problem in India; girls as young as 7 years are exploited in brothels in major urban centers.<sup>1656</sup> Some child sex tourism has been reported in the state of Goa and other popular tourist destinations.<sup>1657</sup> There is increasing awareness of boys being exploited in prostitution and sex tourism.<sup>1658</sup> Civil society and media allege that children are recruited to work as soldiers by armed

cost of USD 4 million. As of 2006, the most recent year for which such information is available, 803 of the 884 employers against whom cases were filed had been convicted.<sup>1670</sup> Commercial sexual exploitation and trafficking of boys and girls is prohibited by law. Penalties include imprisonment of 7 to 14 years for procuring, inducing, or taking a minor 16 to 18 years from one place to another for prostitution; the penalty can increase to a life sentence if the victim is below 16 years old.<sup>1671</sup> It is illegal to cause any person to produce or deal in narcotic or psychotropic substances; punishment consists of fines and imprisonment of up to 20 years.<sup>1672</sup> There is no compulsory conscription into the Indian military, and the voluntary recruitment age is 16 years.<sup>1673</sup>

Enforcement of child labor and forced labor laws is primarily the responsibility of state and local governments, with the Ministry of Labor and Employment (MOLE) providing oversight and coordination.<sup>1674</sup> As of December 2006, the most recent date for which such information is available, state governments had conducted 23,166 inspections and identified 1,672 violations of laws prohibiting hazardous work for children.<sup>1675</sup> In 2007, children were rescued from hazardous work as part of raids in several states, including Maharashtra, Orissa, Andhra Pradesh and Delhi.<sup>1676</sup> From April 2005 through March 2006, the most recent period for which such data is available, the Government prosecuted 7,969 child labor cases, resulting in 1,019 convictions.<sup>1677</sup> A Maharashtra state-level task force rescued and repatriated over 18,000 children through raids in 2006 and 2007, and Karnataka police rescued 12 child workers from *dhabas*.<sup>1678</sup> Despite these enforcement efforts, media, NGOs, and USDOS report that overall enforcement of child labor laws is inadequate due to insufficient resources, poorly trained inspectors, low inspector salaries, and social acceptance of child labor.<sup>1679</sup>

In 2007, charges were brought against over 1,400 traffickers in the states of Andhra Pradesh, Bihar, Goa, Tamil Nadu, Uttar Pradesh, and West Bengal, 27 of whom were convicted. Police actions in Andhra Pradesh and Maharashtra resulted in 77 additional arrests for trafficking crimes.<sup>1680</sup> Despite these enforcement efforts, USDOS reports that the rates of investigation, prosecution, and conviction for forced labor crimes are extremely low, due in

part to official corruption,<sup>1681</sup> and that enforcement of trafficking laws is inadequate due to poorly trained prosecutors and judges,<sup>1682</sup> lack of effective coordination among state authorities, and corruption.<sup>1683</sup>

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

India's National Charter for Children (2003) lays out the country's commitments to protect children from hazardous child labor and to provide universal access to primary education with a focus on children with special needs.<sup>1684</sup> The National Policy on Child Labor lays out concrete actions for combating child labor, including legislative reforms and projects to provide direct assistance to children.<sup>1685</sup> These direct assistance projects are collectively known as the National Child Labor Projects (NCLP), which operate at the district level to identify working children; withdraw them from hazardous work; and provide education, vocational training, mainstreaming into formal education, stipends, meals, and health checkups. Through November 2007, NCLPs had been established in 250 districts, and 7,954 NCLP schools were in operation. UNICEF is supporting the MOLE in developing a system to track the progress of children in the NCLP schools,<sup>1686</sup> and the entire NCLP scheme is linked to the Ministry of Human Resource Development's *Sarva Shiksha Abhiyan* (Education for All) program, to ensure children's smooth transition from NCLP schools into the formal education system.<sup>1687</sup> A prototype of the National Tracking System has already been developed and field trials are underway in the states of Karnataka, Andhra Pradesh, Uttar Pradesh, and West Bengal.<sup>1688</sup> The MOLE's Grants in Aid Scheme funds NGOs to provide working children with education and vocational training opportunities, health care, and nutrition supplements.<sup>1689</sup> From April 2006 to March 2007, the most recent period for which such information is available, the Scheme had provided USD 280,000 in funding to 54 NGOs.<sup>1690</sup> The MOLE also carries out large-scale awareness-raising activities on child labor and operates Childline, a toll-free helpline that provides counseling to children in need and referral to rehabilitation services.<sup>1691</sup> The states of Andhra Pradesh, Maharashtra, Tamil Nadu, and Punjab are implementing state-level action plans to eliminate child labor from

hazardous industries.<sup>1692</sup> In 2007, the government of Maharashtra committed over USD 1.2 million to begin implementation of its action plan.<sup>1693</sup> From February 2005 through October 2007, the UK Government provided USD 4.8 million to support the state government of Andhra Pradesh to pilot its action plan.<sup>1694</sup> The state government of Haryana launched 137 child development projects to support its official ban on child labor.<sup>1695</sup>

The Government of India and USDOL jointly fund and collaborate on the USD 40 million INDUS project, which targets 80,000 children for withdrawal from work in 10 hazardous sectors: *bidis*, brassware, bricks, fireworks, footwear, glass bangles, locks, matches, quarrying, and silk. The project, implemented by ILO-IPEC, is designed to complement the NCLP program and Government primary education initiatives. Target areas are 21 districts in the states of Madhya Pradesh, Maharashtra, Tamil Nadu, and Uttar Pradesh, as well as the National Capital Territory of Delhi. The project is scheduled to continue through September 2008.<sup>1696</sup> In 2007, USDOL also funded a 3-year USD 3.5 million research project to be carried out by Macro International on children working in the carpet industry in India, Nepal, and Pakistan.<sup>1697</sup> With support from the Government of Italy, the state government of Karnataka is participating in a USD 3.6 million ILO-IPEC project to combat exploitive child labor and economic exploitation of adolescents in the sericulture (silk farming) industry; the project is scheduled to end in August 2008.<sup>1698</sup>

The Government of India and its state governments are collaborating on a program to rescue and rehabilitate child and adult bonded laborers. This includes administering surveys to identify bonded laborers, stipends of 20,000 rupees (USD 476), training and education for each person rescued, and awareness-raising activities.<sup>1699</sup> However, USDOS reports that this program is inadequately implemented; very few individuals are identified and actually receive these services.<sup>1700</sup> The MOLE is also partnering with the ILO on a project to identify and provide rehabilitative services to bonded laborers in selected states, as well as train local officials on bonded labor issues.<sup>1701</sup>

The Government's National Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children aims to rehabilitate and reintegrate victims of trafficking into society.<sup>1702</sup> The Ministry of Women and Child Development (MWCD) coordinates a wide range of anti-trafficking activities, in collaboration with NGOs and state governments, including awareness-raising programs; victim rescue; shelter homes; and the provision of counseling, legal aid, medical care, repatriation, and rehabilitative services.<sup>1703</sup> These efforts include the MWCD's new *Ujjawala* scheme, announced in December 2007, a grant-based program to provide services to trafficking victims.<sup>1704</sup> The MWCD also provides job training to girls who plan to migrate for work overseas, and educates them on their rights as Indian emigrants.<sup>1705</sup> The states of Andhra Pradesh, Goa, West Bengal, Maharashtra, and Bihar opened new Anti-Human Trafficking Units in 2007;<sup>1706</sup> this has led to increases in both the rescues of sex trafficking victims and in arrests of traffickers.<sup>1707</sup> Also in 2007, USDOS, UNODC, and India's Central Bureau of Investigation partnered to provide anti-trafficking training to over 9,000 police officers and prosecutors in five states.<sup>1708</sup> The Government's Home Ministry also continued to train law enforcement officers on trafficking issues.<sup>1709</sup>

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<sup>1642</sup> Ministry of Labour and Employment, *Annual Report of the Ministry of Labour 2006-2007*, para 12.3.

<sup>1643</sup> ILO- Subregional Office for South Asia, *A Decade of ILO-India Partnerships*, New Delhi, 2004, 71; available from

[http://www.ilo.org/public/english/region/asro/newdelhi/download/misa\\_cl.pdf](http://www.ilo.org/public/english/region/asro/newdelhi/download/misa_cl.pdf).

<sup>1644</sup> U.S. Department of State, "India," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100614.htm>. See also Government of India, *Child Labor- Prohibition and Regulation Act (as amended)*, Schedule. See also P. Madhavan and Dr. Sanjay Raj, *Budhupura "Ground Zero" Sandstone Quarrying in India*, India Committee of the Netherlands, Utrecht, December, 2005, 18-19; available from <http://www.stonemarket.co.uk/images/ethics/budhupura.pdf>.

<sup>1645</sup> ILO- Subregional Office for South Asia, *A Decade of ILO-India Partnerships*, 70-71.

<sup>1646</sup> *Ibid.* See also U.S Embassy- New Delhi, *reporting*, November 5, 2007.

<sup>1647</sup> ILO-IPEC, *Addressing the Exploitation of Children in Scavenging (Waste Picking): A Thematic Evaluation of Action on Child Labour*, Geneva, October 2004, 18; available from [http://www.ilo.org/iloroot/docstore/ippec/prod/eng/2004\\_eval\\_scavenging\\_en.pdf](http://www.ilo.org/iloroot/docstore/ippec/prod/eng/2004_eval_scavenging_en.pdf).

<sup>1648</sup> U.S. Department of State, "Country Reports- 2007: India," section 6c.

<sup>1649</sup> Ravi Srivastava, *Bonded Labour in India: Its Incidence and Pattern*, ILO- Special Action Programme to Combat Forced Labour, Geneva, April 2005, 5-9, 16, 24, 27-29, 31; available from [http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var\\_DocumentID=5071](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=5071).

<sup>1650</sup> U.S. Department of State, "Country Reports- 2007: India," section 6d. See also Davuluri Venkateswarlu, *Child Bondage Continues in Indian Cotton Supply Chain*, OECD Watch, Deutsche Welthungerhilfe, India Committee of the Netherlands, Eine Welt Netz NRW, and International Labor Rights Forum, September, 2007, Cover, 5; available from <http://www.indianet.nl/pdf/childbondagecotton.pdf>. See also U.S. Embassy- New Delhi, *reporting, November 5, 2007*.

<sup>1651</sup> U.S. Embassy- New Delhi, *reporting, May 21, 2007*.

<sup>1652</sup> U.S. Embassy- New Delhi, *reporting, December 4, 2007*. See also Dan MacDougall, "Indian 'slave' children found making low-cost clothes destined for Gap", *The Observer Guardian Unlimited*, [online], October 28, 2007; available from <http://observer.guardian.co.uk/world/story/0,,2200590,00.html>. See also U.S. Department of State, "Country Reports- 2007: India," section 6d.

<sup>1653</sup> U.S. Department of State, "India (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>1654</sup> Srivastava, *Bonded Labour in India*, 8-9. See also U.S. Embassy- New Delhi, *reporting, December 4, 2007*.

<sup>1655</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of India, *Child Labor- Prohibition and Regulation Act (as amended)*, (1986 and July 10, 2006), articles 2, 3, Schedule; available from <http://labour.nic.in/cwl/ChildLabour.htm>. See also Government of India, *The Factories Act*, No. 63 of 1948, as amended by No. 20 of 1987, (1948), article 67; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/32063/64873/E87IND01.htm>. See also Ministry of Labour

and Employment, *Annual Report of the Ministry of Labour 2006-2007*, New Delhi, September 26, 2007, para 12.4; available from

<http://labour.nic.in/annrep/annrep2006.htm>. See also U.S. Embassy - New Delhi, *reporting, November 29, 2007*.

<sup>1656</sup> U.S. Department of State, "Country Reports- 2007: India," section 5.

<sup>1657</sup> ECPAT International and Aparna Bhat, *Report on Laws and Legal Procedures Concerning the Commercial Sexual Exploitation of Children in India*, Bangkok, November 2004, 9; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/promoting\\_law/india\\_report/Laws\\_Legal\\_Procedures\\_India\\_Nov2004.pdf](http://www.ecpat.net/eng/Ecpat_inter/projects/promoting_law/india_report/Laws_Legal_Procedures_India_Nov2004.pdf). See also Equations, *A Situational Analysis of Child Sex Tourism in India (Kerala and Goa)*, Bangkok, December 2003, 5; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/sex\\_tourism/India-Equations.Web.pdf](http://www.ecpat.net/eng/Ecpat_inter/projects/sex_tourism/India-Equations.Web.pdf). See also U.S. Embassy- New Delhi, *reporting, March 20, 2008*.

<sup>1658</sup> Sree Lakshmi Akula and Anil Raghuvanshi, *Situational Analysis Report on Prostitution of Boys in India (Hyderabad)*, Bangkok, June, 2006, 7; available from [http://www.ecpat.net/eng/publications/Boy\\_Prostitution/PDF/India\\_Hyderabad.pdf](http://www.ecpat.net/eng/publications/Boy_Prostitution/PDF/India_Hyderabad.pdf). See also Equations, *Situational Analysis of Child Sex Tourism*. See also Agniva Lahiri and Sarika Kar, *Dancing Boys: Traditional Prostitution of Young Males in India*, UNDP - Prevention of Trafficking, HIV and AIDS Program, New Delhi, March, 2007, 4, 7; available from [http://www.giftasia.in/images/pdf/dancing\\_boys.pdf](http://www.giftasia.in/images/pdf/dancing_boys.pdf).

<sup>1659</sup> U.S. Embassy- New Delhi, *reporting, March 20, 2008*. See also Coalition to Stop the Use of Child Soldiers, *Child Soldiers: Frequently Asked Questions*, [online] [cited December 11, 2007]; available from <http://www.childsoldiers.org/childsoldiers/questions-and-answers>. See also Human Rights Watch, "India," in *World Report 2006*, New York, January 18, 2006; available from <http://hrw.org/english/docs/2006/01/18/india12272.htm>. See also Human Rights Watch, *Being Neutral is Our Biggest Crime: Government, Vigilante, and Naxalite Abuses in India's Chhattisgarh State*, New York, July, 2008, 115, 116, 129, 130; available from <http://www.hrw.org/reports/2008/india0708/>.

<sup>1660</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: India." See also Sankar Sen and P. M. Nair, *A Report on Trafficking in Women and Children in India 2002-2003*, National Human Rights Commission of India, Institute of Social Sciences, and UNIFEM, New Delhi, July 2004, 10, 165, 166. See also U.S. Department of State, "Country Reports- 2007: India," section 5.

<sup>1661</sup> U.S. Embassy- New Delhi, *reporting, November 5, 2007*.

<sup>1662</sup> Sankar Sen and P.M. Nair, *A Report on Trafficking in Women and Children in India 2002-2003*, National Human Rights Commission of India, Institute of Social Sciences,

and UNIFEM, New Delhi, July, 2004, 353.

<sup>1663</sup> U.S. Department of State, "Country Reports- 2007: India," section 5. See also U.S. Department of State, "Nepal," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100618.htm>.

<sup>1664</sup> U.S. Embassy - New Delhi, *reporting, November 29, 2007*. See also Global March Against Child Labour, *75 Child Labourers Rescued from Zari Sweatshops*, [online] November 1, 2007 [cited December 3, 2007]; available from [http://www.globalmarch.org/gap/child\\_labour\\_in\\_zari\\_sweatshops.php](http://www.globalmarch.org/gap/child_labour_in_zari_sweatshops.php).

<sup>1665</sup> U.S. Department of State, "Country Reports- 2007: India," section 5.

<sup>1666</sup> Government of India, *Child Labor- Prohibition and Regulation Act (as amended)*, articles 2 and 3, Schedule. See also Government of India, *The Factories Act*, article 67. See also U.S. Embassy - New Delhi, *reporting, November 29, 2007*.

<sup>1667</sup> Government of India, *The Factories Act*, articles 2, 67-71.

<sup>1668</sup> Government of India, *Child Labor- Prohibition and Regulation Act (as amended)*, articles 7, 8, 14.

<sup>1669</sup> Government of India, *Bonded Labour System (Abolition) Act*, Act No. 19 of 1976, (February 9, 1976), articles 4, 13, 14, 18; available from <http://indiacode.nic.in/fullact1.asp?tfnm=197619>. See also Government of India, *Juvenile Justice (Care and Protection of Children) Act*, No. 56, (December 30, 2000), article 26; available from <http://socialwelfare.delhigovt.nic.in/juvenilejustice1.htm>. See also U.S. Embassy - New Delhi, E-mail communication to USDOL official, July 25, 2008.

<sup>1670</sup> US Embassy- New Delhi official, E-mail communication to USDOL official, August 5, 2007.

<sup>1671</sup> Government of India, *Immoral Traffic (Prevention) Act*, (1956), articles 2 and 5.

<sup>1672</sup> Government of India, *The Narcotic Drugs and Psychotropic Substances Act*, No. 61, (1985), articles 8, 22, 32; available from <http://www.vakilno1.com/bareacts/THE-NARCOTIC-DRUGS-AND-PSYCHOTROPIC-SUBSTANCES-ACT-1985/THE-NARCOTIC-DRUGS-AND-PSYCHOTROPIC-SUBSTANCES-ACT-1985.htm>.

<sup>1673</sup> Coalition to Stop the Use of Child Soldiers, "India," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=851](http://www.child-soldiers.org/document_get.php?id=851).

<sup>1674</sup> Ministry of Labour and Employment, *Annual Report of the Ministry of Labour 2006-2007*, paras 9.2, 9.3, 12.6, 12.7.

<sup>1675</sup> US Embassy- New Delhi official, E-mail

communication, August 5, 2007.

<sup>1676</sup> U.S Embassy- New Delhi, *reporting, March 20, 2008*.

<sup>1677</sup> U.S. Embassy - New Delhi, *reporting, November 29, 2007*.

<sup>1678</sup> U.S. Department of State, "Country Reports- 2007: India," section 6d.

<sup>1679</sup> U.S. Embassy - New Delhi, *reporting, November 29, 2007*.

<sup>1680</sup> U.S. Department of State, "Country Reports- 2007: India," section 5.

<sup>1681</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: India."

<sup>1682</sup> U.S. Department of State, "India," in *Trafficking in Persons Interim Assessment*, Washington, DC, January 19, 2007; available from <http://www.state.gov/g/tip/rls/rpt/78948.htm>. See also U.S. Embassy- New Delhi, *reporting, August 21, 2007*.

<sup>1683</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: India." See also U.S Embassy- New Delhi, *reporting, March 20, 2008*.

<sup>1684</sup> Ministry of Women and Child Development, *National Charter for Children*, New Delhi, February 9, 2004, articles 7 and 8b; available from <http://wcd.nic.in/nationalcharter2003.doc>.

<sup>1685</sup> Ministry of Labour and Employment, *National Policy on Child Labour*, [online] [cited March 19, 2008]; available from <http://labour.nic.in/cwl/CIPolicy.htm>.

<sup>1686</sup> Ministry of Labour and Employment, *Annual Report of the Ministry of Labour 2006-2007*, paras 12.10, 12.11, 12.12, 12.13, 12.35, Table 12.1.

<sup>1687</sup> Government of India, *Written Communication*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Washington, December 7, 2007.

<sup>1688</sup> U.S. Embassy - New Delhi, E-mail communication, July 25, 2008.

<sup>1689</sup> Ministry of Labour and Employment, *Annual Report of the Ministry of Labour 2006-2007*, para 12.24. See also Ministry of Labour and Employment, *Annual Report of the Ministry of Labour 2005-2006*, New Delhi, September 21, 2006, 6; available from <http://www.labour.nic.in/annrep/annrep2005.htm>.

<sup>1690</sup> U.S. Embassy - New Delhi, *reporting, November 29, 2007*.

<sup>1691</sup> U.S. Embassy- New Delhi, *reporting, December 4, 2007*. See also Childline India Foundation, *FAQ*, [online] [cited March 19, 2008]; available from <http://www.childlineindia.org.in/aboutus08.htm>.

<sup>1692</sup> U.S. Embassy - New Delhi, *reporting, November 29, 2007*. See also U.S. Department of State, "Country Reports- 2007: India," section 6d.

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<sup>1693</sup> ILO-IPEC, *Preventing and Eliminating Child Labor in Identified Hazardous Sectors*, Technical Progress Report, Geneva, September 13, 2007, 9.

<sup>1694</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>1695</sup> U.S. Department of State, "Country Reports- 2007: India," section 6d.

<sup>1696</sup> ILO-IPEC, *Preventing and Eliminating Child Labor in Identified Hazardous Sectors*, Project Document, Geneva, September 2001, 3, 6-7, 18-19. See also Ministry of Labour and Employment, *Annual Report of the Ministry of Labour 2006-2007*, para 12.32. See also ILO-IPEC, *Preventing and Eliminating Child Labor in Identified Hazardous Sectors*, Technical Progress Report, Geneva, September 13, 2006.

<sup>1697</sup> U.S. Department of Labor, *Research on Children Working in the Carpet Industry of India, Nepal and Pakistan: Technical Cooperation Project Summary*, 2007.

<sup>1698</sup> ILO-IPEC Geneva official, E-mail communication, December 12, 2007.

<sup>1699</sup> Ministry of Labour and Employment, *Annual Report of the Ministry of Labour 2006-2007*, para 9.3, 9.4. For currency conversion, see OANDA, *FX Converter* -

*Currency Converter for 164 Currencies*, [online] [cited December 11, 2007]; available from <http://www.oanda.com/convert/classic>.

<sup>1700</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: India."

<sup>1701</sup> U.S Embassy- New Delhi, *reporting, March 20, 2008*.

<sup>1702</sup> Ministry of Women and Child Development, *Initiatives Taken by Ministry of Women and Child Development to Combat Trafficking of Women and Children*, New Delhi, October 11, 2006, para i; available from <http://wcd.nic.in/INITITrafficking.doc>.

<sup>1703</sup> U.S. Department of State, "Country Reports- 2007: India," section 5. See also Ministry of Women and Child Development, *Initiatives of the MWCD*, para xxi.

<sup>1704</sup> U.S Embassy- New Delhi, *reporting, March 20, 2008*.

<sup>1705</sup> U.S. Embassy - New Delhi, *reporting, September 28, 2007*.

<sup>1706</sup> U.S. Embassy- New Delhi, *reporting, December 4, 2007*.

<sup>1707</sup> US Embassy- New Delhi official, E-mail communication, August 5, 2007.

<sup>1708</sup> U.S. Embassy- New Delhi, *reporting, December 4, 2007*.

<sup>1709</sup> U.S. Department of State, "Country Reports- 2007: India," section 5.

## Indonesia

### Incidence and Nature of Child Labor

The majority of child work in Indonesia occurs in rural areas. Children work in agriculture on palm oil, cacao, tobacco, rubber, tea, and sugar plantations. Children also work in fisheries, construction, manufacturing, footwear production, food processing, textiles, and the small-scale mining sector.<sup>1710</sup> Other children work in the informal sector, including those living on the street, selling newspapers, shining shoes, street vending, scavenging, and working beside their parents in family businesses or cottage industries.<sup>1711</sup> Children, primarily females, are also engaged in domestic service where some are exploited and can be subject to forced labor, including debt bondage.<sup>1712</sup>

Indonesia is primarily a source and, to a lesser extent, a destination country for individuals trafficked internationally and internally, including children.<sup>1713</sup> Children, primarily girls, are trafficked internationally from Indonesia to Malaysia, Saudi

Arabia, Hong Kong, Taiwan, Japan, and Singapore, and are trafficked internally mainly from rural to urban areas. There is emerging evidence that girls are also trafficked into Indonesia, mainly from China and Eastern Europe.<sup>1714</sup> Girls are primarily trafficked both internationally and domestically for commercial sexual exploitation and domestic work, whereas boys are trafficked internally to work on fishing platforms. There are reports of children being trafficked to work in organized begging rings.<sup>1715</sup> Children are also exploited in the production of pornography and in the international sex industry, increasingly through sex tourism.<sup>1716</sup> Likewise, children are known to be involved in the production, trafficking, and/or sale of drugs.<sup>1717</sup>

The tsunami of December 26, 2004 and the May 27, 2006 Yogyakarta earthquake left thousands of children in Indonesia orphaned or separated from their families. It also left them without access to schooling, thus increasing their vulnerability to trafficking and other forms of labor and sexual exploitation. Although some children affected by

the tsunami were immediately reunited with extended family or families within their communities, a secondary separation occurred soon after due to slow reestablishment of family livelihoods, decreased international support, and low institutional capacity to deliver services. Because of the secondary separation, in Aceh, approximately 2,500 children were placed in orphanages. All of these children continue to be highly vulnerable to exploitation.<sup>1718</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1719</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	Varies*
Free public education:	Yes**
Gross primary enrollment rate (%), 2005:	115
Net primary enrollment rate (%), 2005:	95
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	89
ILO-IPEC participating country:	Yes
*Is compulsory for 9 years, or approximately age 15	
**Must pay for miscellaneous school expenses	

### **Child Labor Laws and Enforcement**

The law sets the minimum age for work at 15 years.<sup>1720</sup> The law contains an exception for employing children from 13 to 15 years to perform light work that does not disrupt their physical, mental, and social development. A set of requirements is outlined for employment of children in this age range, including a maximum of 3 hours of work per day, parental permission, and no disruption of schooling.<sup>1721</sup> Employing and involving children under 18 years in the worst forms of child labor or economic exploitation are prohibited under the law; failure to comply can

result in criminal sanctions of 2 to 5 years of imprisonment. The law defines the worst forms of child labor as slavery; use of children in prostitution, pornography and gambling; use of children for the production and trade of alcohol, narcotics, and addictive substances; and all types of work harmful to the health, safety, and morals of children. The law identifies a list of such harmful activities and provides detailed descriptions and examples of these activities. These include jobs that require children to work with machines; where physical, chemical, or biological hazards are present; with inherent hazards such as construction, offshore fishing, lifting heavy loads (among others); and jobs that harm the morals of children including working in bars, massage parlors, discotheques, or promoting alcohol or drugs to arouse sexual desire.<sup>1722</sup> Persons who expose children to such hazardous activities are liable to terms of up to 5 years of imprisonment or a fine.<sup>1723</sup> An Indonesian decree calls for general programs to ban and abolish worst forms of child labor and improve family income, for specific programs for non-formal education, and returning children to school by providing scholarships.<sup>1724</sup> Additional specific legal sanctions are laid out against offenses of commercial sexual exploitation, child trafficking, involving children in the production or distribution of alcohol or narcotics, and involving children in armed conflict.<sup>1725</sup> Anyone exercising legal custody of a child under 12 years for the purpose of providing that child to another person, knowing that the child is going to be used for the purposes of begging, harmful work, or work that affects the child's health, may face a maximum sentence of 4 years of imprisonment.<sup>1726</sup> The law protects children in emergencies such as natural disasters.<sup>1727</sup>

Indonesian law prohibits sexual intercourse outside of marriage with a female recognized to be under 15 years, engaging in an obscene act with a person under 15 years, and forcing or allowing the sexual abuse of a child; with maximum penalties ranging from 7 to 15 years of imprisonment.<sup>1728</sup> The law also prohibits trafficking in persons. A comprehensive new anti-trafficking law came into effect in April 2007, providing key definitions and harsher punishments than previous laws utilized to prosecute traffickers. If the trafficking crimes involve children, the standard sentence for

violation of the law is 3 to 15 years, with penalties for officials increasing by one-third. The new law also details specific procedures for working with child witnesses and/or victims.<sup>1729</sup> Additional laws are also used to prosecute trafficking. The Penal Code provides a maximum penalty of 6 years imprisonment for trading or selling children and the Child Protection Act stipulates a prison sentence of 3 to 15 years and/or a fine for the same offence.<sup>1730</sup> The minimum age for recruitment or enlistment into the Armed Forces is 18 years, with violations incurring a maximum sentence of 5 years and/or a fine.<sup>1731</sup> The law also prohibits the use or involvement of children in the misuse, production, or distribution of narcotics and stipulates a maximum sentence of the death penalty or life imprisonment.<sup>1732</sup>

Ministry of Manpower and Transmigration (MOMT) authorities at the provincial and district levels have responsibility for enforcing child labor laws.<sup>1733</sup> The national police's anti-trafficking unit and other law enforcement bodies have increased efforts to combat trafficking of children. In 2007, there were 46 trafficking-related convictions.<sup>1734</sup> In 2006, the latest year for which data are available, there were five convictions specifically for child trafficking.<sup>1735</sup> The anti-trafficking task force has rescued hundreds of victims, primarily children. Police have an ongoing operation to rescue children trafficked into commercial sexual exploitation.<sup>1736</sup> Despite these efforts, USDOS reports that the Indonesian Government does not enforce child labor laws in an effective manner due to a lack of resources and lack of child labor inspections.<sup>1737</sup>

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

The 20-year National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labor completed its first 5-year phase in 2007. The first phase, established by Presidential Decree No. 59 (2002), focused on mapping child labor problems, raising awareness, and eliminating five priority worst forms of child labor: offshore fishing and diving; trafficking for purposes of prostitution; mining; footwear production; and drug trafficking.<sup>1738</sup> The Government underwent an in-depth assessment and evaluation of Phase I in preparation for prioritizing sectors, geographic areas, and strategies for Phase II, which began in

2008. The report of findings had not been released as of March 2008.<sup>1739</sup> The MOMT chairs a National Action Committee for the Elimination of the Worst Forms of Child Labor, which coordinates child labor elimination efforts throughout the country and produces annual reports on the implementation of the NPA.<sup>1740</sup> The National Plan of Action of Human Rights in Indonesia (2004-2009) contains a specific objective on protecting the rights of the child, with a series of activities aimed at combating trafficking and protecting against sexual exploitation, pornography, and worst forms of child labor.<sup>1741</sup>

The Indonesia National Medium Term Development Plan (2004-2009) recognizes the problem of child labor and supports the implementation of the National Plan on the Elimination of the Worst Forms of Child Labor.<sup>1742</sup> The country's Poverty Reduction Strategy (2005-2009) includes objectives of preventing exploitation and the worst forms of child labor, increasing protection for street children and child workers, and preventing child trafficking. In the monitoring and evaluation system, the plan also has a 2009 target to decrease the number of child trafficking cases.<sup>1743</sup>

The National Plan of Action to Combat the Trafficking of Women and Children and the National Plan of Action to Combat Commercial Sexual Exploitation are in place to help reduce the trafficking and commercial sexual exploitation of children.<sup>1744</sup> The NPA to Combat Trafficking expired at the end of 2007.<sup>1745</sup> In support of these plans, the national Government sponsors a nationwide media campaign to raise awareness on trafficking.<sup>1746</sup> In 2007, the Government provided an anti-trafficking budget for the first time ever, allocating USD 4.8 million.<sup>1747</sup> The Foreign Affairs Ministry operates shelters at its embassies and consulates in several countries including, Kuwait, Malaysia, Saudi Arabia, and Singapore.<sup>1748</sup> The Indonesian National Police operate a medical recovery center for victims of trafficking in Jakarta, and are also operating recovery centers in Surabaya, Pontianak, and Makassar.<sup>1749</sup> The Ministry of National Education initiated a new program in 2007 to prevent trafficking of girls through provisions of grants to schools to carry out activities.<sup>1750</sup> Indonesia is one of several countries in

South East Asia participating in a campaign by MTV to raise awareness on human trafficking.<sup>1751</sup> A number of local governments have also established and are operating shelters for trafficking victims,<sup>1752</sup> and several districts and provinces have implemented anti-trafficking activities through their Anti-Trafficking Committees and district action plans. As of the end of 2007, 26 provinces had such committees or task forces. Also in 2007, the number of women's help desks for assisting exploited women and children, including those exploited through trafficking, increased to 304 nationwide.<sup>1753</sup>

In July 2007, the Government launched the Conditional Cash Transfer (CCT) program in seven provinces. The program provides cash transfers to very poor families who meet a set of conditions, one of which is withdrawing their children from labor and ensuring that they are enrolled in school.<sup>1754</sup> The August 2007 National Labor Force Survey included a question on child labor in order to establish a sampling framework for the National Child Labor Survey and to obtain an estimate of the scale of child labor in the country.<sup>1755</sup> The MOMT reports that Action Committees on Child Labor have been established in 22 of 33 provinces and 77 of 458 districts in Indonesia.<sup>1756</sup> As of December 2007, there were 15 provincial and 65 district child labor action committees that help implement of Indonesia's laws and policies on child labor by formulating local policies and programs appropriate to local needs.<sup>1757</sup> Several provincial governments such as East Kalimantan, East Java, Central Java, North Sumatra, North Sulawesi, and Lampung allocated specific budgets for eliminating the worst forms of child labor and/or have undertaken specific child labor activities during 2007. Actions include forming child labor action committees; operating "Child Helpline 129" to provide emergency assistance to children, including to child laborers; training provincial labor inspectors; publishing guidelines for mapping the worst forms of child labor; and mapping child labor in a number of districts.<sup>1758</sup>

The Government of Indonesia is participating in a USD 4.1 million USDOL-supported ILO-IPEC Timebound Program to progressively eliminate the worst forms of child labor. The program is being implemented from 2003 through 2008, and aims to

withdraw 2,750 children and prevent 9,960 children from exploitive labor in the five priority sectors identified in the NPA.<sup>1759</sup> In 2007, USDOL awarded ILO-IPEC USD 5.55 million for a 4-year second phase of the project, targeting an additional 6,000 children for withdrawal and 16,000 for prevention from exploitive work in domestic service, commercial agriculture, drug trafficking, and trafficking for commercial sexual exploitation.<sup>1760</sup> In support of the national Timebound Program, USDOL also funds a USD 6 million Child Labor Education Initiative project to combat child trafficking in Indonesia that aims to withdraw 1,500 child trafficking victims and prevent 17,932 children from being trafficked.<sup>1761</sup> The Netherlands supported a new USD 22.6 million youth employment and child labor project, focusing on six provinces in the eastern part of Indonesia.<sup>1762</sup>

To address the vulnerability of children to worst forms of child labor in the tsunami-stricken areas of Indonesia in 2005, USDOL funded a USD 1.5 million addendum to the ILO-IPEC Timebound Program and a USD 2.5 million addendum to the Education Initiative project, which closed in March 2008. The ILO-IPEC project aims to prevent 3,000 children from entering exploitive labor, and the Education Initiative project aims to prevent 10,530 children from entering exploitive labor.<sup>1763</sup>

USDOS supports a project that provides technical assistance and policy advocacy training to help national and local governments establish and implement policies to reduce vulnerability to trafficking.<sup>1764</sup> This project assisted the Indonesian Government in developing and passing an anti-trafficking law, and supported 50 projects by Indonesian civil society institutions in the areas of prevention and protection.<sup>1765</sup> USAID and USDOS support additional projects to combat trafficking in persons, including training to the Ministry of Women's Empowerment and civil society to raise awareness on trafficking, as well as assistance to develop and implement policies and procedures to fight trafficking in persons.<sup>1766</sup> President Bush included Indonesia as one of nine target countries in his USD 50 million anti-trafficking in persons initiative. Indonesia has received approximately 10 percent of the total funding.<sup>1767</sup>

<sup>1710</sup> U.S. Department of State, "Country Reports- 2007: Indonesia," section 6d. See also U.S. Embassy--Jakarta, *reporting*, December 10, 2007. See also ILO-IPEC, *Support to the Indonesian National Plan of Action and the Development of the Timebound Programme on the Elimination of the Worst Forms of Child Labour*, Project Document, INS/03/P50/USA, Geneva, September 30, 2003, 2-3. See also End Child Labor, *Indonesia Child Labor by Industry or Occupation*, accessed November 21, 2007; available from [http://www.endchildlabor.org/db\\_infoBank.cfm?Action=View](http://www.endchildlabor.org/db_infoBank.cfm?Action=View). See also International Trade Union Confederation, *Internationally Recognized Core Labour Standards in Indonesia*, Geneva, June 2007, 15-18; available from [http://www.ituc-psi.org/IMG/pdf/Indonesia\\_report\\_final\\_FINAL.pdf](http://www.ituc-psi.org/IMG/pdf/Indonesia_report_final_FINAL.pdf). See also University of North Sumatra, *Study of Child Workers in Tobacco Plantations in Sumatra Indonesia*, 2004, Executive Summary; available from <http://www.eclt.org/activities/research/indonesia.html>.

<sup>1711</sup> U.S. Department of State, "Country Reports- 2007: Indonesia," section 5 and 6d. See also Ministry of Manpower and Transmigration, *The National Plan of Action for the Elimination of the Worst Forms of Child Labor*, Presidential Decree Number 59, (August 13, 2002), 5. See also International Trade Union Confederation, *Internationally Recognized Core Labour Standards in Indonesia*, 15-18. See also U.S. Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1712</sup> U.S. Department of State, "Country Reports- 2007: Indonesia," section 5 and 6d. See also "Swept Under the Rug: Abuses Against Domestic Workers Around the World," *Human Rights Watch* 18, no. 7(C) (2006), 53 and 54; available from <http://hrw.org/reports/2006/wrd0706/wrd0706webwcover.pdf>. See also "Always on Call: Abuse and Exploitation of Child Domestic Workers in Indonesia," *Human Rights Watch* 17, no. 7(C) (2005). See also U.S. Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1713</sup> U.S. Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1714</sup> International Catholic Migration Commission and The Solidarity Center, *When They Were Sold: Trafficking of Women and Girls in 15 Provinces of Indonesia*, Jakarta, November 2006, 53-54; available from <http://solidarity.timberlakepublishing.com/content.asp?contentid=638>. See also U.S. Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1715</sup> U.S. Department of State, "Country Reports- 2007: Indonesia," section 5. See also Ruth Rosenberg, ed., *Trafficking of Women and Children in Indonesia*, Jakarta, 2003, 16, 19, 31, and 172; available from <http://solidarity.timberlakepublishing.com/content.asp>

?contentid=502. See also International Catholic Migration Commission and The Solidarity Center, *When They Were Sold*, 29, 31, 36-37, 43 and 45. See also U.S. Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1716</sup> ECPAT International CSEC Database, *Indonesia*, accessed November 21, 2007; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/index.asp](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp). See also Rosenberg, *Trafficking of Women and Children in Indonesia*, 19. See also UNICEF, *Factsheet on Commercial Sexual Exploitation and Trafficking of Children*; available from [http://www.unicef.org/indonesia/Factsheet\\_CSEC\\_trafficking\\_Indonesia.pdf](http://www.unicef.org/indonesia/Factsheet_CSEC_trafficking_Indonesia.pdf).

<sup>1717</sup> U.S. Department of State, "Country Reports- 2007: Indonesia," section 6d. See also Emma Porio and Christine S. Crisol, *The Use of Children in the Production, Sales, and Trafficking of Drugs*, ILO-IPEC, Manila, September 2004, 2. See also ILO-IPEC, *Indonesian Timebound National Action Programme on the Elimination of the Worst Forms of Child Labour*, Project Document, 4. See also U.S. Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1718</sup> U.S. Embassy-Jakarta official, E-mail communication to USDOL official, December 13, 2007. See also Office of the United Nations Recovery Coordinator for Aceh and Nias and the Executing Agency for Rehabilitation and Reconstruction of Aceh and Nias, *Tsunami Recovery Indicators Package for Aceh and Nias*, Banda Aceh, March 2007, Executive Summary; available from [http://www.e-aceh-nias.org/upload/TRIP-Report-English\\_Final.pdf](http://www.e-aceh-nias.org/upload/TRIP-Report-English_Final.pdf). See also Badan Rehabilitasi dan Rekonstruksi (BRR) and International Partners, *Aceh and Nias One Year After the Tsunami: The Recovery Effort and Way Forward*, 2005; available from <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/EASTASIAPACIFICEXT/0,,contentMDK:20757701~pagePK:146736~piPK:146830~theSitePK:226301,0.html>. See also U.S. Embassy- Jakarta, *reporting*, March 3, 2006.

<sup>1719</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Ministry of Manpower and Transmigration, *Concerning Jobs that Jeopardize the Health, Safety and Morals of Children*, Decree No. Kep.235/MEN/2003, (October 31, 2003), article 3; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=IDN&p\\_classification=04&p\\_origin=SUBJECT](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=IDN&p_classification=04&p_origin=SUBJECT). See also Government of Indonesia, *National Child Protection Act*, Law No. 23, (2002), article 48 and 53; available from [http://www.ri.go.id/produk\\_uu/uu-2002.htm](http://www.ri.go.id/produk_uu/uu-2002.htm). See also U.S. Department of State, "Indonesia," in *Country*

*Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100521.htm>. See also Government of Indonesia, *National Child Protection Act*.

<sup>1720</sup> Ministry of Manpower and Transmigration, *Concerning Jobs that Jeopardize the Health, Safety and Morals of Children*, article 3.

<sup>1721</sup> Government of Indonesia, *Manpower Development and Protection Act (no. 13)*, (March 25, 2003), article 26, 68, and 69.

<sup>1722</sup> *Ibid.*, article 74 and 183. See also Ministry of Manpower and Transmigration, *Concerning Jobs that Jeopardize the Health, Safety and Morals of Children*. See also ILO NATLEX National Labor Law Database, *Protection of Children Undertaking Jobs to Develop Talent and Interest Decree No. KEP.115/MEN/VII/2004*, March 13, 2008; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=IDN&p\\_classification=04&p\\_origin=SUBJECT](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=IDN&p_classification=04&p_origin=SUBJECT). See also Ministry of Manpower and Transmigration, *The National Plan of Action WFCL*, 10.

<sup>1723</sup> Government of Indonesia, *National Child Protection Act*, article 59-60 and 78-89.

<sup>1724</sup> Government of Indonesia, *Decree of the Minister of Home Affairs and Regional Autonomy on the Control of Child Workers*, Law No. 5, (January 8, 2001), article 5.

<sup>1725</sup> Government of Indonesia, *National Child Protection Act*, article 80-89.

<sup>1726</sup> Government of Indonesia, *Penal Code of Indonesia*, article 301.

<sup>1727</sup> Government of Indonesia, *National Child Protection Act*, article 59-60 and 78-89. See also Government of Indonesia, *Law No. 39 Concerning Human Rights*, (September 23, 1999), article 52-66.

<sup>1728</sup> Government of Indonesia, *Penal Code of Indonesia*, article 287-291. Government of Indonesia, *National Child Protection Act*, article 80-89.

<sup>1729</sup> Government of Indonesia, *Law of the Republic of Indonesia on the Eradication of the Criminal Act of Trafficking in Persons*, Number 21, (April 19, 2007), article 6-7, 17 and 38-40. See also U.S Embassy Jakarta, *reporting*, April 24, 2007. See also U.S Embassy-Jakarta, *reporting*, February 29, 2008.

<sup>1730</sup> Government of Indonesia, *National Child Protection Act*, article 83. See also Government of Indonesia, *Penal Code of Indonesia*, article 297.

<sup>1731</sup> Government of Indonesia, *National Child Protection Act*, article 87. See also Coalition to Stop the Use of Child Soldiers, "Indonesia," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=852](http://www.child-soldiers.org/document_get.php?id=852).

<sup>1732</sup> Government of Indonesia, *National Child Protection Act*, article 89.

<sup>1733</sup> U.S Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1734</sup> U.S Embassy-Jakarta, *reporting*, February 29, 2008.

<sup>1735</sup> U.S Embassy Jakarta, *reporting*, December 18, 2006, 9.

<sup>1736</sup> U.S Embassy-Jakarta, *reporting*, February 29, 2008.

<sup>1737</sup> U.S. Department of State, "Country Reports- 2007: Indonesia," section 6d. See also U.S Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1738</sup> Republic of Indonesia, *The National Plan of Action for the Elimination of the Worst Forms of Child Labor*, August 13, 2002, 15-16.

<sup>1739</sup> ILO-IPEC, *Support to the Indonesian National Plan of Action and the Development of the Timebound Programme for the Elimination of the Worst Forms of Child Labour*, Technical Progress Report, Geneva, September 2007, 3.

<sup>1740</sup> Government of Indonesia, *Presidential Decree on National Action Plan for Elimination of the Worst Forms of Child Labour No. 12/2001*, (January 17, 2001); available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=IDN&p\\_classification=04&p\\_origin=SUBJECT](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=IDN&p_classification=04&p_origin=SUBJECT). See also National Action Committee on the Worst Forms of Child Labor, *Report on the Implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labour (2002-2004 period)*, Jakarta, 2005.

<sup>1741</sup> Republic of Indonesia, *National Plan of Action of Human Rights in Indonesia for 2004-2009*; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=IDN&p\\_classification=01.05&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=IDN&p_classification=01.05&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).

<sup>1742</sup> ILO-IPEC, *Support to the Indonesian National Plan of Action and the Development of the Timebound Programme for the Elimination of the Worst Forms of Child Labour*, Technical Progress Report, Geneva, March 2005, 2. See also Embassy of the Republic of Indonesia, *Indonesia Country Report on the Elimination of the Worst Forms of Child Labor*, Washington, DC, March 2005, 4.

<sup>1743</sup> ILO-IPEC, *Support to the Indonesian National Plan of Action*, Technical Progress Report, March 2005.

<sup>1744</sup> Embassy of the Republic of Indonesia, *Country Report on the Elimination of the WFCL*, 7-8.

<sup>1745</sup> U.S Embassy-Jakarta, *reporting*, February 29, 2008.

<sup>1746</sup> U.S Embassy Jakarta, *reporting*, March 12, 2007. See also U.S Embassy-Jakarta, *reporting*, February 29, 2008.

<sup>1747</sup> U.S. Department of State, "Indonesia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82804.htm>.

<sup>1748</sup> *Ibid.* See also U.S Embassy Jakarta, *reporting*, April 24, 2007. See also U.S Embassy-Jakarta, *reporting*, February 29, 2008.

<sup>1749</sup> Save the Children, *Enabling Communities to Combat Child Trafficking through Education (ENABLE)*, Technical Progress Report, September 28, 2005, 3. See also U.S Embassy Jakarta, *reporting*, April 24, 2007. See also U.S Embassy-Jakarta, *reporting*, February 29, 2008.

<sup>1750</sup> ILO-IPEC, *Support to the Indonesian National Plan of Action and the Development of the Timebound Programme on the Elimination of the Worst Forms of Child Labour*, Technical Progress Report, Geneva, March 2007, 5.

<sup>1751</sup> U.S Embassy- Jakarta, *reporting*, June 27, 2007.

<sup>1752</sup> U.S Embassy-Jakarta, *reporting*, February 29, 2008.

<sup>1753</sup> Ibid.

<sup>1754</sup> ILO-IPEC, *Support to the Indonesian National Plan of Action, Technical Progress Report, September 2007*, 5. See also ILO-IPEC, *Support to the Indonesian National Plan of Action, Technical Progress Report, March 2007*, 5.

<sup>1755</sup> U.S. Embassy--Jakarta, *reporting*, December 10, 2007.

<sup>1756</sup> U.S Embassy Jakarta, E-mail communication USDOL official, July 28, 2008.

<sup>1757</sup> Embassy of the Republic of Indonesia, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Washington, DC, December 11, 2007. See also ILO-IPEC, *Project of Support to the Indonesian Time-bound Program on the Elimination of the Worst Forms of Child Labor: Phase II*, project document, Geneva, 2008.

<sup>1758</sup> ILO-IPEC, *Support to the Indonesian National Plan of Action, Technical Progress Report, March 2007*, 4-5. See also ILO-IPEC, *Support to the Indonesian National Plan of Action, Technical Progress Report, September 2007*, 5-7. See also Embassy of the Republic of Indonesia, *written communication*, December 11, 2007.

<sup>1759</sup> Embassy of the Republic of Indonesia, *Information Series on Indonesian Effort in Combating Trafficking in Persons: May 2004*, Washington, DC, May 2004, 1. See also ILO-IPEC, *Support to the Indonesian National Plan of Action, Technical Progress Report, March 2005*, 1.

<sup>1760</sup> U.S. Department of Labor, *Project of Support to the Indonesian Timebound Programme on the Elimination of the Worst Forms of Child Labour- Phase II*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007.

<sup>1761</sup> U.S. Department of Labor, *Enabling Communities to Combat Child Trafficking through Education (ENABLE)*, ILAB Technical Cooperation Project Summary, Washington, DC, 2004.

<sup>1762</sup> Royal Netherlands Embassy in Jakarta, *The Netherlands Contributes to ILO-Programme*, [online] [cited December 3, 2007]; available from [http://indonesia.nlembassy.org/algemeen/news/the\\_netherlands?mode=print&popup=true](http://indonesia.nlembassy.org/algemeen/news/the_netherlands?mode=print&popup=true).

<sup>1763</sup> ILO-IPEC, *Addendum to Support to the Indonesian National Plan of Action and the Development of the Timebound Programme for the Elimination of the Worst Forms of Child Labour*, project document, Geneva, February 2005, cover page, 13. See also U.S. Department of Labor, *Enabling Aceh to Combat Exploitation through Education (ENABLE/ACEH)*, ILAB Technical Cooperation Project Summary, Washington, DC, 2005.

<sup>1764</sup> U.S. Department of State, *U.S. Spearheads Women's Programs in East Asia, Pacific*, [online] February 2005 [cited October 13, 2006]; available from <http://usinfo.state.gov/dhr/Archive/2005/Feb/23-799318.html>. See also U.S. Department of State, *U.S. Government Funds Obligated for Anti-trafficking in Persons Projects, Fiscal Year 2007*, [online] February 2008 [cited March 13, 2008]; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>1765</sup> U.S Embassy Jakarta, E-mail communication USDOL official, July 30, 2007.

<sup>1766</sup> USAID, *Indonesia Education Program Overview*, [online] [cited September 26, 2006]; available from [http://indonesia.usaid.gov/\(S\(3vk4uq55r2v3cya4b1ov1wex\)\)/en/ProgramOverview.aspx?id=2](http://indonesia.usaid.gov/(S(3vk4uq55r2v3cya4b1ov1wex))/en/ProgramOverview.aspx?id=2). See also U.S. Embassy Jakarta, *reporting*, April 24, 2007. See also U.S. Department of State, *U.S. Government Funds Obligated for Anti-trafficking in Persons Projects, Fiscal Year 2007*. See also U.S Embassy Jakarta, E-mail communication, July 28, 2008.

<sup>1767</sup> U.S. Department of State, *The President's \$50 Million Initiative to Combat Trafficking In Persons: Country Funding*, [online] April 12, 2006 [cited November 21, 2007]; available from <http://www.state.gov/g/tip/rls/fs/2006/69696.htm>. See also U.S. Embassy--Jakarta, *reporting* May 21, 2004.

## Iraq

### Incidence and Nature of Child Labor

Due to sectarian violence in Iraq, many children leave school to earn money, either by selling items on the streets or by begging. In some cases, the money they earn is the sole source of family

income.<sup>1768</sup> In urban areas, children work in hazardous conditions in automobile shops and on construction sites.<sup>1769</sup> In rural areas, children perform seasonal manual labor.<sup>1770</sup>

There are reports of children participating in both the sex industry and the drug trade.<sup>1771</sup> Reports from destination countries indicate that girls are trafficked to Jordan, Syria, and the Persian Gulf States.<sup>1772</sup> Young boys have been targeted by gangs for sexual exploitation. Girls may be targeted by staff at private orphanages to be sold into prostitution or trafficked out of Iraq for sexual exploitation.<sup>1773</sup> There are reports of Iraqi insurgents recruiting children as fighters, as well as using children as suicide bombers.<sup>1774</sup>

years or older who are employed in family enterprises are excluded from most of these provisions.<sup>1779</sup>

The law prohibits the worst forms of child labor, defined as slavery, and similar practices including forced labor, child trafficking, and compulsory recruitment of minors for use in armed conflict; child prostitution; illicit activities such as drug trafficking; and work likely to harm the health, safety, or morals of children. Promoting, assisting, or benefiting from the aforementioned worst forms of child labor is prohibited.<sup>1780</sup> Violations of Labor Code provisions pertaining to work performed by children, including the worst forms of child labor, may be penalized by imprisonment for 10 days to 3 months or fines.<sup>1781</sup> The minimum age of voluntary military service is 18 years.<sup>1782</sup>

The Ministry of Labor and Social Affairs (MOLSA) is responsible for overseeing labor inspections.<sup>1783</sup> According to USDOS, MOLSA's Child Labor Unit is unable to enforce child labor laws and remove children from exploitive labor situations because of a lack of inspectors and resources.<sup>1784</sup> The Ministry of Interior is responsible for trafficking issues; however, according to USDOS, trafficking is not considered a high priority given the security situation, and is not investigated.<sup>1785</sup>

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

Since 2005, the Government has been implementing a package of benefits and services for families, contingent upon school attendance, to reduce poverty and to assist former and current street children.<sup>1786</sup> In 2007, MOLSA operated 18 orphanages in Baghdad and the surrounding areas to shelter vulnerable children to help prevent them from becoming victims of trafficking or other worst forms of child labor.<sup>1787</sup> Kurdish authorities support several small-scale projects to eliminate child labor in the Kurdish Regional Government area.<sup>1788</sup>

<sup>1768</sup> U.S. Embassy- Baghdad, *reporting*, December 10, 2007.

<sup>1769</sup> U.S. Department of State, "Country Reports- 2007: Iraq," section 6d. See also Integrated Regional Information Networks, "Iraq: Child Labour on the Rise as Poverty Increases", IRINnews.org, [online], June 12, 2007; available from <http://www.irinnews.org/>

### ***Selected Statistics and Indicators on Child Labor***<sup>1775</sup>

Working children, 5-14 years (%), 2006:	12.4
Working boys, 5-14 years (%), 2006:	15.1
Working girls, 5-14 years (%), 2006:	9.6
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	11
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	99
Net primary enrollment rate (%), 2005:	89
School attendance, children 5-14 years (%), 2006:	69.6
Survival rate to grade 5 (%), 20004:	81
ILO-IPEC participating country:	No

### **Child Labor Laws and Enforcement**

The minimum age for employment is 15 years.<sup>1776</sup> The employment of anyone under 18 years in work detrimental to the worker's health, safety, or morals is prohibited.<sup>1777</sup> Additional legal requirements regarding the employment of children under 18 include a maximum 7-hour workday, a pre-employment medical examination, a daily rest period of 1 hour after 4 hours of work, and a 30-day paid vacation per year. Employers must maintain a register of names of employees under 18 years, post a copy of the labor provisions protecting children, and keep medical fitness certificates of minors on file.<sup>1778</sup> However, youth 15

Report.aspx?ReportId=72683.

<sup>1770</sup> U.S. Department of State, "Country Reports- 2007: Iraq," section 6d.

<sup>1771</sup> Coalition Provisional Authority, *Monthly Report, Social Welfare, South Iraq*, Coalition Provisional Authority, Basra, May 2004. See also Integrated Regional Information Networks, "IRAQ: Children Lured into Drugs and Prostitution", IRINnews.org, [online], February 12, 2007; available from <http://www.irinnews.org/Report.aspx?ReportId=70094>.

<sup>1772</sup> U.S. Embassy- Baghdad, *reporting*, March 7, 2007. See also U.S. Department of State, "Country Reports- 2007: Iraq," section 5.

<sup>1773</sup> U.S. Department of State, "Country Reports- 2007: Iraq," section 5. See also U.S. Embassy- Baghdad, *reporting, December 10, 2007*.

<sup>1774</sup> Sudarsan Raghavan, "Iraq's Youthful Militiamen Build Power Through Fear: School Girls Told to Wear Scarves, Under Threat of Death," *The Washington Post* (Washington), December 13, 2007. See also Integrated Regional Information Networks, "Iraq: Insurgents using children to fight US-led forces", IRINews.org, [online], November 2, 2006; available from <http://www.irinnews.org/Report.aspx?ReportId=61917>. See also Agence France-Presse, "US claims Qaeda using children as Iraq suicide bombers", AFP.com, January 27, 2008; available from [http://afp.google.com/article/ALeqM5j7bAPfPt\\_86sbBYKrAVuuhIMhsvg](http://afp.google.com/article/ALeqM5j7bAPfPt_86sbBYKrAVuuhIMhsvg). See also U.S. Department of State, "Country Reports- 2007: Iraq," section 6d.

<sup>1775</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Coalition Provisional Authority, *Coalition Provisional Authority Order 89*; available from [http://www.iraqcoalition.org/regulations/20040530\\_CPAORD89\\_Amendments\\_to\\_the\\_Labor\\_Code-Law\\_No.pdf](http://www.iraqcoalition.org/regulations/20040530_CPAORD89_Amendments_to_the_Labor_Code-Law_No.pdf). See also UNESCO, *Education for All Global*

*Monitoring Report 2008, Table 5: Participation in primary education, 2007*; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>. See also U.S. Department of State, "Iraq," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100596.htm>.

<sup>1776</sup> Coalition Provisional Authority, *Order 89*, article 90.2 and 91.1. See also Government of Iraq, *Iraq Labor Code (Act No. 71 of 1987)*, (July 27, 1987); available from <http://www.br-iraq.com/PDF/LABORLAW/ENGLISH/6604IRAQLaborLawOriginal1987CodeEnglish.pdf>.

<sup>1777</sup> Coalition Provisional Authority, *Order 89*, articles 91.1 and 91.2.

<sup>1778</sup> *Ibid.*, articles 92-94.

<sup>1779</sup> *Ibid.*, article 96.

<sup>1780</sup> *Ibid.*, articles 91.3, 91.4. See also ECPAT International CSEC Database, *Iraq* accessed October 18, 2006; available from <http://www.ecpat.net>. See also Government of Iraq, *Constitution of Iraq*, (October 15, 2005), article 37; available from <http://www.iraqigovernment.org>.

<sup>1781</sup> Coalition Provisional Authority, *Order 89*, article 97.

<sup>1782</sup> U.S. Central Intelligence Agency, *The World Factbook: Iraq*, [online] January 24, 2008 [cited January 28, 2008]; available from <https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html>.

<sup>1783</sup> Government of Iraq, *Labor Code, Act No. 71*, article 116.

<sup>1784</sup> U.S. Department of State, "Country Reports- 2007: Iraq," section 6d.

<sup>1785</sup> *Ibid.* See also U.S. Embassy- Baghdad, *reporting, December 10, 2007*.

<sup>1786</sup> U.S. Department of State, "Country Reports- 2007: Iraq."

<sup>1787</sup> *Ibid.*, section 5.

<sup>1788</sup> *Ibid.*, section 6d.

## Jamaica

### Incidence and Nature of Child Labor

According to a joint ILO-IPEC and Government of Jamaica survey, children work on plantations, farms, and construction sites; in gardens, shops and markets; as well as in commercial fishing.<sup>1789</sup> Children are involved in prostitution, selling goods

and services, and begging.<sup>1790</sup> Teenage girls as young as 14 are reported to engage in prostitution, especially in tourist areas such as Montego Bay, Kingston, Port Antonio, Ocho Rios, and Negril.<sup>1791</sup> Young girls are in exploitive work in bars, casinos, and dance clubs.<sup>1792</sup> Some children are forced to work as domestic servants.<sup>1793</sup>

In Jamaica, children are trafficked for commercial sexual exploitation and forced labor. Young women and girls, and gradually more boys, are the primary victims of trafficking in Jamaica and are often trafficked from rural to urban and tourist areas for sexual exploitation.<sup>1794</sup>

<i>Selected Statistics and Indicators on Child Labor</i>	
Working children, 5-14 years (%), 2006:	8.4
Working boys, 5-14 years (%), 2006:	9.6
Working girls, 5-14 years (%), 2006:	7.2
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	95
Net primary enrollment rate (%), 2005:	90
School attendance, children 5-14 years (%), 2006:	98.6
Survival rate to grade 5 (%), 2001:	90
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses	

### **Child Labor Laws and Enforcement**

The law prohibits the employment of children under 13 years in any type of work. Children between 13 and 15 years are permitted to engage in "light work," as prescribed by the Minister of Labor, which will not disrupt their education or be harmful to their health, including their physical, mental, spiritual, or social development.<sup>1795</sup> The law also prohibits children under 15 years from working at night or in any industrial undertaking. However, the Minister of Labor may issue a permit to a child for work in artistic performances.<sup>1796</sup>

Children under 18 are prohibited from working in nightclubs and establishments that sell or serve alcohol or tobacco, and from begging on the streets. The law provides for fines and 6 months to 1 year of imprisonment for the violation of child labor laws.<sup>1797</sup> Nightclubs employing children are also subject to the revocation of their operating licenses.<sup>1798</sup> The law prohibits procuring a child younger than 18 years for the purpose of prostitution and allows for punishments up to 3 years of imprisonment.<sup>1799</sup> It also subjects those "carnally knowing" a girl 13 to 15 years to up to 7 years imprisonment and imprisonment for life if the girl is under 12 years.<sup>1800</sup> The law prohibits the sale or trafficking of any child, and penalties include fines and up to 10 years of imprisonment.<sup>1801</sup> In February 2007, the Government passed anti-trafficking legislation which prohibits all forms of trafficking, and specifically, the trafficking of children for labor or commercial sexual exploitation.<sup>1802</sup> Minors of at least 17.5 years may voluntarily enlist for military training with parental consent, but they must be 18 years old upon graduating from training.<sup>1803</sup>

The police are authorized to conduct child labor inspections.<sup>1804</sup> However, according to Child Development Agency (CDA) officials, the lack of officers dedicated to this task contributes to the challenge of effective enforcement.<sup>1805</sup> The CDA is responsible for carrying out investigations of abuse, finding shelters for children subject to exploitation, and handling any legal matters related to children. The CDA also makes efforts to prevent child labor violations by conducting public education and community outreach.<sup>1806</sup> A police anti-trafficking unit of six officers has been established to compile data on trafficking investigations and related legal proceedings. The Government is conducting investigations of trafficking cases.<sup>1807</sup> However, while police have conducted raids of nightclubs, few convictions have resulted. During 2006, authorities rescued nine trafficking victims, three of whom were 13 to 17 years.<sup>1808</sup>

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

The Government of Jamaica continues a high-profile anti-trafficking campaign.<sup>1809</sup> In addition, a

comprehensive assessment of trafficking has been completed.<sup>1810</sup> The public education program implemented by the Bureau of Women's Affairs includes trafficking topics.<sup>1811</sup> Moreover, in conjunction with the IOM, the Government has trained police officers, immigration officers, and other government employees on trafficking investigations.<sup>1812</sup> The CDA has been operating shelters for child trafficking victims and has established a mechanism for reporting exploitation.<sup>1813</sup>

The Government provides funding to NGOs that work to assist child victims of trafficking.<sup>1814</sup> The Office of the Prime Minister provides resources and support for the Possibility Programme, which assists street children 8 to 18 years old to improve their life opportunities through school reintegration and skills training.<sup>1815</sup>

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<sup>1789</sup> Kristin Fox, Statistical Institute of Jamaica (STATIN), Statistical Information and Monitoring Program and Child Labour (SIMPOC) of ILO, and UNICEF, *Report of Youth Activity Survey 2002*, June 2004, vii.

<sup>1790</sup> U.S. Department of State, "Country Reports- 2007: Jamaica," section 6d.

<sup>1791</sup> ECPAT International CSEC Database, *Jamaica*, accessed December 13, 2007; available from <http://www.ecpat.net/>.

<sup>1792</sup> *Ibid.*

<sup>1793</sup> IOM, *Exploratory Assessment of Trafficking in Persons in the Caribbean Region*, June 2005, 83-90. See also U.S. Department of State, "Jamaica (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, D.C., June 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>1794</sup> IOM, *Exploratory Assessment, June 2005*, 83-90. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Jamaica."

<sup>1795</sup> Government of Jamaica, *Child Care and Protection Act*, articles 33-34.

<sup>1796</sup> *Ibid.*, article 35.

<sup>1797</sup> *Ibid.*, articles 35-39.

<sup>1798</sup> *Ibid.*, article 39.

<sup>1799</sup> *Offenses Against the Person Act*, article 58.

<sup>1800</sup> *Ibid.*, articles 48 and 50.

<sup>1801</sup> Government of Jamaica, *Child Care and Protection Act*, article 10.

<sup>1802</sup> U.S. Embassy - Kingston, *reporting*, November 30, 2007. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Jamaica."

<sup>1803</sup> Coalition to Stop the Use of Child Soldiers, "Jamaica,"

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in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=831](http://www.child-soldiers.org/document_get.php?id=831).

<sup>1804</sup> U.S. Department of State, "Country Reports- 2007: Jamaica," section 6d. See also Government of Jamaica, *Labour Officers (Powers) Act*, (1943), section 3.

<sup>1805</sup> U.S. Department of State, "Country Reports- 2007: Jamaica," section 6d.

<sup>1806</sup> *Ibid.* See also Jamaica Information Service, *CDA Holds Community Outreach in Rocky Point*, [online] September 25, 2006 [cited December 14, 2007]; available from

[http://www.jis.gov.jm/health/html/20060921t100000-0500\\_10102\\_jis\\_cda\\_holds\\_community\\_outreach\\_in\\_rocky\\_point.asp](http://www.jis.gov.jm/health/html/20060921t100000-0500_10102_jis_cda_holds_community_outreach_in_rocky_point.asp). See also Jamaica Information Service, *Jamaica Making Strides in Safeguarding Children's Rights*, [online] February 22, 2005 [cited December 14, 2007]; available from

[http://www.jis.gov.jm/health/html/20050219t090000-0500\\_4918\\_jis\\_jamaica\\_making\\_strides\\_in\\_safeguarding\\_children\\_s\\_rights.asp](http://www.jis.gov.jm/health/html/20050219t090000-0500_4918_jis_jamaica_making_strides_in_safeguarding_children_s_rights.asp).

<sup>1807</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Jamaica."

<sup>1808</sup> U.S. Department of State, "Jamaica," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78897.htm>.

<sup>1809</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Jamaica." See also Jamaica Information Service, *USAID-Funded Programme Helps Young People at Risk of Human Trafficking*, [online] January 17, 2008 [cited March 13, 2008]; available from [http://www.jis.gov.jm/security/html/20080116t090000-0500\\_14010\\_jis\\_usaid\\_funded\\_programme\\_helps\\_young\\_people\\_at\\_risk\\_of\\_human\\_trafficking.asp](http://www.jis.gov.jm/security/html/20080116t090000-0500_14010_jis_usaid_funded_programme_helps_young_people_at_risk_of_human_trafficking.asp).

<sup>1810</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Jamaica." See also U.S. Embassy-Kingston official, E-mail communication to USDOL official, August 5, 2008.

<sup>1811</sup> U.S. Department of State, "Country Reports- 2007: Jamaica," section 5.

<sup>1812</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Jamaica." See also U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, February 27, 2008 2008; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>1813</sup> U.S. Department of State, "Country Reports- 2007: Jamaica," section 5. See also Office of the Press Secretary White House, *Presidential Determination with Respect to Foreign Governments' Efforts Regarding Trafficking in Persons*, Press Release, Washington, DC, September 21, 2005.

<sup>1814</sup> U.S. Department of State, "Country Reports- 2007: Jamaica," section 5.

<sup>1815</sup> Jamaica Information Service, *\$8 Million for Possibility Programme in the Office of the Prime Minister*, [online]

April 3, 2007 [cited December 14, 2007]; available from [http://www.jis.gov.jm/parliament/html/20070402t110000-0500\\_11608\\_jis\\_8\\_million\\_for\\_possibility\\_programme\\_in\\_the\\_office\\_of\\_the\\_prime\\_minister.asp](http://www.jis.gov.jm/parliament/html/20070402t110000-0500_11608_jis_8_million_for_possibility_programme_in_the_office_of_the_prime_minister.asp).

## Jordan

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1816</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	98
Net primary enrollment rate (%), 2005:	91
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	96
ILO-IPEC participating country:	Yes

### Incidence and Nature of Child Labor

During the 2007-2008 reporting period, there were reports of working children throughout Jordan, though reports were particularly prevalent in urban areas.<sup>1817</sup> Children work in the informal sector in agriculture, domestic labor, and in small family businesses.<sup>1818</sup> According to a 2002 study by the Ministry of Labor (MOL), children also work in automobile repair, carpentry, sales, blacksmithing, tailoring, construction, and food services.<sup>1819</sup> A small study conducted in the city of Irbid in 2003 found that some working children are victims of physical, verbal, and sexual abuse in the workplace and are exposed to hazardous chemicals and dangerous working conditions.<sup>1820</sup>

### Child Labor Laws and Enforcement

Jordanian law sets the minimum working age at 16 years, except for apprentices who can be employed at a younger age.<sup>1821</sup> For hazardous jobs, the minimum age is 18 years.<sup>1822</sup> Jordanian law states that children under 18 years shall not perform work with mechanically operated equipment; with oil and gas machines; requiring scuba diving equipment; in construction in which the worker is exposed to noise, vibration, high air pressure, radiation, or dust; underground; and in offices, hotels, restaurants, or nightclubs.<sup>1823</sup> Minors must be given a rest break after 4 hours of work and may not work more than 6 hours per day, during weekends and holidays, or at night. Before hiring a minor, a prospective employer must obtain a guardian's written approval, the minor's birth certificate, and a health certificate.<sup>1824</sup>

Compulsory labor is prohibited by the Constitution except in circumstances of war, natural disaster, or as a result of a conviction by a court of law.<sup>1825</sup> The law prohibits voluntary recruitment into the Government Armed Forces for children less than 17 years.<sup>1826</sup> The law provides for the death penalty for anyone who uses a minor in the production, transportation, sale, or purchase of drugs.<sup>1827</sup> Jordanian law prohibits trafficking in children.<sup>1828</sup> It is illegal to induce a female under the age of 20 years to engage in prostitution or to entice any child under 15 to commit sodomy, and it is punishable by up to 3 years in prison.<sup>1829</sup>

The Child Labor Unit (CLU) of the MOL is primarily responsible for monitoring child labor and reviewing and ensuring the enforcement of existing legislation. The Government, however, has provided little training on child labor to its 85 MOL inspectors and no fines had been issued by

the end of 2007.<sup>1830</sup> According to the National Council for Family Affairs (NCFA) and the ILO Committee of Experts, current labor inspection mechanisms are inadequate in terms of their frequency, scope, outreach, and quality of reporting. Most working children work in establishments employing five workers or less, which are difficult to monitor. Additionally, children who are self employed, employed by family members, and those that work for no wages fall outside the scope of the labor code.<sup>1831</sup>

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

The National Agenda for the years 2006-2015, "The Jordan we strive for," includes the elimination of the worst forms of child labor as a goal.<sup>1832</sup> The Jordanian National Plan of Action (NPA) for Children 2004-2013 aims to eliminate the worst forms of child labor in Jordan by 2014 and to decrease the number of child laborers under 16 years.<sup>1833</sup>

USDOL supported a USD 1 million ILO-IPEC project undertaken with the cooperation of the Ministries of Labor, Education, and Social Development to combat child labor in the urban services sector in Jordan. The program ended September 30, 2007. Over 1,700 children were withdrawn or prevented from child labor through educational services or training opportunities.<sup>1834</sup>

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<sup>1816</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Jordan, *Labour Code, Law No. 8 of 1996*, section 73; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/45676/65048/E96JOR01.htm#c1>. See also U.S. Department of State, "Jordan," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100598.htm>.

<sup>1817</sup> U.S. Department of State, "Country Reports- 2007: Jordan," section 6d.

<sup>1818</sup> Ibid.

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<sup>1819</sup> Mohammed Shahateet and Nihaya Issa Dabdub, *Estimating Child Labour in Jordan: 1991-2005*, Ministry of Labor, Amman, October 2002, 15-16.

<sup>1820</sup> Muntaha Gharaibeh and Shirley Hoeman, "Health Hazards and Risks for Abuse Among Child Labor in Jordan," *Journal of Pediatric Nursing* 18, no. 2 (2003), 141 and 143. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Jordan (ratification: 2000)*, [online] 2004 [cited December 5, 2007]; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displayAllComments.cfm?hdroff=1&ctry=1850&conv=C182&Lang=SP>.

<sup>1821</sup> U.S. Department of State, "Country Reports- 2007: Jordan," section 6d.

<sup>1822</sup> Government of Jordan, *Labour Code*, chapter VIII, section 73-74. See also U.S. Department of State, "Country Reports- 2007: Jordan," section 6d.

<sup>1823</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Jordan (ratification: 2000)*.

<sup>1824</sup> Government of Jordan, *Labour Code*, chapter VIII, section 75-76. See also U.S. Department of State, "Country Reports- 2007: Jordan," section 6d.

<sup>1825</sup> Government of Jordan, *Constitution of the Hashemite Kingdom of Jordan*, (1952), Chapter 2, article 13; available from <http://www.mfa.gov.jo/uploads/const.pdf>.

<sup>1826</sup> Coalition to Stop the Use of Child Soldiers, "Jordan," in *Child Soldiers Global Report 2004*, London 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=957](http://www.child-soldiers.org/document_get.php?id=957).

<sup>1827</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Jordan (ratification: 2000)*.

<sup>1828</sup> U.S. Department of State, "Country Reports- 2007: Jordan," section 5.

<sup>1829</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Jordan (ratification: 2000)*. See also Government of Jordan, "Jordan," in *Legislation of Interpol Member States on Sexual Offences against Children*, 2006, article 310; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/CsaJordan.pdf>.

<sup>1830</sup> U.S. Department of State, "Country Reports- 2007: Jordan," section 6d.

<sup>1831</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Jordan (ratification: 2000)*.

<sup>1832</sup> ILO-IPEC, *National Programme to Eliminate Child Labour in Jordan, Technical Progress Report*, Geneva, March 13, 2007, 2.

<sup>1833</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007.

<sup>1834</sup> ILO-IPEC, *National Programme to Eliminate Child Labour in Jordan, Technical Progress Report*, Geneva, September 2007.

## Kazakhstan

<i>Selected Statistics and Indicators on Child Labor</i> <sup>1835</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	105
Net primary enrollment rate (%), 2005:	91
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated

### Incidence and Nature of Child Labor

Most working children in rural areas of Kazakhstan are involved in agriculture.<sup>1836</sup> Many children from Uzbekistan and the Kyrgyz Republic migrate to south Kazakhstan with their families during the harvest season to work in the cotton and tobacco industries.<sup>1837</sup> Children working in the cotton and tobacco industry suffer from little rest time, malnutrition, and limited access to health care.<sup>1838</sup> In urban areas, the country's increasingly formalized labor market has led to a decrease in many forms of child work. However, children are still found begging, loading freight, delivering goods in markets, washing cars, and working at

gas stations.<sup>1839</sup> Many Tajik refugee children are found begging in markets, on public transportation, and in the streets.<sup>1840</sup>

Reports also indicate a rise in the number of children exploited in prostitution and pornography in urban areas. Police estimate that one-third of all street prostitutes in Kazakhstan are minors.<sup>1841</sup> There have been reports of children being forced into prostitution by their parents.<sup>1842</sup> Children who work as domestic servants are often outside the view of law enforcement officials and thus are vulnerable to exploitation.<sup>1843</sup> The trafficking of children is a problem in Kazakhstan.<sup>1844</sup> Abandoned or orphaned children are especially vulnerable to child trafficking and sexual exploitation.<sup>1845</sup>

### Child Labor Laws and Enforcement

A new Labor Code was adopted in May 2007.<sup>1846</sup> The law sets the minimum age for employment at 16 years.<sup>1847</sup> However, children may work at 15 years with parental consent, if they have completed their compulsory education.<sup>1848</sup> Children 14 years or older may perform light work with parental consent, if the work does not interfere with school attendance or pose a health threat.<sup>1849</sup> Children ages 16 and 17 may only work up to 36 hours per week, and children ages 14 and 15 may work no more than 24 hours per week.<sup>1850</sup> Children under 18 years are prohibited from working overtime, at night, under hazardous conditions, or in occupations that might be harmful to their health and moral development, such as gambling, night clubs, or the transport and sale of alcoholic beverages, tobacco, narcotics, and psychotropic substances.<sup>1851</sup> Children under 18 years must receive an annual medical examination in order to work.<sup>1852</sup> The state labor authority and state healthcare authority jointly

develop a list of hazardous occupations.<sup>1853</sup>

The law prohibits forced labor, except under a court mandate or in a state of emergency.<sup>1854</sup> The minimum age for compulsory military service is 18 years.<sup>1855</sup> The law prohibits the involvement of minors in the creation and advertisement of erotic products.<sup>1856</sup> Involving a minor in the production or distribution of pornographic materials is punishable by up to 2 years imprisonment.<sup>1857</sup> Procuring a minor to engage in prostitution, begging, or gambling is illegal and punishable by up to 3 years imprisonment.<sup>1858</sup> Using violence or threats to involve a minor in prostitution is punishable by 5 to 7 years imprisonment.<sup>1859</sup> The keeping of brothels for prostitution and pimping is outlawed and punishable by 2 to 5 years of imprisonment.<sup>1860</sup> The law imposes a 10-year prison sentence if a minor is involved in trafficking and a 12-year sentence if persons are trafficked abroad.<sup>1861</sup> If the trafficking results in the death of the child, then the law imposes a sentence of 12 to 15 years imprisonment.<sup>1862</sup> Recruiting a child for exploitation through deception is against the law and is punishable by up to 5 years imprisonment, and abducting a child for the purpose of exploitation is punishable by imprisonment of between 10 and 15 years.<sup>1863</sup> Under the law, victims are given amnesty for crimes committed as a result of being trafficked, and victims are provided with temporary protection from deportation.<sup>1864</sup>

The Ministry of Labor is responsible for enforcing child labor laws and imposing fines for administrative offenses. The Ministry of the Interior is responsible for investigating criminal child labor offenses.<sup>1865</sup> The Ministry of Labor has 400 labor inspectors covering all of the country's 16 districts. They are empowered to levy fines for labor violations and refer criminal cases to law enforcement authorities.<sup>1866</sup> The Ministry of Justice coordinates the Government's anti-trafficking efforts through an interagency trafficking working group.<sup>1867</sup> Mandatory licensing laws for tourist agencies are enforced by the Procurator's Office, and inspections are conducted on tourist and labor recruitment agencies to uncover agencies involved in trafficking.<sup>1868</sup> In 2007, 112 victims of trafficking were registered by police. Of these, 85 were

foreigners and 27 were Kazakhstanis.<sup>1869</sup> In 2007, the Government prosecuted 16 cases under the law's anti-trafficking articles. As a result, 19 traffickers were convicted and received sentences of up to 7 years in prison.<sup>1870</sup> USDOS reports that endemic corruption and bribery of law enforcement officials still hamper anti-trafficking efforts.<sup>1871</sup>

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

The Government of Kazakhstan has in place a National Plan to Combat Trafficking covering the years 2006 through 2008.<sup>1872</sup> The Children of Kazakhstan National Program (2007-2011) is also being implemented. The Government has dedicated USD 84 million from the State budget to support the program, including its goal of developing a comprehensive national child protection strategy.<sup>1873</sup>

The Government of Kazakhstan is participating in a USAID-funded USD 241,545 IOM project that will build local and administrative capacity to combat trafficking in persons and support awareness-raising among vulnerable groups. The Government is also participating in a USDOS-funded USD 475,000 project with IOM to develop a trafficking in persons training center, improve advocacy and outreach, and strengthen cooperation between Kazakhstani law enforcement and their destination country counterparts.<sup>1874</sup> Public and private media have been required to broadcast Government-sponsored anti-trafficking public service announcements.<sup>1875</sup> The Ministry of Education has stated that anti-trafficking components are included in the curriculum of all high schools and colleges.<sup>1876</sup> The Ministry of Justice maintains a telephone hotline for trafficking victims to receive information and report crimes.<sup>1877</sup>

The Government of Kazakhstan participated in a USDOL-funded 3-year USD 2.5 million ILO-IPEC project that built the capacity of national institutions to eliminate the worst forms of child labor and shared information and experiences in Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan.<sup>1878</sup>

<sup>1835</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Kazakhstan, *Labor Code of the Republic of Kazakhstan*, (May 15, 2007), article 30, 1; available from <http://www.oit.org/dyn/natlex/docs/MONOGRAPH/76433/82753/F982631364/Microsoft%20Word%20-%20ENG%20KAZ.76433.pdf>, Government of Kazakhstan, *Labor Code of the Republic of Kazakhstan*, (May 15, 2007), article 30, 1; available from <http://www.oit.org/dyn/natlex/docs/MONOGRAPH/76433/82753/F982631364/Microsoft%20Word%20-%20ENG%20KAZ.76433.pdf>. See also U.S. Department of State, "Kazakhstan," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100615.htm>. See also UN Committee on the Rights of the Child, *Initial Reports of States parties due in 1996: Kazakhstan, CRC/C/41/Add.13*, prepared by the Republic of Kazakhstan, pursuant to Article 44 of the Convention on the Rights of the Child, September 24, 2002, para 257 and 267; available from <http://www.unhcr.ch/>.

<sup>1836</sup> ILO-IPEC, *CAR Capacity Building Project: Regional Program on the Worst Forms of Child Labour*, Project Document, RER/04/P54/USA, Geneva, September 2004, 5. See also U.S. Department of State, "Country Reports-2007: Kazakhstan," section 6d. See also ILO-IPEC, *Child Labour in Tobacco and Cotton Growing in Kazakhstan: Rapid Assessment Report*, Almaty, 2006.

<sup>1837</sup> U.S. Embassy- Astana, *reporting*, December 3, 2007. See also ILO-IPEC, *Child Labour in Tobacco and Cotton Growing in Kazakhstan: Rapid Assessment Report*, vii.

<sup>1838</sup> ILO-IPEC, *Child Labour in Tobacco and Cotton Growing in Kazakhstan: Rapid Assessment Report*, ix.

<sup>1839</sup> ILO-IPEC, *CAR Capacity Building Project, Project Document*, 5-7. See also U.S. Embassy- Almaty, *reporting*, August 22, 2004. See also U.S. Department of State, "Country Reports- 2007: Kazakhstan," section 6d. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention*, August 4, 2006, para 499; available from <http://tb.ohchr.org/default.aspx>.

<sup>1840</sup> Zuhra Turganbaj, Gulzan Alimbekova, Gulzi Zabiya, and Gulnara Karakulova, *Analysis of Commercial Sexual Exploitation of Children (CSEC) and Institutions Combating CSEC in Kazakhstan*, ECPAT International, Almaty, 2004, 13.

<sup>1841</sup> Liz Kelly, *Fertile Fields: Trafficking in Persons in Central Asia*, International Organization for Migration, April 2005, 61.

<sup>1842</sup> Turganbaj, Alimbekova, Zabiya, and Karakulova,

*Analysis of Commercial Sexual Exploitation of Children (CSEC) and Institutions Combating CSEC in Kazakhstan*, 38.

<sup>1843</sup> ILO-IPEC, *CAR Capacity Building Project, Project Document*, 8.

<sup>1844</sup> U.S. Department of State, "Country Reports- 2007: Kazakhstan," section 5. See also U.S. Embassy- Astana, *reporting*, March 7, 2008.

<sup>1845</sup> Turganbaj, Alimbekova, Zabiya, and Karakulova, *Analysis of Commercial Sexual Exploitation of Children (CSEC) and Institutions Combating CSEC in Kazakhstan*, 8.

<sup>1846</sup> ILO-IPEC, *CAR Capacity Building Project: Regional Program on the Worst Forms of Child Labor*, Technical Progress Report, August 31, 2007, 3.

<sup>1847</sup> Government of Kazakhstan, *Labor Code*, article 30.

<sup>1848</sup> *Ibid.*

<sup>1849</sup> *Ibid.*

<sup>1850</sup> *Ibid.*, article 181.

<sup>1851</sup> *Ibid.*, article 179 and 183.

<sup>1852</sup> *Ibid.*, article 180.

<sup>1853</sup> *Ibid.*, article 179.

<sup>1854</sup> Government of Kazakhstan, *Constitution of the Republic of Kazakhstan*, (1995), Article 24.

<sup>1855</sup> Coalition to Stop the Use of Child Soldiers, "Kazakhstan," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=909](http://www.child-soldiers.org/document_get.php?id=909).

<sup>1856</sup> UN Committee on the Rights of the Child, *Initial Reports of Kazakhstan, CRC/C/41/Add.13*, para 355.

<sup>1857</sup> Turganbaj, Alimbekova, Zabiya, and Karakulova, *Analysis of Commercial Sexual Exploitation of Children (CSEC) and Institutions Combating CSEC in Kazakhstan*, 29.

<sup>1858</sup> *Criminal Code of the Kazakh Republic as cited by The Protection Project, Kazakhstan*, March, 2002.

<sup>1859</sup> Turganbaj, Alimbekova, Zabiya, and Karakulova, *Analysis of Commercial Sexual Exploitation of Children (CSEC) and Institutions Combating CSEC in Kazakhstan*, 26.

<sup>1860</sup> The Protection Project, *Kazakhstan*. See also Turganbaj, Alimbekova, Zabiya, and Karakulova, *Analysis of Commercial Sexual Exploitation of Children (CSEC) and Institutions Combating CSEC in Kazakhstan*, 27.

<sup>1861</sup> U.S. Department of State, "Country Reports- 2007: Kazakhstan," section 5.

<sup>1862</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention*, para 304.

<sup>1863</sup> Turganbaj, Alimbekova, Zabiya, and Karakulova, *Analysis of Commercial Sexual Exploitation of Children (CSEC) and Institutions Combating CSEC in Kazakhstan*, 28.

<sup>1864</sup> U.S. Department of State, "Kazakhstan (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>1865</sup> U.S. Department of State, "Country Reports- 2007: Kazakhstan," section 6d.

<sup>1866</sup> U.S. Embassy- Almaty, *reporting, August 22, 2004.*

<sup>1867</sup> U.S. Embassy- Astana, *reporting, March 7, 2008.*

<sup>1868</sup> U.S. Department of State, "Country Reports- 2007: Kazakhstan," section 5.

<sup>1869</sup> U.S. Embassy- Astana, *reporting, March 7, 2008.*

<sup>1870</sup> *Ibid.*

<sup>1871</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Kazakhstan." See also U.S. Department of State, "Country Reports- 2007: Kazakhstan," section 5.

<sup>1872</sup> U.S. Department of State, "Kazakhstan," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78820.htm>.

<sup>1873</sup> UN Committee on the Rights of the Child, *Summary Record of the 1241st Meeting*, May 30, 2007, 2; available

from <http://tb.ohchr.org/default.aspx>. See also ILO-IPEC, *CAR Capacity Building Project, Technical Progress Report, August 31, 2007, 2.*

<sup>1874</sup> U.S. Department of State, *USG Funds Obligated in FY 2007*, [online] February 2008 [cited March 14, 2008]; available from <http://www.state.gov/documents/organization/101403.pdf>. See also USAID, *USAID Programs in Kazakhstan in 2007*; available from <http://centralasia.usaid.gov/page.php?page=article-73>.

<sup>1875</sup> U.S. Department of State, "Country Reports- 2007: Kazakhstan," section 5.

<sup>1876</sup> *Ibid.*

<sup>1877</sup> *Ibid.*

<sup>1878</sup> ILO-IPEC, *CAR Capacity Building Project, Project Document*, vii.

## Kenya

### **Incidence and Nature of Child Labor**

In Kenya, children primarily work in the informal sector.<sup>1879</sup> They work, often with their families, in subsistence and commercial agriculture, on tea, coffee, rice, and sugar plantations.<sup>1880</sup> Children also work in herding and in fisheries. Children also work in domestic service, construction, transport, quarries, and mines, including gold mines.<sup>1881</sup> In urban areas, some street children are children who managed to escape from abusive domestic service situations.<sup>1882</sup>

Children are engaged in commercial sexual exploitation and are reported to engage in prostitution within bars, discos, brothels, massage parlors, and on the streets. While the majority of children exploited in prostitution are between 13 and 17 years, children as young as 9 years are reported to be involved.<sup>1883</sup> Many girls who hawk or beg during the day reportedly engage in prostitution at night. In the agricultural sector, girls are sometimes forced to provide sexual services in order to obtain plantation work. Sudanese and Somali refugee children are also alleged to be involved in prostitution in Kenya.<sup>1884</sup>

The growth of the tourism industry has been accompanied by an increase in children's involvement in prostitution, including in the

coastal towns of Malindi, Mombasa, Kalifi, and Diana.<sup>1885</sup>

The crisis following the December 2007 presidential election has had negative effects on children in Kenya. The Kenyan education system—particularly in the Rift Valley, Nyanza, Western, Coast, and Central regions—suffered from a widespread displacement of students and teachers, and many schools were looted and burned. Several thousand teachers have refused to return to these regions, fearing they will be targeted because of their ethnicity. Many schools have been closed for classes, while others have been converted into centers for internally displaced persons (IDPs). Children themselves have become refugees and IDPs while fleeing the violence with their families, and some have been killed as a result of the violence.<sup>1886</sup>

Within Kenya, children are trafficked from rural to urban areas for forced labor in domestic service, street vending, and for commercial sexual exploitation. Kenya's coastal area is a known destination for trafficked children to be exploited in sex tourism.<sup>1887</sup> Most child trafficking in Kenya occurs mainly through personal and familial networks. Poverty and the death of one or both parents may contribute to a family's decision to

place a child with better-off relatives, friends, or acquaintances, who may end up trafficking and/or exploiting the child.<sup>1888</sup> Orphaned children and street children are at increased risk of being trafficked.<sup>1889</sup>

<i>Selected Statistics and Indicators on Child Labor</i>	
Working children, 5-14 years (%), 2000:	32.5
Working boys, 5-14 years (%), 2000:	34.7
Working girls, 5-14 years (%), 2000:	30.4
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	108
Net primary enrollment rate (%), 2005:	76
School attendance, children 5-14 years (%), 2000:	74.9
Survival rate to grade 5 (%), 2004:	83
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses	

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 16 years.<sup>1890</sup> The law on minimum age does not apply to children who work in agriculture or apprenticeships.<sup>1891</sup> However, the law does prohibit all types of child labor that are hazardous, exploitive, or would keep children under 16 years from attending school.<sup>1892</sup> In October 2007, President Kibaki signed five new laws that reform the labor code, including the Employment Act of 2007. The Employment Act defines the worst forms of child labor as “slavery, child prostitution, illicit activities or work likely to injure the health of a juvenile...ages between 16 -18.” The Act also prohibits children from engaging in night work between 6:30 p.m. and 6:30 a.m., and stipulates that children between 13 and 16 years can only engage in light work which is not harmful to their health,

development, or education, unless their work is part of a vocational training program. The new law also provides for fines and up to 1 year imprisonment for employers caught employing a child in any of the activities prohibited by the Act; these fines increase in cases where children are injured or killed while performing one of the prohibited activities, with the law stipulating that a portion of the fines are to be used to benefit the child and/or their immediate family.<sup>1893</sup>

The law prohibits slavery, bonded and forced labor, and servitude.<sup>1894</sup> The law also prohibits rape; defilement; the procurement of girls under 21 years for the purpose of unlawful sexual relations; the commercial sexual exploitation of children; and the transportation of children for sale.<sup>1895</sup> The law also criminalizes the trafficking of children for sexual exploitation, including prostitution, pornography and sex tourism. For child trafficking, the minimum penalty is 10 years of imprisonment plus a fine, and, for trafficking involving sexual exploitation, the minimum penalty is 15 years of imprisonment, a fine, or both.<sup>1896</sup> The law also prohibits children under 18 years from being recruited into the military and holds the Government responsible for protecting, rehabilitating, and reintegrating children involved in armed conflict into society.<sup>1897</sup>

The Ministry of Labor and Human Resource Development is responsible for enforcing child labor laws, but according to USDOS, the Ministry’s enforcement of the minimum age law is limited.<sup>1898</sup>

The police anti-trafficking unit is responsible for combating trafficking, though, according to USDOS, it is not effective.<sup>1899</sup>

In 2007, two children who were trafficked from rural Kenya to Tanzania for agricultural labor were later rescued.<sup>1900</sup> Also in 2007, two men were indicted for allegedly trafficking two Ethiopian children to Kenya for domestic service; these indictments were obtained by a community policing and child protection police unit.<sup>1901</sup>

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

The Government of Kenya’s National Development Plan for 2002-2008 recognizes child labor as a

problem and calls for an evaluation of the impact of child labor on the individual and the country, as well as its implications for the quality of the future labor force.<sup>1902</sup> The Ministry of Education indicated in its Gender and Education Policy that it would improve programs to prevent child labor and facilitate child workers' return to school as a means of increasing children's participation and gender equity in primary education.<sup>1903</sup>

The Government provides monthly cash transfers to orphans and very poor parents, whose children engage in agricultural work on plantations and in other sectors, as a means of compensating families for their children's labor. The child's attendance at school is a prerequisite for receiving these financial incentives.<sup>1904</sup> In December 2007, the Ministry of Home Affairs and the Communications Commission of Kenya, with NGO support, launched a hotline that children and adults can use to report cases of child labor and trafficking and receive counseling and referrals for assistance.<sup>1905</sup>

The Government of Kenya continues to participate in a 4-year, USD 5 million Timebound Project on the Elimination of Child Labor funded by USDOL and implemented by ILO-IPEC. The project aims to withdraw 15,000 and prevent 7,000 children from exploitive labor in domestic service, commercial sexual exploitation, commercial and subsistence agriculture, fishing, herding, and informal-sector street work.<sup>1906</sup> In June 2007, the First Lady of Kenya participated in ILO-IPEC's activities that marked the World Day Against Child Labor and delivered an address on the problem which was broadcasted over both national television and radio outlets.<sup>1907</sup> The Government also collaborated with ILO-IPEC on the implementation of two other child labor and education projects, namely a USD 1.15 million regional project to provide skills training to urban youth, funded by the Government of Canada, and a USD 1.79 million inter-regional project addressing child labor through education and training activities, funded by the Government of Norway.<sup>1908</sup>

The Government of Kenya continues to participate in the 4-year Kenya, Uganda, Rwanda, and Ethiopia Together (KURET) project, funded by

USDOL at USD 14.5 million and World Vision at USD 5.8 million. Implemented by World Vision, in partnership with the International Rescue Committee and the Academy for Educational Development, the project aims to withdraw or prevent a total of 30,600 children from exploitive labor in HIV/AIDS-affected areas of these four countries through the provision of educational services.<sup>1909</sup> The Government of Kenya also participated in the Community Based Innovations to Reduce Child Labor through Education (CIRCLE) global project, funded by USDOL at 8.1 million and USAID at USD 500,000 and implemented by Winrock International and various community-based organizations.<sup>1910</sup>

In response to the 2006 joint Government/UNICEF study on commercial sexual exploitation and child sex tourism, the Children's Department worked with NGOs to host several workshops in 2007 to encourage local government officials and stakeholders in the tourism industry to implement the ECPAT Code of Conduct.<sup>1911</sup>

Also in 2007, USDOS awarded a USD 300,000 grant to the American Center for Labor Solidarity for a project to build the capacity of local organizations in Mombasa to combat trafficking in persons and provide services to victims.<sup>1912</sup>

The Government continued to work closely with the IOM on the country's anti-trafficking initiative. In 2007, the National Steering Committee to Combat Human Trafficking established a subcommittee charged with drafting Kenya's National Plan of Action to Combat Trafficking. Kenya's National Police are participating in an East Africa regional anti-trafficking project being implemented by UNODC/INTERPOL that aims to develop a regional anti-trafficking strategy; bring national trafficking legislation in line with the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children; establish offices to combat trafficking; and develop training materials for the police force and prosecutors.<sup>1913</sup> The Ministry of Home Affairs incorporated activities to combat trafficking into its annual work plan in response to the joint Government/UNICEF study on commercial sexual exploitation on Kenya's coast.<sup>1914</sup> Several ministries

continued to implement a trafficking education, awareness, and inspection program for the country's 68 foreign employment agencies.<sup>1915</sup>

<sup>1879</sup> U.S. Department of State, "Kenya," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007>.

<sup>1880</sup> ILO-IPEC, *Supporting the National Plan of Action for the Elimination of Child Labor, Project Document*, vi, 42.

<sup>1881</sup> Ibid. See also U.S. Department of State, "Country Reports- 2007: Kenya," section 6d.

<sup>1882</sup> U.S. Embassy-Nairobi, *reporting*, November 29, 2007.

<sup>1883</sup> ILO-IPEC, *Supporting the National Plan of Action for the Elimination of Child Labor, Project Document*, 42. See also U.S. Embassy- Nairobi official, E-mail communication to USDOL official, August 11, 2006. See also ECPAT International CSEC Database, *Kenya*, accessed December 14, 2007; available from <http://www.ecpat.net>.

<sup>1884</sup> ECPAT International CSEC Database, *Kenya*.

<sup>1885</sup> U.S. Embassy- Nairobi, *reporting*, December 20, 2006. See also Chris Niles, *Report Reveals Kenyan Child Sex Industry of 'Horrific' Magnitude*, [online] [cited April 1, 2007]; available from [http://www.unicef.org/protection/kenya\\_37817.html](http://www.unicef.org/protection/kenya_37817.html). See also U.S. Department of State, "Country Reports- 2007: Kenya," sections 5 and 6d.

<sup>1886</sup> ILO-IPEC, *Supporting the National Plan of Action for the Elimination of the Worst Forms of Child Labour in Kenya*, Technical Progress Report, Geneva, March 7, 2008, 3 and Annex. See also U.S. Embassy- Nairobi official, Email communication to USDOL official, March 19, 2008. See also U.S. Embassy- Nairobi official, E-mail communication to USDOL official, July 15, 2008.

<sup>1887</sup> Solidarity Center, *The Degradation of Work- Trafficking in Persons from a Labor Perspective: The Kenyan Experience*, Washington, DC, October 2007, 9. See also U.S. Department of State, "Kenya (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Embassy- Nairobi official, E-mail communication, August 11, 2006.

<sup>1888</sup> U.S. Embassy- Nairobi official, E-mail communication, August 11, 2006.

<sup>1889</sup> Solidarity Center, *Trafficking in Persons from Labor Perspective: Kenya*, 15.

<sup>1890</sup> ILO Committee of Experts, *Individual Observation, ILO Convention 138: Kenya*. See also U.S. Department of State, "Country Reports- 2007: Kenya," section 6d.

<sup>1891</sup> U.S. Department of State, "Country Reports- 2007: Kenya," section 6d.

<sup>1892</sup> Ibid. See also ILO NATLEX National Labor Law Database, *Children's Act, 2001 (No. 8 of 2001)*, accessed December 14, 2007; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home).

<sup>1893</sup> U.S. Embassy-Nairobi, *reporting*, November 29, 2007.

<sup>1894</sup> Government of Kenya, *The Constitution of Kenya, Revised edition*, (1998), chapter V., article 73; available from <http://kenya.rcbowen.com/constitution/>. See also U.S. Department of State, "Country Reports- 2007: Kenya," section 6c.

<sup>1895</sup> Government of Kenya, *Penal Code*, (1955), section 147; available from <http://209.190.246.239/protectionproject/statutesPDF/Kenya1.pdf> [hard copy on file]. See also U.S. Department of State, "Country Reports- 2007: Kenya," section 5. See also ECPAT International CSEC Database, *Kenya*.

<sup>1896</sup> U.S. Department of State, "Country Reports- 2007: Kenya," section 5. See also U.S. Embassy- Nairobi official, E-mail communication, August 11, 2006.

<sup>1897</sup> Coalition to Stop the Use of Child Soldiers, "Kenya," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=803](http://www.child-soldiers.org/document_get.php?id=803).

<sup>1898</sup> U.S. Department of State, "Country Reports- 2007: Kenya," section 6d. See also U.S. Embassy- Nairobi, *reporting*, September 14, 2005.

<sup>1899</sup> U.S. Department of State, "Country Reports- 2007: Kenya," section 5. See also U.S. Embassy- Nairobi official, Email communication to USDOL official, July 31, 2007.

<sup>1900</sup> U.S. Embassy-Nairobi, *reporting*, November 29, 2007.

<sup>1901</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Kenya."

<sup>1902</sup> ILO-IPEC, *Prevention, Withdrawal and Rehabilitation of Children Engaged in Hazardous Work in Commercial Agriculture in Kenya, Tanzania, Uganda, Malawi, Zambia*, Technical Progress Report, Geneva, August 29, 2002, 3.

<sup>1903</sup> Ministry of Education, *The Gender and Education Policy 2006*, 20-21.

<sup>1904</sup> Joyce Mulama, "Education-Africa: Spare the Plough, and School the Child", Inter Press Service News Agency (IPS), [online], April 10, 2007 [cited July 28, 2007]; available from <http://www.ipsnews.net/print.asp?idnews=32835>.

<sup>1905</sup> U.S. Embassy-Nairobi, *reporting*, November 29, 2007.

<sup>1906</sup> ILO-IPEC, *Supporting the National Plan of Action for the Elimination of Child Labor, Project Document*, i, 42-44.

<sup>1907</sup> ILO-IPEC, [online] World Day Against Child Labour 12 June 2007- Country Activities: Kenya [cited December 5, 2007]; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=4299>.

<sup>1908</sup> ILO-IPEC official, E-mail communication to USDOL official, December 12, 2007.

<sup>1909</sup> World Vision, *Kenya, Uganda, Rwanda, and Ethiopia Together (KURET)*, Project Document, July 18, 2005, i, 2, and 9.

<sup>1910</sup> U.S. Department of Labor, *Community Based Innovations to Combat Child Labor through Education I and II (CIRCLE I and II)*, Project Summary, 2008. See also Winrock International, *Project Fact Sheet: Reducing Child Labor through Education (CIRCLE 1)*, [online] [cited October 13, 2006]; available from <http://www.winrock.org/fact/facts.asp?CC=5411&bu=> See also Winrock International, *Project Fact Sheet: Reducing Child Labor through Education (CIRCLE 2)*, [online] [cited December 14, 2007]; available from <http://www.winrock.org/fact/facts.asp?CC=5519&bu=>  
<sup>1911</sup> Integrated Regional Information Networks, "Kenya: Campaign to Stop Violence Against Children",

IRINnews.org, [previously online], July 27, 2006; available from <http://www.irinnews.org/print.asp?ReportID=54844> [hard copy on file].

<sup>1912</sup> U.S. Department of State Office to Monitor and Combat Trafficking in Persons, *USG Funds Obligated in FY 2007 for TIP Projects*, [online], Washington, D.C.; available from [www.state.gov/g/tip/rls/rpt/101295.htm](http://www.state.gov/g/tip/rls/rpt/101295.htm).

<sup>1913</sup> U.S. Embassy-Nairobi, *reporting, November 29, 2007*.

<sup>1914</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Kenya."

<sup>1915</sup> U.S. Department of State, "Country Reports- 2007: Kenya," section 5.

## Kiribati

### *Selected Statistics and Indicators on Child Labor*<sup>1916</sup>

Gross primary enrollment rate (%), 2005:	112
Net primary enrollment rate (%), 2002:	97

### Incidence and Nature of Child Labor

During the reporting period, crewmembers of foreign fishing vessels continued to engage in commercial sexual exploitation of underage girls.<sup>1917</sup>

### Child Labor Laws and Enforcement

No changes have been recorded regarding child labor laws and enforcement since the last reporting period in Kiribati.\*

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

The Government of Kiribati has developed a National Plan of Action on Child Labor for 2006-2008, but there are concerns that insufficient resources have been allotted to effectively implement the Plan.<sup>1918</sup>

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

<sup>1916</sup> For data not cited here, see the Data Sources and Definitions section.

<sup>1917</sup> U.S. Department of State, "Kiribati," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>. See also U.S. Department of State, "Kiribati," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100523.htm>.

<sup>1918</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention on the Rights of the Child: Kiribati*, September 29, 2006; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/45/2/00/PDF/G0645200.pdf?OpenElement>.

# The Kyrgyz Republic

## *Selected Statistics and Indicators on Child Labor<sup>1919</sup>*

Working children, 7-14 years (%), 2006:	4.5
Working boys, 7-14 years (%), 2006:	5.1
Working girls, 7-14 years (%), 2006:	3.9
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	9 years or until age 14
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	97
Net primary enrollment rate (%), 2006:	86
School attendance, children 5-14 years (%), 2005:	84
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated
* Must pay for miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

Children in the Kyrgyz Republic work selling goods, loading and unloading goods, collecting aluminum and bottles, begging, cleaning and repairing shoes, washing cars, and serving as porters. Some children also work in transportation and construction. Reports estimate that 7,000 children are working in Bishkek.<sup>1920</sup> Reports indicate that street and working children are frequently victims of police persecution and have been forced to give up their earnings in exchange for being released.<sup>1921</sup> A 2003 UNICEF-supported survey of 207 street and working children in Bishkek found that up to 90 percent of those children did not attend school.<sup>1922</sup> In southern rural areas, reports indicate that children work in coal mines and in brick making.<sup>1923</sup> There were also

reports of children mining near or in uranium and silicon waste dumps.<sup>1924</sup>

Children are reportedly taken out of school to harvest cotton. Children also work on commercial tobacco farms.<sup>1925</sup> Some schools have reportedly required students to participate in the tobacco harvest in fields located on school grounds. Proceeds from the harvest are collected by the schools and do not go to the children.<sup>1926</sup> Children working in agriculture are often exposed to extreme heat and hazardous conditions.<sup>1927</sup> Children are also found working on family farms and in family enterprises such as selling products at roadside kiosks.<sup>1928</sup> Many children from the Kyrgyz Republic migrate to south Kazakhstan with their families during the harvest season to work in the cotton and tobacco fields.<sup>1929</sup> ILO reports indicate that children from rural areas are sent to urban areas to live with wealthier relatives and to work as domestic servants.<sup>1930</sup>

Children engaged in prostitution in the Kyrgyz Republic are primarily girls aged between 11 and 16 years.<sup>1931</sup> It has been reported that at least 20 percent of prostitutes in Bishkek are minors.<sup>1932</sup> Trafficking of children for sexual exploitation and forced labor is a problem.<sup>1933</sup> The internal trafficking of children from rural areas to Bishkek and Osh for sexual exploitation and labor has been reported.<sup>1934</sup> An increase in the use of trafficked children to sell and distribute illegal drugs has also been reported.<sup>1935</sup>

### **Child Labor Laws and Enforcement**

The law establishes the minimum age for basic employment as 16 years, but limited light work is permitted at age 14. The maximum work hours for children 14 and 15 years is 5 hours per day; for children 16 and 17 years, it is 7 hours per day. The employment of persons under 18 years is banned in certain industries including oil and gas, mining and prospecting, food, entertainment, and machine building.<sup>1936</sup> Children studying in educational establishments are forbidden from participating in agricultural or other work not related to their schooling.<sup>1937</sup> The law penalizes parents who

restrict their children's access to schooling.<sup>1938</sup> The penalty for preventing a child from attending school ranges from a public reprimand to 1 year of forced labor.<sup>1939</sup> According to USDOS, this law is not strictly enforced, especially in rural areas.<sup>1940</sup>

The law prohibits forced labor, except in the case of war, natural disaster, epidemic, imprisonment, or in extraordinary circumstances.<sup>1941</sup> The minimum age for recruitment to active military service is 18 years; however, boys may volunteer for military schools at 17 years.<sup>1942</sup> Prostitution is not illegal, but the operation of brothels, pimping, and recruiting persons into prostitution is punishable by up to 5 years in jail.<sup>1943</sup> USDOS reports that a lack of legal regulation and oversight makes prostitution an ongoing problem.<sup>1944</sup> The recruitment of persons for exploitation, including minors, is punishable by up to 8 years in jail.<sup>1945</sup> The illegal restriction of freedom, including underage children, is punishable by between 7 and 10 years in prison.<sup>1946</sup> The law prohibits forced labor and trafficking in persons and imposes punishments of up to 20 years imprisonment.<sup>1947</sup> The law grants immunity from prosecution to trafficking victims who cooperate with authorities.<sup>1948</sup>

The General Procurator's Office and the State Labor Inspectorate are responsible for enforcing child labor laws. There are 62 labor inspectors in the Kyrgyz Republic.<sup>1949</sup> During the first 6 months of 2007, labor inspectors made 48 checks for compliance with child labor laws. The checks resulted in 14 recommendations, 11 instructions to eliminate the violations, 89 warnings of legal punishment, and two disciplinary punishments.<sup>1950</sup> The Federation of Trade Unions also has the right to carry out child labor inspections when it receives a complaint.<sup>1951</sup> The Office of the Ombudsman has a special department dealing with the rights of minors. It has the authority to order other agencies to deliver information or conduct investigations.<sup>1952</sup> USDOS reports that the labor inspectorate conducts spot checks for violations, but that those are infrequent and ineffective, due to lack of resources.<sup>1953</sup> Since many children work in the informal sector and small and medium-sized business that do not have employment contracts, it is difficult to determine the extent of child labor and employers' compliance with the law.<sup>1954</sup>

The Ministry of Internal Affairs has a special anti-trafficking police unit.<sup>1955</sup> In 2006, the last date for which information is available, 39 trafficking investigations were conducted.<sup>1956</sup> According to USDOS, law enforcement is hampered by widespread corruption. Victims reported that local police, immigration officers, and airline security officers assisted trafficking operations.<sup>1957</sup>

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

On January 22, 2008, the Kyrgyz Government, via a Prime Ministerial Decree, approved the State Program of Action of the Social Partners for the Elimination of the Worst Forms of Child Labor in the Kyrgyz Republic. The program covers the years 2008 to 2011 and is aimed at improving legislation, making the labor inspectorate more efficient, withdrawing and preventing children from the worst forms of child labor, promoting youth employment, increasing awareness about the worst forms of child labor, and developing a child labor monitoring system.<sup>1958</sup>

With assistance from the IOM, the Government now issues new forgery-resistant passports intended to reduce incidents of human trafficking in the Kyrgyz Republic.<sup>1959</sup> The Government supports a USAID-funded anti-trafficking project implemented by IOM that is intended to protect victims and assist prevention efforts.<sup>1960</sup> Office space and space for two NGO-run shelters is provided by the Government.<sup>1961</sup> The Kyrgyz Government has distributed brochures and booklets in public places about the threat of trafficking. Government-run media outlets also broadcast programs about trafficking.<sup>1962</sup> In April 2008, IOM and the Norwegian Government, with support from the local Osh Government, opened a shelter for child victims of trafficking and labor exploitation.<sup>1963</sup>

The Government of the Kyrgyz Republic participated in a USD 2.5 million USDOL-funded ILO-IPEC sub-regional project that enhanced the capacity of national institutions to eliminate the worst forms of child labor in the Kyrgyz Republic and share information and experiences across Central Asia.<sup>1964</sup> The Ministry of Education and the NGO "Every Child" jointly manage a project to assist children working in markets within Osh and

Karasu. They provide training to Government officials on children's rights and child labor laws.<sup>1965</sup>

<sup>1919</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, sections 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100616.htm>. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention*, CRC/C/104/Add.4, April 5 2004, para. 70. See also U.S. Embassy- Bishkek, *reporting*, December 21, 2007. See also ECPAT International CSEC Database, *Kyrgyz Republic*, accessed March 14, 2008; available from <http://www.ecpat.net>.

<sup>1920</sup> Integrated Regional Information Networks, "Kyrgyzstan: Child Labour Remains Rife", IRINnews.org, [online], June 26, 2006 [cited December 6, 2007]; available from <http://www.irinnews.org/report.asp?ReportID=54174&SelectRegion=Asia&SelectCountry=KYRGYZSTAN>. See also Ramazon Dyrlydaev and Severine Jacomy, *Rights of the Child in Kyrgyzstan*, Geneva, February 2004, 18; available from [http://www.crin.org/docs/resources/treaties/crc.37/Kyrgyzstan\\_OMCT\\_ngo\\_report.pdf](http://www.crin.org/docs/resources/treaties/crc.37/Kyrgyzstan_OMCT_ngo_report.pdf). See also Tatiana Yarkova, Botoeva Gulzat, Madeleine Reeves, Kanybek Konokbaev, Natalia Yarkova, Rachel Marcus, and Elmire Satybaldieva, *Childhood Poverty in Kyrgyzstan*, Childhood Poverty Research and Policy Center, 2004, 33; available from <http://www.childhoodpoverty.org/index.php?action=documentfeed/doctype=pdf/id=62/>.

<sup>1921</sup> ECPAT International CSEC Database, *Kyrgyz Republic*.

<sup>1922</sup> UNICEF's Executive Board, *Draft Country Programme Document: Kyrgyzstan*, E/ICEF/2004/P/L.14, United National Economic and Social Council, April 1, 2004, 3.

<sup>1923</sup> ILO-IPEC and SIAR, *Child Labour in Kyrgyzstan: An initial study*, Summary Report, Bishkek, 2001, 14. See also U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 6d. See also UN Committee on the Rights of the Child, *NGO Commentaries to the Initial Report of the Kyrgyz Republic on the UN Convention on the Rights of the Child*, n.d., 26; available from <http://www.crin.org/docs/resources/treaties/crc.24/kyrgyzstanNGOreport.doc>.

<sup>1924</sup> Integrated Regional Information Networks, "Kyrgyzstan: Child Labour Remains Rife". See also Ian Greenberg, "In a Kyrgyz dump, girls dig up silicon for China," *New York Times* (New York), September 5, 2006;

available from [hard copy on file].

<sup>1925</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 6d.

<sup>1926</sup> Ibid. See also UN Committee on the Rights of the Child, *NGO Commentaries*, 27.

<sup>1927</sup> Dyrlydaev and Jacomy, *Rights of the Child in Kyrgyzstan*, 18.

<sup>1928</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 6d.

<sup>1929</sup> U.S. Embassy- Astana, *reporting*, December 3, 2007.

<sup>1930</sup> Youth Human Rights Group, *Alternative NGO Report to the United Nations Committee on the Rights of the Child in Relation to the Examination of the Second Periodic Report by the Kyrgyz Republic on the Implementation of the UN Convention on the Rights of the Child*, April 2004, 27; available from

[http://www.crin.org/docs/resources/treaties/crc.37/kyrgyzstan\\_ngo\\_report.pdf](http://www.crin.org/docs/resources/treaties/crc.37/kyrgyzstan_ngo_report.pdf). See also ILO-IPEC and SIAR, *Child Labor in Kyrgyzstan*, 15-17. See also Yarkova, Gulzat, Reeves, Konokbaev, Yarkova, Marcus, and Satybaldieva, *Childhood Poverty in Kyrgyzstan*, 34.

<sup>1931</sup> Institute for War and Peace Reporting (IWPR), *Lost Children of Central Asia*, [January 19, 2004]; available from [hard copy on file].

<sup>1932</sup> UN Committee on the Rights of the Child, *NGO Commentaries*, 27. See also ECPAT International CSEC Database, *Kyrgyz Republic*.

<sup>1933</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5. See also Youth Human Rights Group, *Alternative NGO Report*, 16.

<sup>1934</sup> U.S. Department of State, "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, 2007, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78821.htm>.

<sup>1935</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 6d.

<sup>1936</sup> U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," section 6d. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*.

<sup>1937</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 340.

<sup>1938</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5.

<sup>1939</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 67.

<sup>1940</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5.

<sup>1941</sup> Government of the Kyrgyz Republic, *Constitution of the Kyrgyz Republic*, (February 17, 1996), article 28;

available from [hard copy on file].

<sup>1942</sup> Coalition to Stop the Use of Child Soldiers, "Kyrgyzstan," in *Child Soldiers Global Report- 2004*; available from <http://www.child-soldiers.org/>. See also U.S. Embassy- Bishkek, *reporting, December 21, 2007*.

<sup>1943</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5. See also ECPAT International CSEC Database, *Kyrgyz Republic*.

<sup>1944</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5.

<sup>1945</sup> U.S. Embassy- Bishkek, *reporting, December 21, 2007*.

<sup>1946</sup> Ibid.

<sup>1947</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5. See also U.S. Department of State, "Kyrgyz Republic (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>1948</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Kyrgyz Republic."

<sup>1949</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 6d.

<sup>1950</sup> U.S. Embassy- Bishkek, *reporting, December 21, 2007*.

<sup>1951</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 6d.

<sup>1952</sup> UN Committee on the Rights of the Child, *Summary Record of the 987th Meeting: Kyrgyzstan*, September 29, 2004, para 38 and 47; available from <http://www.unhcr.ch/tbs/doc.nsf/Documentsfrset?OpenFrameSet>.

<sup>1953</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 6d.

<sup>1954</sup> Ibid.

<sup>1955</sup> Ibid., section 5.

<sup>1956</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Kyrgyz Republic."

<sup>1957</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5. See also U.S. Embassy- Bishkek, E-mail communication to USDOL official, July 24, 2007.

<sup>1958</sup> ILO-IPEC official, E-mail communication to USDOL official, February 8, 2008.

<sup>1959</sup> UN Office for the Coordination of Humanitarian Affairs, "Kyrgyzstan: New Passport to Help Reduce Human Trafficking," August 4, 2004; available from [http://www.irinnews.org/report.asp?ReportID=42509&SelectRegion=Central\\_Asia&SelectCountry=KYRGYZS\\_TAN](http://www.irinnews.org/report.asp?ReportID=42509&SelectRegion=Central_Asia&SelectCountry=KYRGYZS_TAN).

<sup>1960</sup> USAID, *USAID Programs in Kyrgyzstan in 2007*, Washington, DC; available from <http://centralasia/usa.gov/page.php?page=article-89>.

<sup>1961</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Kyrgyz Republic."

<sup>1962</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Kyrgyz Republic."

<sup>1963</sup> U.S. Department of State, "Country Reports- 2007: Kyrgyz Republic," section 5.

<sup>1964</sup> ILO-IPEC, *CAR Capacity Building Project: Regional Program on the Worst Forms of Child Labour*, Project Document, RER/04/P54/USA, Geneva, September 2004.

<sup>1965</sup> U.S. Embassy- Bishkek, *reporting, December 21, 2007*.

## Lebanon

### Incidence and Nature of Child Labor

According to a 2000 Government of Lebanon study supported by ILO-IPEC, there is a higher prevalence of working children in poor rural areas of the country.<sup>1966</sup> Children work under hazardous conditions in several sectors, including metal works, construction, automobile repair, equipment installation and maintenance, painting, street work, carpentry, construction, welding, and seasonal agriculture.<sup>1967</sup> The 2000 Government assessment estimated that of the 100,000 working children in Lebanon, 25,000 children were working in tobacco

cultivation; the majority of whom worked for family enterprises and were unpaid.<sup>1968</sup> Non-Lebanese children, particularly boys from Syria and Palestinian boys living in Lebanese refugee camps, constitute approximately 85 percent of children working on the street.<sup>1969</sup> The most common types of street work are selling goods, shoe polishing, and washing car windshields.<sup>1970</sup> Forty-seven percent of working street children who participated in a 2004 study conducted by the Ministry of Labor (MOL) were forced by adults to work long hours on the streets.<sup>1971</sup>

Lebanese children are trafficked internally for sexual exploitation.<sup>1972</sup> Child prostitution, including situations in which girls have been forced into prostitution by their own families, as well as children involved in drug trafficking, have been reported by NGOs; however, no cases have been officially reported, according to Secretary General of the Higher Council for Childhood, Ministry of Social Affairs.<sup>1973</sup> Children have also been used in drug trafficking.<sup>1974</sup> While children are not known to participate in the armed forces, Palestinian children living in refugee camps in Lebanon are known to be involved with various Palestinian armed groups operating in the country.<sup>1975</sup>

children ages 14 to 17 years must pass a medical examination to ensure that they can undertake the work in which they are to be engaged, and the prospective employer must request the child's identity card to verify his or her age.<sup>1978</sup> Additionally, the law requires an annual paid leave of 21 days.<sup>1979</sup> Penalties for non-compliance with provisions relating to child labor include fines and from 3 to 6 months of imprisonment.<sup>1980</sup> Vocational training establishments may be permitted to employ children who have reached 14 years by receiving approval from both the Ministry of Labor and the Public Health Services.<sup>1981</sup>

Youth under 17 years are prohibited from working in dangerous environments that threaten their life, health, or morals.<sup>1982</sup> Industrial work and work such as mining and quarrying, manufacturing or selling alcohol; work with chemicals or explosives; demolition work; work in tanneries or with machinery; street vending; begging; and domestic service, are not permitted for children under 16 years.<sup>1983</sup> There are no laws specifically prohibiting trafficking or forced labor; however, the laws are used to address such offenses.<sup>1984</sup> Prostitution is prohibited. Persons who threaten, intimidate, or force a child into prostitution may be sentenced with 3 to 15 years of imprisonment.<sup>1985</sup> The minimum age for voluntary recruitment into the Armed Forces is 18 years.<sup>1986</sup>

The Ministry of Labor is responsible for the enforcement of child labor laws.<sup>1987</sup> According to USDOS, enforcement of the laws has witnessed slight improvement in recent years.<sup>1988</sup> There is a Labor Inspection Team, composed of 60 labor inspectors nationwide. However, according to USDOS, the Ministry of Labor's Child Labor Unit lacked adequate personnel and resources, which limited its ability to enforce the law.<sup>1989</sup>

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

A National Policy and Program Framework (NPPF) outlines effective strategies to eliminate child labor in priority sectors within an established timeframe, using common measures of progress and a plan for coordination among all actors.<sup>1990</sup> The MOL is implementing the NPPF strategy to combat child labor, in cooperation with ILO-IPEC and the

<i>Selected Statistics and Indicators on Child Labor<sup>1976</sup></i>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	12
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	94
Net primary enrollment rate (%), 2006:	82
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2005:	91
ILO-IPEC participating country:	Yes
* Must pay for school supplies and related items	

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 14 years.<sup>1977</sup> Children ages 14 to 17 years may not work more than 6 hours per day, require 1 hour of rest for work that is more than 4 hours, must have a 13-hour period of rest between workdays, and may not work between 7 p.m. and 7 a.m. In addition,

National Council for Children.<sup>1991</sup> The Government is also conducting programs to raise awareness on the worst forms of child labor.<sup>1992</sup>

The Government of Lebanon is participating in a USDOL-funded USD 3 million regional project implemented by ILO-IPEC that aims to promote the collection and analysis of child labor information; strengthen enforcement and monitoring mechanisms; build capacity; raise awareness on the negative consequences of child labor; and withdraw 4,700 and prevent 3,400 children from engaging in the worst forms of child labor.<sup>1993</sup> The Government is also participating in a USD 8.4 million sub-regional project funded by USDOL and implemented by CHF International to combat child labor through education in Lebanon and Yemen. The project aims to withdraw 4,530 children and prevent 4,195 children from entering exploitive labor.<sup>1994</sup> The Government of France is also supporting a project to prevent and eliminate child labor in Lebanon.<sup>1995</sup>

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<sup>1966</sup> ILO-IPEC, *Lebanon: Child Labour on Tobacco Plantations: A Rapid Assessment*, Geneva, May 2002, 8; available from <http://www-ilo-mirror.cornell.edu/public/english/standards/ipecc/simpoc/lebanon/ra/tobacco.pdf>. See also Partners for Development- Civil Group, *Gender, Education and Child Labour in Lebanon*, ILO, Geneva, 2004, 38; available from [http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/gender\\_edu\\_lebanon\\_2004\\_en.pdf](http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/gender_edu_lebanon_2004_en.pdf).

<sup>1967</sup> ILO-IPEC, *Child Labour on Tobacco Plantations: A Rapid Assessment*, 9. See also ILO-IPEC, *Supporting the National Policy and Programme Framework for the Elimination of the Worst Forms of Child Labour in Lebanon and Yemen: Consolidating Action Against the Worst Forms of Child Labour*, Project Document, Geneva, September 3, 2004, 9, 10. See also U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 6.

<sup>1968</sup> ILO-IPEC, *Child Labour on Tobacco Plantations: A Rapid Assessment*, viii, 7-8.

<sup>1969</sup> U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 8.

<sup>1970</sup> U.S. Department of State, "Country Reports- 2007: Lebanon," section 6d. See also U.S. Embassy- Beirut, *reporting, August 31, 2005*, E(3).

<sup>1971</sup> U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 8.

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<sup>1972</sup> U.S. Department of State, "Lebanon (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>1973</sup> UNHCR, *Expert on Trafficking in Persons Ends Visit to Lebanon*, Press Release, Geneva, September 15, 2005; available from <http://www.unhcr.ch/hurricane/hurricane.nsf/0/5F43BE66EDB9D815C125707E00240837?opendocument>. See also EPCAT International CSEC Database, *Lebanon*, accessed December 14, 2007; available from <http://www.ecpat.net>.

<sup>1974</sup> U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 7.

<sup>1975</sup> UN Security Council, *Report of the Secretary-General on Children and Armed Conflict* New York, December 21, 2007, 14, 15; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/656/04/PDF/N0765604.pdf?OpenElement>.

<sup>1976</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Lebanon, *Code du travail- Travail des enfants*, Loi no 536, (July 24, 1996); available from <http://www.lebaneselaws.com/>. See also U.S. Embassy- Beirut, *reporting, November 23, 2007*, para. 5. See also U.S. Department of State, "Lebanon," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100600.htm>. See also U.S. Embassy- Beirut, E-mail communication USDOL official, July 24, 2008.

<sup>1977</sup> Government of Lebanon, *Code du travail*, article 22. See also U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 5.

<sup>1978</sup> Government of Lebanon, *Code du travail*, article 21-24. See also U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 5.

<sup>1979</sup> U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 5. See also Government of Sri Lanka, *Report of the Government of Lebanon on Efforts by GSP Beneficiary Countries to Eliminate Worst Forms of Child Labour*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Beirut, December 21, 2007, 9.

<sup>1980</sup> ILO Committee of Experts, *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Lebanon (ratification: 2001)*, Geneva, 2006; available from <http://www.ilo.org/ilolex/cgi-lex/countrylist.pl?country=Lebanon>.

<sup>1981</sup> Government of Lebanon, *Modifiant les dispositions des articles 23 et 25 du Code du travail*, Loi no 91, (July 24, 1996); available from <http://www.lebaneselaws.com>.

<sup>1982</sup> Government of Lebanon, *Code du travail*, article 23.

<sup>1983</sup> *Ibid.* See also Government of Lebanon, *Decree No. 700, Prohibiting Employment of Young Persons under the Age of 16 or 17 in Occupations That Are Hazardous by Nature or Which Endanger Life, Health or Morals*, (June 3, 1999); available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/71934/72963/F1415871086/LBN71934.pdf>. See also ILO Committee of Experts, *Report of the Committee of Experts on the Worst Forms of Child Labor Convention, 1999 (No. 182): Lebanon (ratification: 2001)*, Geneva, 2004; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/>.

<sup>1984</sup> U.S. Department of State, "Country Reports- 2007: Lebanon," section 6c.

<sup>1985</sup> EPCAT International CSEC Database, *Lebanon*.

<sup>1986</sup> Coalition to Stop the Use of Child Soldiers, "Lebanon," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=958](http://www.child-soldiers.org/document_get.php?id=958).

<sup>1987</sup> U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 10. See also U.S. Department of State, "Country Reports- 2007: Lebanon," section 6d.

<sup>1988</sup> U.S. Department of State, "Country Reports- 2007: Lebanon," section 6d. See also U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 10. See also Government of Sri Lanka, *Report of Lebanon on Efforts to Eliminate Worst Forms of Child Labour*, 1.

<sup>1989</sup> U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 10.

<sup>1990</sup> ILO-IPEC, *Consolidating Action Against the Worst Forms of Child Labour, Project Document*, 8.

<sup>1991</sup> U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 3. See also U.S. Embassy- Beirut, *reporting, August 31, 2005*.

<sup>1992</sup> U.S. Embassy- Beirut, *reporting, November 23, 2007*, para 12. See also UN Committee on the Rights of the Child, *Written Replies by the Government of Lebanon Concerning the List of Issues Received by the Committee on the Rights of the Child Relating to the Consideration of the Third Periodic Report of Lebanon* April 26, 2006, 21; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/415/14/PDF/G0641514.pdf?OpenElement>.

<sup>1993</sup> ILO-IPEC, *Consolidating Action Against the Worst Forms of Child Labour, Project Document*, 28, 35-38, 49.

<sup>1994</sup> U.S. Department of Labor, *Alternatives to Combat Child Labor through Education and Sustainable Services in the Middle East and North Africa (ACCESS-MENA) ILAB Technical Cooperation Project Summary*, Washington, DC, 2007.

<sup>1995</sup> ILO-IPEC official, E-mail communication to USDOL official, January 4, 2008.

## Lesotho

### Incidence and Nature of Child Labor

Available information on the occupations in which children work is anecdotal, but suggests that jobs performed by children tend to be gender specific. Boys as young as 5 years herd livestock in the highlands, either for their families or through an arrangement where they are hired out by their parents. Boys also work as load bearers, car washers, taxi fare collectors, and street vendors. Girls are often employed as domestic servants.<sup>1996</sup> Some teenage children, primarily girls, are also involved in prostitution. UNICEF and the

Government of Lesotho (GOL) believe that the number of individuals under the age of 18 who are involved in prostitution is small, but increasing.<sup>1997</sup>

Anecdotal evidence indicates that children are trafficked within Lesotho for forced labor and sexual exploitation. Boys may be trafficked, sometimes with the permission of their families, for cattle herding as well as street vending. Girls may be trafficked internally for domestic labor, commercial sexual exploitation, and cattle herding.<sup>1998</sup> Children who are trafficked for sexual exploitation in South Africa are often abused in private residences rather than the traditional

settings of clubs and brothels.<sup>1999</sup> According to a 2003 report from the IOM, Lesotho children are trafficked into South Africa, Zimbabwe, and Zambia for sexual exploitation.<sup>2000</sup>

<i>Selected Statistics and Indicators on Child Labor<sup>2001</sup></i>	
Working children, 5-14 years (%), 2000:	28.1
Working boys, 5-14 years (%), 2000:	31.3
Working girls, 5-14 years (%), 2000:	25
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	Not compulsory
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	114
Net primary enrollment rate (%), 2005:	75
School attendance, children 5-14 years (%), 2000:	80.7
Survival rate to grade 5 (%), 2004:	73
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses	

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 15 years, although children between 13 and 15 years may perform light work in a home-based environment, technical school, or other institution approved by the Government. Also exempt from the minimum age is work performed by a child of any age in a private undertaking for their own family, so long as there are no more than five other employees and each is a member of the child's family.<sup>2002</sup> Although there is no specific list of work that is likely to jeopardize the health, safety, or morals of children, the law in general prohibits employment of children in work that is harmful to their health or development.<sup>2003</sup>

In addition, the labor law sets restrictions on night work by children, and also restricts work by children in mines and quarries. Persons under the age of 16 years may not work for more than 4 consecutive hours without a break of at least 1 hour, and may not work more than 8 hours in any 1 day. Each employer in an industrial undertaking is required to keep a register of all its employees, including those under the age of 18 years.<sup>2004</sup> The law identifies the "protection of children and young persons" as a principle of State policy.<sup>2005</sup>

The law sets a penalty of up to 3 months in prison for an employer in the industrial sector who employs an underage child, or for an employer who fails to keep a register of all employees who are children and young persons (under age 18). The law also dictates imprisonment of up to 6 months for persons who employ a child or young person in violation of restrictions related to dangerous work, required rest periods, parental rights to refuse work for their children, and children's rights to return each night to the home of their parents or guardians.<sup>2006</sup>

The law identifies freedom from forced labor and slavery as a fundamental right available to all people.<sup>2007</sup> The law further defines forced labor as non-voluntary work or service under duress of punishment and makes it illegal. The use of forced labor—adult or child—may result in a fine and up to 1 year in prison.<sup>2008</sup> The law states that there is no compulsory military service, and the minimum age for voluntary enlistment is 18.<sup>2009</sup> A 2003 law concerning sexual offenses defines and explicitly prohibits child prostitution.<sup>2010</sup> The procurement of a girl for prostitution is punishable by a maximum penalty of up to 6 years in prison.<sup>2011</sup> Although there are no specific laws that prohibit trafficking in persons, it is illegal to procure or attempt to procure a woman or girl to become a prostitute within Lesotho, or to leave Lesotho so that she may be a prostitute elsewhere.<sup>2012</sup>

The law provides broad powers for the Labor Commissioner and subordinates to perform workplace inspections, but only in the commercial sector.<sup>2013</sup> Current labor laws do not apply to child labor in the informal sector.<sup>2014</sup> The Ministry of Employment and Labor has 24 trained inspectors who are responsible for enforcement of the Labor

Code, including child labor provisions.<sup>2015</sup> Each quarter a random sample of employers is inspected.<sup>2016</sup> According to the CEACR, Government inspections are difficult to execute due to a lack of resources and the absence of oversight in the informal sector.<sup>2017</sup>

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

The Government of Lesotho (GOL) is working with ILO-IPEC to implement a USDOL-funded, USD 5 million regional child labor project in Southern Africa. Activities in Lesotho include research on the nature and incidence of exploitive child labor and efforts to build the capacity of the Government to address child labor issues.<sup>2018</sup>

With the participation of the GOL, the American Institutes for Research is implementing another regional, USDOL-funded project. This USD 9 million project intends to prevent 10,000 children from engaging in exploitive labor in five countries, including Lesotho, by improving quality of and access to basic education.<sup>2019</sup>

The GOL's Ministry of Home Affairs, Child and Gender Protection Unit and UNICEF are working together on children in prostitution.<sup>2020</sup> Government officials, including the Prime Minister of Lesotho, have participated in awareness-raising activities, espousing the need to protect children from hazardous work and appealing to adults for children to attend school instead of working.<sup>2021</sup>

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<sup>1996</sup> U.S. Department of State, "Country Reports- 2007: Lesotho," section 6d. See also UNICEF, *Lesotho- Real Lives*, [online] [cited December 10, 2007]; available from [http://www.unicef.org/infobycountry/lesotho\\_20016.html](http://www.unicef.org/infobycountry/lesotho_20016.html).

<sup>1997</sup> U.S. Department of State, "Country Reports- 2007: Lesotho," sections 5, 6d. See also U.S. Embassy - Maseru, *reporting*, November 30, 2007, section 1(2).

<sup>1998</sup> U.S. Department of State, "Lesotho (Special Cases)," in *Trafficking in Persons Report- 2007*, Washington, D.C., June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/86204.htm>.

<sup>1999</sup> Jonathan Martens, Maciej "Mac" Pieczkowski, and Bernadette van Vuuren-Smyth, *Seduction, Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa, 3rd edition*, International Organization for Migration Regional Office for Southern

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Africa, Pretoria, May 2003, 42; available from <http://www.iom.org.za/site/media/docs/TraffickingReport3rdEd.pdf>.

<sup>2000</sup> International Organization for Migration, *The Trafficking of Women and Children in the Southern African Region*, Pretoria, March 24, 2003, 12; available from <http://www.iom.int/documents/publication/en/southafrica%5Ftrafficking.pdf>.

<sup>2001</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Lesotho, *Labour Code Order*, 24, (1992), parts II(3), IX(124); available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/31536/64865/E92LSO01.htm>. See also U.S. Department of State, "Lesotho," in *Country Reports on Human Rights Practices- 2007*

Washington, DC, March 11, 2008, section 5; available from

<http://www.state.gov/g/drl/rls/hrrpt/2007/100488.htm>. See also ILO Committee of Experts, *Direct Request, Worst forms of Child Labour Convention, 1999 (No. 182); Lesotho (ratification: 2001); CEACR 2007*, [online] [cited December 11, 2007], article 1; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>2002</sup> Government of Lesotho, *Labour Code Order*, sections 3, 124. See also U.S. Embassy - Maseru, *reporting*, November 30, 2007.

<sup>2003</sup> ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138); Lesotho (ratification: 2001); CEACR 2004/75<sup>th</sup> Session*, [online] [cited January 22, 2007], 3; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displayAllComments.cfm?conv=C138&ctry=1800&hdrof=f=1&lang=EN>.

<sup>2004</sup> Government of Lesotho, *Labour Code Order*, sections 3, 7.

<sup>2005</sup> Government of Lesotho, *The Constitution of Lesotho*, (1993), section 32; available from <http://www.parliament.ls/documents/constitution.php#NOTE>.

<sup>2006</sup> ILO Committee of Experts, *Direct Request, Worst forms of Child Labour Convention, 1999 (No. 182); Lesotho (ratification: 2001); CEACR 2004/75<sup>th</sup> Session*, [online] [cited January 22, 2007], 6; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>2007</sup> Government of Lesotho, *The Constitution of Lesotho*, section 9.

<sup>2008</sup> Government of Lesotho, *Labour Code Order*, sections 3, 7, 124-129.

<sup>2009</sup> Coalition to Stop the Use of Child Soldiers, *Global Report 2004 - Lesotho*, [online] 2004 [cited March 17, 2008]; available from <http://www.child-soldiers.org/regions/country?id=119>.

<sup>2010</sup> Julia Sloth-Nielsen, *Harmonisation of laws relating to children: Lesotho*, African Child Policy Forum, 2007, 14; available from <http://www.africanchild.info/documents/Lesotho%20Reportfinal%20Sarah.doc>.

<sup>2011</sup> ILO Committee of Experts, *Direct Request, Worst forms of Child Labour Convention, 1999 (No. 182); CEACR 2004/75<sup>th</sup> Session*, 6.

<sup>2012</sup> U.S. Department of State, "Country Reports- 2007: Lesotho," section 5. See also ILO Committee of Experts, *Direct Request, Worst forms of Child Labour Convention, 1999 (No. 182); CEACR 2004/75<sup>th</sup> Session*, 2, 3.

<sup>2013</sup> ILO Committee of Experts, *Direct Request, Worst forms of Child Labour Convention, 1999 (No. 182); CEACR 2004/75<sup>th</sup> Session*, 4, 5. See also U.S. Embassy - Maseru, *reporting, November 30, 2007*, para 5.

<sup>2014</sup> Sloth-Nielsen, *Harmonisation of laws relating to children: Lesotho*, 17.

<sup>2015</sup> U.S. Embassy- Maseru, *reporting, September 2, 2003*, para 7.

<sup>2016</sup> U.S. Embassy - Maseru, *reporting, November 30, 2007*, para 5.

<sup>2017</sup> ILO Committee of Experts, *Direct Request, Worst forms of Child Labour Convention, 1999 (No. 182); CEACR 2007*, para 9.

<sup>2018</sup> ILO-IPEC, *Supporting the Timebound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, project document, Geneva,, September 30, 2003, 38-39.

<sup>2019</sup> *Notice of Award: Cooperative Agreement*  
U.S. Department of Labor / American Institutes for Research, Washington, DC, August 16, 2004, 1-2. See also American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, project document, Washington September 8, 2005, 21.

<sup>2020</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Lesotho (Special Cases)."

<sup>2021</sup> American Institutes for Research (AIR), *Reducing Exploitive Child Labor in Southern Africa (Botswana, Lesotho, Namibia, South Africa, and Swaziland) through Education, Technical Progress Report to USDOL International Child Labor Program*, September, 2007, 5.

## Liberia

### Incidence and Nature of Child Labor

Children in Liberia work in subsistence agriculture and rubber tapping.<sup>2022</sup> Children also work in street vending, domestic service, rock crushing, mining, and fishing.<sup>2023</sup> Children work in construction and as truck loaders, and there are reports that girls engage in prostitution to pay school fees or support their families.<sup>2024</sup>

Liberia is a country of origin, transit, and destination for regionally trafficked children.<sup>2025</sup>

Children are reportedly trafficked to Liberia from Sierra Leone, Guinea, and Cote d'Ivoire; and from Liberia to The Gambia, Guinea, and Nigeria for domestic servitude, street vending, sexual exploitation, and agricultural labor.<sup>2026</sup>

### Child Labor Laws and Enforcement

The law prohibits children under the age of 16 from working during school hours and allows labor recruiters to hire children between the ages of 16 and 18 years for occupations approved by the Ministry of Labor.<sup>2027</sup> The law does not establish an absolute minimum age for employment. Children under the age of 16 may work for wages if the employer can demonstrate that they are attending school regularly and have a basic education.<sup>2028</sup>

Liberian law prohibits forced and bonded labor and slavery.<sup>2029</sup> The law criminalizes human trafficking and establishes sentences for traffickers ranging from 1 year to life in prison.<sup>2030</sup> Liberian law also prohibits any person under 16 years from enlisting in the Armed Forces.<sup>2031</sup>

The Ministry of Labor monitors compliance with Liberia's labor laws, including laws covering child labor.<sup>2032</sup> According to USDOS, the Government did not effectively enforce existing labor laws.<sup>2033</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2034</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2000:	100
Net primary enrollment rate (%), 2000:	66
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	

Liberia was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>2035</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>2036</sup>

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

In 2007, the Government of Liberia announced that it will fine or arrest parents for allowing their

children to engage in street vending during school hours. This new policy was designed in part to increase school enrollment and combat exploitive child labor, including child trafficking.<sup>2037</sup>

The Government of Liberia is participating in a 4-year USDOL-funded USD 6 million Child Labor Education Initiative project in Sierra Leone and Liberia. The project, which was launched in 2005, aims to withdraw a total of 7,473 children and prevent a total of 22,417 children from exploitive child labor by improving access to and quality of education.<sup>2038</sup> The Government is also supporting a program with UNICEF to provide vocational training and apprenticeships to former child soldiers and children associated with fighting forces.<sup>2039</sup>

<sup>2022</sup> International Rescue Committee, *Countering Youth and Child Labour Through Education (CYCLE)*, final project document, New York, August 2007, 9. See also U.S. Department of State, "Country Reports- 2007: Liberia," section 6d. See also U.S. Embassy- Monrovia, *reporting*, December 10, 2007, para 2e.

<sup>2023</sup> Bureau of Immigration and Naturalization for Administration, Deputy Commissioner, Interview with USDOL consultant, June 26, 2006. See also U.S. Department of State, "Country Reports- 2007: Liberia," section 6d. See also Director of Touching Humanity in Need of Kindness, Interview with USDOL consultant, June 26, 2006. See also International Rescue Committee, Education Specialist, Interview with USDOL consultant, June 26, 2006. See also Ministry of Labor, Agency Official, Interview with USDOL consultant, June 26, 2006. See also U.S. Embassy- Monrovia, *reporting*, December 15, 2006, para 2e. See also International Rescue Committee, *Countering Youth and Child Labour Through Education (CYCLE)*, 9-10.

<sup>2024</sup> U.S. Embassy- Monrovia, *reporting*, December 15, 2006, para 2(e). International Rescue Committee, *Countering Youth and Child Labour Through Education (CYCLE)*, 9. See also Ministry of Gender and Development, Agency Official, Interview with USDOL consultant, June 26, 2006.

<sup>2025</sup> U.S. Embassy- Monrovia, E-mail communication to USDOL official, August 1, 2007. See also U.S. Embassy- Monrovia, *reporting*, February 26, 2008, para 1a,1b.

<sup>2026</sup> U.S. Department of State, "Liberia," in *Trafficking in Persons Report- 2007*, Washington, D.C., June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>2027</sup> Government of Liberia, *Labour Practices Law (Title 18 and 18A)*, section 74, 1506 (para 11). See also U.S. Department of State, "Country Reports- 2007: Liberia," section 6d. See also U.S. Embassy- Monrovia, *reporting, December 10, 2007*, para 2a.

<sup>2028</sup> Government of Liberia, *Labour Practices Law (Title 18 and 18A)*, section 74. See also U.S. Embassy- Monrovia, *reporting, December 10, 2007*, para 2a.

<sup>2029</sup> Government of Liberia, *Constitution of the Republic of Liberia*, (1847), article 12; available from <http://www.embassyofliberia.org/theconstitution.pdf>. See also U.S. Department of State, "Country Reports- 2007: Liberia," section 6c.

<sup>2030</sup> U.S. Department of State, "Country Reports- 2007: Liberia," section 5.

<sup>2031</sup> Coalition to Stop the Use of Child Soldiers, "*Liberia*" in *Child Soldiers Global Report 2004*, London, March 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=966](http://www.child-soldiers.org/document_get.php?id=966).

<sup>2032</sup> U.S. Embassy- Monrovia, *reporting, December 15, 2006*, section 2b.

<sup>2033</sup> U.S. Department of State, "Country Reports- 2007: Liberia," section 6d, 6e.

<sup>2034</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Liberia, *Labour Practices Law (Title 18 and 18A)*, (1956), section 74; available from [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).

See also U.S. Department of State, "Liberia," in *Country Reports on Human Rights Practices- 2007* Washington, D.C., March 11, 2008, section 5; available

from <http://www.state.gov/g/drl/rls/hrrpt/2007/100489.htm>. See also UNESCO, *Liberia - Education system*, December 18, 2007; available from [http://www.unesco.org/iau/onlinedatabases/systems\\_data/lr.rtf](http://www.unesco.org/iau/onlinedatabases/systems_data/lr.rtf). See also U.S. Embassy- Monrovia, *reporting, December 15, 2006*, para 1. See also Women's Commission for refugee women and children, *Help us Help Ourselves: Education in the Conflict to Post-Conflict Transition in Liberia*, New York, March 2006, 7; available from

[http://www.womenscommission.org/pdf/lr\\_ed.pdf](http://www.womenscommission.org/pdf/lr_ed.pdf)  
<sup>2035</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>2036</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical progress Report, 10-11.

<sup>2037</sup> Integrated Regional Information Networks, "LIBERIA: Go to school or go to jail ", IRINnews.org, [online], September 21, 2007; available from <http://www.irinnews.org/Report.aspx?ReportId=74422>.

<sup>2038</sup> International Rescue Committee, *Countering Youth and Child Labour Through Education (CYCLE)*, 19-22.

<sup>2039</sup> UNICEF, *Vocational Training helps reintegrate Liberia's former child soldiers*, [online] [cited November 26, 2007]; available from [http://www.unicef.org/infobycountry/liberia\\_40185.html](http://www.unicef.org/infobycountry/liberia_40185.html).

## Macedonia

### Incidence and Nature of Child Labor

Children work on the streets in Macedonia, begging for money, and also perform minor services, such as selling cigarettes and other small items. These activities occur on the streets as well as in bars or restaurants.<sup>2040</sup> Children also work in the informal sector on family farms, but this does not usually happen during school hours.<sup>2041</sup> Street children are predominantly of the Roma minority

ethnic group, but also include ethnic Albanians, Turks, and Macedonians.<sup>2042</sup> Romani children are organized into groups to beg for money at busy intersections, street corners, and in restaurants.<sup>2043</sup>

Girls and young women from families with social and economic problems are among the groups in Macedonia considered to be at the highest risk of becoming victims of TIP.<sup>2044</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2045</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	Eighth grade or 16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	98
Net primary enrollment rate (%), 2005:	92
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
*Must pay for books and other related supplies	

### **Child Labor Laws and Enforcement**

Forced labor is prohibited by the Constitution.<sup>2046</sup> The law prohibits all forms of trafficking in persons. However, there were reports that trafficking did occur, and that Macedonia is a source, transit, and destination country for TIP.<sup>2047</sup> Penalties for mediators or organizers of prostitution range from a minimum of a monetary fine to a maximum of 10 years imprisonment. Prison sentences for traffickers of sexual and/or labor exploitation are between 4 and 15 years.<sup>2048</sup> The law also provides for a minimum prison sentence of 8 years for persons who engage in the trafficking of minors or who knowingly engage in sexual relations with a trafficked child.<sup>2049</sup>

The law sets the minimum age for employment at 15 years.<sup>2050</sup> The employment of minors in work that is “detrimental to their health or morality” is prohibited.<sup>2051</sup> Minors are further prohibited from working overtime, working at night between 10

p.m. and 6 a.m., or performing work that involves “strenuous physical labor, underground or underwater work, or other jobs which may be harmful or threatening to their health and life.” Minors are also not permitted to work in mines.<sup>2052</sup> However, the law allows children to work in film or advertisements with parental consent, and after a Ministry inspection of the workplace. Additionally, children under 14 years can work as apprentices or in vocational education programs if the work is part of an official education program.<sup>2053</sup> Employers who illegally employ minors face a potential fine.<sup>2054</sup> Individuals under 18 years are prohibited from serving in the Armed Forces.<sup>2055</sup> Furthermore, amendments were made to the criminal code to specifically address the problem of trafficking in children. Article 418g provides for a stricter penalty of up to 15 years imprisonment. Under this article, the use of minors for sexual exploitation is a criminal act and is punishable as trafficking, regardless of whether or not the minor agreed to participate in the act.<sup>2056</sup>

Enforcement of laws regulating the employment of children is the responsibility of the Ministry of Labor and Social Policy.<sup>2057</sup> According to USDOS, although a legal framework is in place, there has been little practical implementation of child labor laws and policies.<sup>2058</sup> The State Labor Inspectorate has not reported the discovery of cases involving minors working in factories or other businesses in Macedonia.<sup>2059</sup>

The Government of Macedonia increased the number of trafficking cases prosecuted in 2007, the most recent year for which this information is available, to 55 cases; up from 48 cases in 2006.<sup>2060</sup> Over 50 percent of traffickers (i.e., half of all suspects) were convicted in 2006, with sentences between 8 months and 13 years imprisonment, including victim restitution and confiscation of property. Two police officers were found guilty of trafficking-related crimes and received sentences of 18 months and 2 years, respectively.<sup>2061</sup>

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

In cooperation with the Government, UNICEF is conducting public awareness-raising campaigns on street children and child trafficking.<sup>2062</sup> It is also implementing a program for the re-socialization and re-integration of child trafficking victims, with financial support from IOM.<sup>2063</sup> ILO-IPEC is implementing a USD 2.2 million regional project, funded by the German Government, to combat the worst forms of child labor in the stability pact countries, which includes Macedonia.<sup>2064</sup> IOM and local NGOs are implementing other various counter-trafficking projects in cooperation with the Government, including the anti-TIP information project *Open Your Eyes*, and provides support for the toll free trafficking SOS number. IOM also operated a transit center that assisted more than 60 trafficking victims, which is 17 more victims than the year before.<sup>2065</sup> Border Police officers participated actively in USAID sponsored training, especially as part of the Trans-National Referral Mechanism Project, administered by the International Centre for Migration Policy Development.<sup>2066</sup>

The Ministry of Labor and Social Welfare operates one center for street children in Skopje. The center is Government funded, and also receives international financial support. According to the Ministry of Labor, an average of 275 children per month, predominantly Romani, had been served by the center in the past 3 years.<sup>2067</sup>

In February 2007, the Ministry of Interior and the Ministry of Labor and Social Policy signed a long expected MOU which established special requirements for the protection of child trafficking victims and makes mandatory the presence of social workers during police raids. It should also lead to better coordination on victim identification and assistance.<sup>2068</sup>

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<sup>2040</sup> Divna Lakinska, *Assessment of Policies, Situation and Programmes for Children on the Streets in Macedonia*, prepared by UNICEF, June 2005, 4, 38, 103. See also U.S. Department of State, "Country Reports- 2007: Macedonia," section 6d.

<sup>2041</sup> U.S. Embassy- Skopje, *reporting*, August 26, 2005.

<sup>2042</sup> Lakinska, *Assessment of Policies, Situation and Programmes for Children on the Streets in Macedonia*.

<sup>2043</sup> U.S. Department of State, "Country Reports- 2007: Macedonia," section 5.

<sup>2044</sup> U.S. Embassy- Skopje, *reporting*, February 22, 2008.

<sup>2045</sup> For data not cited here, see the Data Sources and Definitions section. For minimum age for admission to work, age to which education is compulsory, and free public education see Government of Macedonia, *Constitution of Macedonia, 1991*, (November 17, 1991), article 42; available from [http://www.oefre.unibe.ch/law/icl/mk00000\\_.html](http://www.oefre.unibe.ch/law/icl/mk00000_.html).

See also U.S. Department of State, "Macedonia," in *Country Reports on Human Rights Practices- 2007*, Washington, D.C., March 11, 2008, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/index.htm>. See also Government of Macedonia, *Constitution of Macedonia, 1991*, Article 44.

<sup>2046</sup> Government of Macedonia, *Constitution of Macedonia, 1991*, Article 11. See also U.S. Department of State, "Country Reports- 2007: Macedonia," section 6c.

<sup>2047</sup> U.S. Department of State, "Country Reports- 2007: Macedonia," section 5.

<sup>2048</sup> Skopje, *reporting*, February 22, 2008.

<sup>2049</sup> U.S. Department of State, "Country Reports- 2007: Macedonia."

<sup>2050</sup> Government of Macedonia, *Constitution of Macedonia, 1991*.

<sup>2051</sup> Ibid.

<sup>2052</sup> Government of Macedonia, *Labor Relations Act: Macedonia*, (December 27, 1993), Sections 7, 63, 66, and 67; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/47727/65084/E93MKD02.htm>. See also Skopje, *reporting*, February 22, 2008.

<sup>2053</sup> U.S. Embassy- Skopje, *reporting*, August 26, 2005.

<sup>2054</sup> Ibid.

<sup>2055</sup> Coalition to Stop the Use of Child Soldiers, "Macedonia," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/regions/country.html?id=126>.

<sup>2056</sup> Skopje, *reporting*, February 22, 2008.

<sup>2057</sup> U.S. Department of State, "Country Reports- 2007: Macedonia," section 6d.

<sup>2058</sup> Ibid.

<sup>2059</sup> U.S. Embassy- Skopje, E-mail communication to USDOL official, August 03, 2007.

<sup>2060</sup> U.S. Department of State, "Country Reports- 2007: Macedonia," section 5. See also U.S. Department of State, "Macedonia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, D.C., June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82798.htm>.

<sup>2061</sup> U.S. Embassy- Skopje, E-mail communication, August 03, 2007. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Macedonia."

<sup>2062</sup> UNICEF, *Child Protection*, [online] July 5, 2006 [cited March 19, 2008]; available from <http://www.unicef.org/tfymacedonia/protection.html>

<sup>2063</sup> U.S. Embassy-Skopje, *reporting, February 22, 2008.*

<sup>2064</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, March 1, 2007.

<sup>2065</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Macedonia." See also U.S. Department of State, "Country Reports- 2007: Macedonia."

<sup>2066</sup> U.S. Embassy- Skopje, E-mail communication, August 03, 2007.

<sup>2067</sup> Ibid.

<sup>2068</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Macedonia." See also Skopje, *reporting, February 22, 2008.*

## Madagascar

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2069</sup>	
Working children, 6-14 years (%), 2001:	24.3
Working boys, 6-14 years (%), 2001:	24.8
Working girls, 6-14 years (%), 2001:	23.7
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	139
Net primary enrollment rate (%), 2005:	93
School attendance, children 6-14 years (%), 2001:	65.6
Survival rate to grade 5 (%), 2004:	43
ILO-IPEC participating country:	Yes

### Incidence and Nature of Child Labor

In rural areas of Madagascar, children work in agriculture on family subsistence farms and sisal plantations. Children also perform tasks such as fruit tree picking and cattle herding.<sup>2070</sup> In urban

areas, particularly the South East and Upper Center zones, it is common for children to work in domestic service.<sup>2071</sup> Children also work in bars and restaurants; petty trading; welding and mechanical work; transporting goods by rickshaw; and begging.<sup>2072</sup> Young boys in Diego Suarez, Majunga and Manakara work for traveling vendors by loading and selling merchandise.<sup>2073</sup> In coastal areas, children work in fishing, deep sea diving, and in the shrimp industry.<sup>2074</sup>

Children are involved in mining precious and semi-precious stones and in informal-sector work in and around the mines, particularly in the town of Ilakaka; most of this work is performed alongside their families. Children also engage in salt mining and production in Tulear; work in granite mines near Antananarivo; and in stone quarries, performing tasks such as breaking and carrying baskets full of stones.<sup>2075</sup>

Girls are engaged in commercial sexual exploitation, mostly in urban areas, including the capital city of Antananarivo. Child sex tourism is a growing problem in Antananarivo and small coastal towns and villages, especially in Tamatave, Nosy Be, Tulear, and Diego Suarez.<sup>2076</sup>

Madagascar is a source country for internal trafficking of children for sexual exploitation and forced labor. It is suspected that Malagasy children are trafficked from rural to urban areas for forced labor in mines, product vending, prostitution, and

domestic service.<sup>2077</sup> Children are reportedly trafficked by a number of different people, including 'friends,' taxi drivers, relatives, workers in the tourist industry, and organized criminals.<sup>2078</sup>

### **Child Labor Laws and Enforcement**

The minimum age for admission to work is 15 years.<sup>2079</sup> The law prohibits children under 18 years to be employed in work that is immoral, hazardous, or forced; and bars them from work in bars, discos, casinos, in mines, and as domestic laborers. The law also prohibits children under 18 years from performing work at night or in excess of 8 hours a day or 40 hours a week.<sup>2080</sup> Before children are hired, a medical examination is required.<sup>2081</sup> According to the 2007 Child Labor Decree, children between 15 and 17 years can perform light work if the work does not exceed their strength; is not hazardous; and does not interfere with the child's health, or physical, mental, spiritual, moral, and social development. In addition, children between 14 and 15 years can perform light work under exceptional circumstances, including where the child has finished school; and only with authorization from a labor inspector.<sup>2082</sup> The law stipulates the weight a child can carry by age and by sector, and bars children from working in the proximity of toxic materials and pesticides.<sup>2083</sup> Violation of the minimum age laws results in a fine and 1 to 3 years of imprisonment.<sup>2084</sup>

The law prohibits the production and dissemination of pornographic materials.<sup>2085</sup> The use of children in pornography is punishable by 2 to 5 years of imprisonment and a fine; with increased penalties of 3 to 10 years of imprisonment and a higher fine if children under 15 years are involved.<sup>2086</sup> In addition, forced labor, commercial sexual exploitation, and trafficking of children are forbidden by law.<sup>2087</sup> Commercial sexual exploitation of children under 15 years, including sex tourism and child trafficking, is punishable by forced labor for life. The law also allows for extradition of Malagasy nationals and persons charged with trafficking in other countries.<sup>2088</sup> The minimum age for voluntary and compulsory military service under Malagasy law is 18 years.<sup>2089</sup>

The Ministry of Civil Services and Labor is charged with enforcing child labor laws and conducting workplace inspections.<sup>2090</sup> In total the Government has 77 labor inspectors, with 5 child labor inspectors at the national level.<sup>2091</sup> The law requires State Prosecutors to submit cases of child labor violations directly to court judges.<sup>2092</sup> In 2007, the Government prosecuted several foreigners for the commercial sexual exploitation of girls, including one for the production of pornographic materials.<sup>2093</sup> According to USDOS, the Government's lack of enforcement of child labor laws in the informal sector is a problem.<sup>2094</sup> Police officers have continued to enforce laws barring minors from nightclubs, and have closed nightclubs in Nosy Be and Fort Dauphin for such infractions.<sup>2095</sup>

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

In 2007, the Government adopted the Madagascar Action Plan, MAP (2007-2012), and the National Action Plan to Eliminate the Worst Forms of Child Labor, NAP (2004-2019) falls within the larger policy framework of the MAP.<sup>2096</sup> The National Committee for the Fight against Child Labor is responsible for country-wide activities to combat child labor and following up on the NAP.<sup>2097</sup> In 2007, three Regional Committees to Combat Child Labor were established, in the north, southwest and east coast.<sup>2098</sup> In July 2007, the Government Council adopted a child labor decree that regulates working conditions; and defines child labor, including forced and hazardous child labor.<sup>2099</sup> In December 2007, the Government adopted a comprehensive law that defines and strengthens penalties for trafficking in persons, sex tourism, sexual exploitation and other crimes, including for children.<sup>2100</sup>

In 2007, the Ministry of Youth and Sports developed an action plan to combat trafficking in youth between the ages of 14 and 35. The action plan objectives include: a reduction of trafficking victims by 50 percent across 22 regions; provision of services to 50 victims; and sensitization of 500,000 youth each year, over a 3-year period.<sup>2101</sup> In 2007 with assistance from UNICEF and USAID, the Government continued its assistance to victims of

child labor and trafficking through rehabilitation, monitoring, and counseling centers, including children in Tulear engaged in mining; in Nosey Be involved in sex tourism; in Tamatave engaged in sex tourism and domestic service; and in Diego Suarez for children involved in sex tourism, domestic service, and product vending.<sup>2102</sup>

During 2007 a total of 11 regions had 'Morals and Minors' police brigades established by the State Secretary of Public Security, which conducted prevention activities.<sup>2103</sup> The Government undertook a series of campaigns, and a number of ministries conducted awareness raising and other activities aimed at preventing child labor and its worst forms, including child prostitution, sex tourism, and trafficking in the country.<sup>2104</sup> In addition, the Government, with assistance from UNICEF, is providing training to Government officials on how to recognize, investigate, and prosecute instances of trafficking.<sup>2105</sup>

The Government is collaborating with ILO-IPEC on the implementation of a 4-year USD 4.75 million Timebound Program, funded by USDOL to combat the worst forms of child labor. The Timebound Program aims to withdraw 3,500 children and prevent an additional 6,500 children from exploitive labor through the provision of educational alternatives to children working in prostitution, domestic work, stone quarrying and mining, and children working under hazardous and unhealthy conditions in the informal sector, such as in fishing and sisal plantation work.<sup>2106</sup> In May 2007, the Government in collaboration with IPEC started a national survey on child labor. The survey contains a child trafficking and sexual exploitation component that was included by UNICEF.<sup>2107</sup> In 2007, the Government and the ILO continued a red card campaign to raise public awareness on child labor, child trafficking, and child protection, involving football leagues in 22 regions.<sup>2108</sup>

The Government of Madagascar also participated in a Phase I of an ILO-IPEC USD 3.64 million regional project that ended in March 2007, and continues to participate in a Phase II ILO-IPEC USD 488 million regional project that ends December 2009. Both of these projects are funded by France and combat the worst forms of child

labor in Francophone Africa.<sup>2109</sup> Since August of 2006, the Government has also been participating in a USAID-funded USD 400,000 trafficking project.<sup>2110</sup>

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<sup>2069</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Madagascar, *Labor Code*, Loi no. 2003-044, (June 10, 2004), article 100; available from <http://www.droit-afrique.com/images/textes/Madagascar/Mada%20-%20Code%20du%20travail.pdf>. See also U.S. Department of State, "Madagascar," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/c25283.htm>. See also Government of Madagascar, *Constitution*, (August 19, 1992), articles 23 and 24; available from [http://www.oefre.unibe.ch/law/icl/ma00000\\_.html](http://www.oefre.unibe.ch/law/icl/ma00000_.html).

<sup>2070</sup> ILO-IPEC, *Combating the Worst Forms of Child Labour in Madagascar- IPEC's Contribution to the National Action Plan to Eliminate Child Labour*, Project Document, Geneva, August 13, 2004, 5-8. See also U.S. Embassy-Antananarivo, *reporting*, December 3, 2007, para 2e.

<sup>2071</sup> ILO-IPEC, *Combating the Worst Forms of Child Labour in Madagascar*, Project Document, 7. See also OHCHR, *Mise en oeuvre du Pacte relatif aux Droits Civils et Politiques, La Situation des Droits de l'Homme a Madagascar*, Geneva, March 2007, 31-32; available from [http://www2.ohchr.org/english/bodies/hrc/docs/ngos/omct\\_madagascar.pdf](http://www2.ohchr.org/english/bodies/hrc/docs/ngos/omct_madagascar.pdf).

<sup>2072</sup> U.S. Embassy- Antananarivo, *reporting*, December 3, 2007, para 2e. See also ILO-IPEC, *Combating the Worst Forms of Child Labour in Madagascar*, Project Document, 8.

<sup>2073</sup> U.S. Embassy- Antananarivo, *reporting*, February 29, 2008, para 3.7.A-D.

<sup>2074</sup> ILO-IPEC, *Combating the Worst Forms of Child Labour in Madagascar*, Project Document, 7. See also U.S. Embassy-Antananarivo, *reporting*, December 3, 2007, para 2e.

<sup>2075</sup> ILO-IPEC, *Combating the Worst Forms of Child Labour in Madagascar*, Project Document, 6. See also U.S. Embassy-Antananarivo, *reporting*, December 3, 2007, para 2e. See also U.S. Embassy- Antananarivo, *reporting*, February 29, 2008, 3.27.A-D. See also U.S. Embassy- Antananarivo official, E-mail communication to USDOL official, July 22, 2008.

<sup>2076</sup> ILO-IPEC, *Combating the Worst Forms of Child Labour in Madagascar*, Project Document, 6. See also U.S. Department of State, "Country Reports- 2007: Madagascar," section 5. See also ILO-IPEC, *Enquetes sur les Pires Formes de Travail des Enfants N 25 Madagascar - Les Enfants Victimes de l'Exploitation Sexuelle a*

*Antsiranana, Toliary, et Antananarivo: Une Evaluation Rapide* Geneva, June 2002, 37 and 53; available from <http://www.ilo.org/ipsec/Informationresources/lang--en/index.htm>. See also U.S. Department of State, "Madagascar (Tier 2)," in *Trafficking in Persons Report-2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>. See also U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.27.A-D. See also U.S. Embassy-Antananarivo official, E-mail communication, July 22, 2008.

<sup>2077</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Madagascar." See also U.S. Embassy-Antananarivo official, E-mail communication, July 22, 2008.

<sup>2078</sup> U.S. Department of State, "Country Reports- 2007: Madagascar," section 5. See also U.S. Embassy-Antananarivo official, E-mail communication, July 22, 2008.

<sup>2079</sup> Government of Madagascar, *Labor Code*, article 100.

<sup>2080</sup> *Ibid.*, article 101. See also Government of Madagascar, *Decret N 2007 - 563*, (July 3, 2007), articles 10, 12.

<sup>2081</sup> Government of Madagascar, *Decret N 2007 - 563*, article 9.

<sup>2082</sup> *Ibid.*, articles 2- 3.

<sup>2083</sup> *Ibid.*, articles 8, 12.

<sup>2084</sup> Government of Madagascar, *Labor Code*, article 261.

<sup>2085</sup> Government of Madagascar, *Decret N 2007 - 563*, article 13 and 15. See also U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.30.H.

<sup>2086</sup> Government of Madagascar, *Code Penal*, (June 17, 1972), article 346-347; available from <http://droit.francophonie.org/df-web/publication.do?publicationId=2486&sidebar=true>.

<sup>2087</sup> Government of Madagascar, *Decret N 2007 - 563*, article 13 and 15. See also U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.30.H.

<sup>2088</sup> Government of Madagascar, *Modifying and Completing Some Provisions of the Penal Code on the Fight Against Trafficking in Persons and Sexual Tourism*, Law No.2007-038, (January 14, 2008), chapter II, articles 6 and 8. See also U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.28.I.

<sup>2089</sup> U.S. Embassy- Antananarivo official, E-mail communication, July 22, 2008. See also Central Intelligence Agency, *The World Factbook: Field Listing - Military Service Age and Obligation*, [online] March 20, 2008 [cited April 8, 2008]; available from <https://www.cia.gov/library/publications/the-world-factbook/fields/2024.html>.

<sup>2090</sup> U.S. Embassy- Antananarivo, reporting, December 3, 2007, para 2.

<sup>2091</sup> U.S. Department of State, "Country Reports- 2007:

Madagascar," section 6d. See also Government of Madagascar, *Informations Generales sur la lutte Contre les Pires Formes de Travail des Enfants a Madagascar*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Antananarivo, December 6, 2007.

<sup>2092</sup> ILO Committee of Experts, *Individual Observation, Labour Inspection (Agriculture) Convention, 1969 (No. 129) Madagascar (ratification: 1971)*, [online] 2007 [cited December 6, 2007], para 4; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>2093</sup> U.S. Department of State, "Country Reports- 2007: Madagascar," section 5. See also U.S. Embassy-Antananarivo, reporting, February 29, 2008, 2.28.F. See also U.S. Embassy- Antananarivo official, E-mail communication, July 22, 2008.

<sup>2094</sup> U.S. Department of State, "Country Reports- 2007: Madagascar," section 6d.

<sup>2095</sup> U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.28.F.

<sup>2096</sup> Government of Madagascar, *Action Plan 2007-2012, Poverty Reduction Strategy Paper*, Antananarivo, February 2007; available from <http://www.imf.org/external/pubs/ft/scr/2007/cr0759.pdf>. See also Sandy Wark, *Independent Mid-term Evaluation: Combating the Worst Forms of Child Labor in Madagascar (WFCL) – IPEC's contribution to the National Plan of Action to Eliminate Child Labor*, Draft Mid-term Evaluation Report, November, 2007, 6-8.

<sup>2097</sup> Government of Madagascar, *Reply to FRN*, December 6, 2007.

<sup>2098</sup> U.S. Department of State, "Country Reports- 2007: Madagascar," section 6d.

<sup>2099</sup> *Ibid.*

<sup>2100</sup> U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.28.A-B. See also Government of Madagascar, *Trafficking in Persons and Sexual Tourism Law*, chapter II, article 6.

<sup>2101</sup> U.S. Embassy- Antananarivo, reporting, February 29, 2008, paras 3.28.A and B, 3.28.I, 3.30.B, and 3.30.H. See also Ministry of Youth and Sports, *Programme Intitulé "Contribution a Lutte Contre l'Esclavage Humain et le Trafic de Personnes Chez les Jeunes"*, Action Plan, Antananarivo, March 2008.

<sup>2102</sup> USAID, *Anti-trafficking in Persons Programs in Africa: A Review*, Washington, DC, April, 2007, 61; available from [http://pdf.usaid.gov/pdf\\_docs/PDACCJ521.pdf](http://pdf.usaid.gov/pdf_docs/PDACCJ521.pdf). See also U.S. Embassy- Antananarivo official, Interview with USDOL official, November 15, 2007. See also U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.29.B and 3.29.K. See also U.S. Embassy-

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Antananarivo, reporting, December 3, 2007, para 2c. See also U.S. Embassy- Antananarivo official, E-mail communication, July 22, 2008.

<sup>2103</sup> U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.30.B.

<sup>2104</sup> U.S. Department of State, "Country Reports- 2007: Madagascar," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Madagascar." See also U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.30.B.

<sup>2105</sup> U.S. Embassy- Antananarivo, reporting, February 29, 2008, para 3.29.I. See also USAID, *Anti-trafficking in Persons Programs in Africa: A Review*, 61.

<sup>2106</sup> ILO-IPEC, *Combating the Worst Forms of Child Labour in*

*Madagascar, Project Document*, i, 43, and 45.

<sup>2107</sup> U.S. Embassy- Antananarivo official, Interview, November 15, 2007. See also ILO-IPEC, *Combating the Worst Forms of Child Labour in Madagascar - IPEC's Contribution to the National Action Plan to Eliminate Child Labour*, Technical Progress Report, Geneva, September 2007, 3 and 6.

<sup>2108</sup> U.S. Department of State, "Country Reports- 2007: Madagascar," section 6d. See also ILO-IPEC, *Combating the Worst Forms of Child Labour in Madagascar, Technical Progress Report*, 4, and 7.

<sup>2109</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>2110</sup> USAID, *Anti-trafficking in Persons Programs in Africa: A Review*, 61.

## Malawi

### Incidence and Nature of Child Labor

Children in Malawi work on tea, tobacco, and subsistence farms.<sup>2111</sup> Children also work in domestic service in both urban and rural areas, and reports indicate that they rarely receive wages.<sup>2112</sup> Boys work in herding, animal husbandry, and informal labor such as street vending.<sup>2113</sup> Bonded labor of entire families, including children, is widespread on tobacco plantations.<sup>2114</sup> Children also work in the construction, fishing, and forestry sectors.<sup>2115</sup>

Malawi is a source and transit country for children trafficked for commercial sexual exploitation as well as forced labor as domestics and in agriculture, including cattle herding.<sup>2116</sup> Children are trafficked to South Africa for commercial sexual exploitation.<sup>2117</sup> These children are usually between 14 and 18 years and may be recruited with promises of employment, study, or marriage.<sup>2118</sup> Malawian boys as young as 9 years are recruited by estate owners from Zambia and Mozambique and trafficked to these countries to engage in agricultural work under harsh conditions.<sup>2119</sup>

In urban areas, children engaging in prostitution are found outside nightclubs and hotels.<sup>2120</sup> In some communities, young girls are involved in commercial sexual exploitation in exchange for food, clothing, and other commodities. Some girls are sold to become sex slaves along the northern border districts of Malawi.<sup>2121</sup> The commercial sexual exploitation of children is reported to be increasing in Malawi's larger cities and towns, communities, tourist resorts, and some rural areas.<sup>2122</sup> There are reports that boys as well as girls are being commercially sexually exploited by European tourists along Malawi's lakeshore.<sup>2123</sup> The sexual exploitation of girls is also reportedly being perpetrated by teachers and fellow students.<sup>2124</sup> According to UNICEF, teachers sexually exploit girl students in exchange for money, causing some to become pregnant and drop out of school.<sup>2125</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years. Exceptions are made for certain work in vocational technical schools, other training institutions, and in homes.<sup>2126</sup> The law also

prohibits children between 14 and 18 years from being employed in work that could harm their health, safety, development, education, or morals, or in work that could interfere with their attendance at school or any vocational or training program.<sup>2127</sup> Employers are required to keep a register of all employees under the age of 18 years.

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2128</sup>	
Working children, 5-14 years (%), 2004:	35.9
Working boys, 5-14 years (%), 2004:	38
Working girls, 5-14 years (%), 2004:	34
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	Not compulsory
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	120
Net primary enrollment rate (%), 2005:	93
School attendance, children 5-14 years (%), 2004:	77
Survival rate to grade 5 (%), 2004:	42
ILO-IPEC participating country:	Associated
* Must pay for miscellaneous school expenses.	

Violations of any of these laws can result in a fine and 5 years of imprisonment.<sup>2129</sup> The law also protects children under 16 years against economic exploitation as well as any treatment, work, or punishment that is hazardous; interferes with their education; or is harmful to their health or physical, mental, or spiritual and social development.<sup>2130</sup> The Constitution prohibits slavery and servitude, as well as any forms of bonded, forced, or compulsory labor. Violators are subject to a monetary fine and 2 years of imprisonment.<sup>2131</sup> The law prohibits the procurement of any girl under 21 years for the purpose of unlawful sexual relations,

either in Malawi or elsewhere. Abduction, the procuring of a person for prostitution or work in a brothel, and involuntary detention for sexual purposes are all prohibited by law.<sup>2132</sup> The minimum age for voluntary recruitment into the military is 18 years, although those younger may enlist with parental consent.<sup>2133</sup>

The Ministry of Labor (MOL) and police are responsible for the enforcement of child labor laws and policies.<sup>2134</sup> In April 2007, the MOL provided child labor law enforcement training for district level government officers from nearly two-thirds of the country's districts.<sup>2135</sup> In rural areas, MOL youth committees continue to monitor and report on child labor. According to USDOS, the child labor enforcement efforts of labor inspectors and police were hindered by a lack of resources.<sup>2136</sup>

The Ministry of Women and Child Development and the police are responsible for handling trafficking cases and assisting trafficking victims.<sup>2137</sup> This agency has recently committed to more than doubling its child protection officer staff to 1,000 for the purposes of monitoring trafficking and child labor at the community level.<sup>2138</sup> In 2007, the Government trained 160 new child protection officers, bringing the total to 520, who are placed throughout all Malawi's districts.<sup>2139</sup> The National Steering Committee on Child Labor and the National Steering Committee on Orphans and Vulnerable Children are responsible for monitoring trafficking.<sup>2140</sup> During 2007, the Government continued to prosecute child traffickers, most of whom were trafficking children for the purposes of agricultural work, cattle herding, and domestics.<sup>2141</sup> The Government also arrested several individuals for abducting children for child labor. The Ministry of Women and Child Development ensured that the children were repatriated to their home villages.<sup>2142</sup>

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

In 2007, the Government of Malawi has for the first time budgeted funds explicitly for child labor activities.<sup>2143</sup>

Seventy-four members of the Malawian police were trained in March 2007 to provide services to child sexual abuse and trafficking victims.<sup>2144</sup> The

Government recently committed USD 20 million to its 2004-2009 National Plan of Action for Orphans and Vulnerable Children,<sup>2145</sup> which includes protection for victims of human trafficking, trafficking prevention, and awareness-raising activities.<sup>2146</sup>

In 2005, the Government of Malawi began participating in a 3-year, USD 2.1 million ILO-IPEC project, funded by USDOL, which aims to withdraw 2,000 and prevent 3,000 children from entering exploitive labor in tobacco farming and domestic service.<sup>2147</sup> Winrock International is implementing a 5-year, USDOL-funded global project with activities to combat exploitive child labor through the provision of basic education in Malawi through 2007.<sup>2148</sup>

In 2007, the Government, with the assistance of international organizations and NGOs, provided training to its officials, highlighting laws that could be used to investigate and prosecute child trafficking cases.<sup>2149</sup> The Government held district meetings and educated numerous child protection officers, social workers, police and immigration officers, and judges on trafficking.<sup>2150</sup> In June 2007, the Government and UNICEF initiated an awareness-raising campaign, known as "Lekani," which highlights the problems of child labor and child trafficking.<sup>2151</sup>

The Government opened a center in Lilongwe that will provide trafficking victims with food, shelter, medical care, psychosocial services, legal aid, and vocational training. The Government, in collaboration with UNICEF and NGOs, operated a center in the southern region for abused and exploited children, including children exploited into prostitution, which offers counseling, rehabilitation, and reintegration services.<sup>2152</sup>

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<http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=4727>.

<sup>2113</sup> ILO-IPEC, *Malawi Child Labour 2002 Report* ILO-IPEC and Ministry of Labour and Vocational Training, Zomba, February 2004, 41; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=940>. See also UNICEF, *Albania: Child Trafficking*, [online] [cited November 30, 2007]; available from [http://www.unicef.org/albania/protection\\_695.html](http://www.unicef.org/albania/protection_695.html). See also U.S. Department of State, "Country Reports- 2007: Malawi," section 6d.

<sup>2114</sup> ILO-IPEC, *Country Programme to Combat Child Labour in Malawi*, project document, Geneva, 2005, 7-8. See also U.S. Department of State, "Country Reports- 2007: Malawi," section 6c.

<sup>2115</sup> ILO-IPEC, *Malawi Child Labour 2002 Report* 43.

<sup>2116</sup> U.S. Department of State, "Malawi (Tier 1)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806>.

See also United Nations Economic and Social Council Commission on Human Rights, *Report of the Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography*, Juan Miguel Petit, *Addendum: Communications to and from Governments*, Geneva, March 27, 2006, 19-20; available from <http://tb.ohchr.org/default.aspx?country=mlw>. See also Jonathan Martens, Maciej 'Mac' Pieczkowski, and Bernadette van Vuuren-Smyth, *Seduction, Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa*, 3rd edition, International Organization for Migration Regional Office for Southern Africa, Pretoria, May 2003, 85-92; available from <http://www.iom.org.za/site/media/docs/TraffickingReport3rdEd.pdf>.

<sup>2117</sup> U.S. Department of State, "Country Reports- 2007: Malawi," section 5. See also Jonathan Martens, Maciej 'Mac' Pieczkowski, and Bernadette van Vuuren-Smyth, *Seduction, Sale and Slavery*, 85-92.

<sup>2118</sup> U.S. Department of State, "Country Reports- 2007: Malawi," section 5.

<sup>2119</sup> United Nations Economic and Social Council Commission on Human Rights, *Report of the Special Rapporteur* 19-20. See also U.S. Embassy- Lilongwe, *reporting*, December 3, 2007.

<sup>2120</sup> UN Convention on the Rights of the Child, *First periodic report of Malawi on the implementation of the Convention on the Rights of the Child*, CRC/C/MWI/2, Geneva, 2007, 130; available from <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.MWI.2.pdf>.

<sup>2121</sup> *Ibid.*

<sup>2122</sup> ECPAT International CSEC Database, *Malawi*, accessed March 17, 2008; available from

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<sup>2111</sup> Line Eldring, *Child Labour in the Tea Sector in Malawi: A Pilot Study*, Fafo, Oslo, 2003, 14, 17-20; available from <http://www.fafo.no/pub/rapp/714/714.pdf>. See also U.S. Department of State, "Country Reports- 2007: Malawi," section 6d.

<sup>2112</sup> U.S. Department of State, "Country Reports- 2007: Malawi," section 6d. See also M.G. Tsoka, *Rapid Assessment of Child Domestic Labour in Malawi*, ILO-IPEC and the University of Malawi Centre for Social Research, Zomba, January 2005, v, 20; available from

<http://www.ecpat.net/>. See also Jonathan Martens, Maciej 'Mac' Pieczkowski, and Bernadette van Vuuren-Smyth, *Seduction, Sale and Slavery*, 80-85.

<sup>2123</sup> UN Convention on the Rights of the Child, *First periodic report of Malawi on the implementation of the CRC*, 131. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Malawi."

<sup>2124</sup> ECPAT International CSEC Database, *Malawi*. See also Fiona Leach, Vivian Fiscian, Esme Kadzamira, Eve Lemani, and Pamela Machakanja, *An Investigative Study of the Abuse of Girls in African Schools*, Department for International Development (DFID), London, August 2003; available from <http://www.dfid.gov.uk/pubs/files/investudyafricaedpaper54.pdf>. See also Integrated Regional Information Networks, "Malawi: Abuse of women and girls a national shame", IRINnews.org, [online], February 1, 2006; available from <http://www.irinnews.org/print.asp?ReportID=51488>.

<sup>2125</sup> U.S. Department of State, "Country Reports- 2007: Malawi," section 5.

<sup>2126</sup> Government of Malawi, *Employment Act No.6*, article 21.

<sup>2127</sup> *Ibid.*, article 22.

<sup>2128</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Malawi, *Employment Act No.6*, (2000), part IV, article 21; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/58791/65218/E00MWIo1.htm>. See also U.S. Department of State, "Malawi," in *Country Reports on Human Rights Practices- 2007*

Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100491.htm>. See also Government of Malawi, *Constitution of the Republic of Malawi*, (2004), chapter 4, article 25; available from <http://www.sdn.org.mw/constitut/dtindx.html>.

<sup>2129</sup> *Ibid.*, articles 23-24.

<sup>2130</sup> Government of Malawi, *Constitution of the Republic of Malawi*, chapter IV, article 23

<sup>2131</sup> U.S. Embassy- Lilongwe, *reporting, March 1, 2007*. See also Government of Malawi, *Constitution of the Republic of Malawi*, chapter IV, article 27. See also Government of Malawi, *Employment Act No.6*, article 4(1)-(2).

<sup>2132</sup> Government of Malawi, *Penal Code*, [previously online]; available from <http://www.protectionproject.org>[hard copy on file]. See also U.S. Embassy- Lilongwe, *reporting, March 1, 2007*.

<sup>2133</sup> Coalition to Stop the Use of Child Soldiers, "Malawi," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/>

[regions/country?id=128](http://www.child-soldiers.org/regions/country?id=128).

<sup>2134</sup> U.S. Department of State, "Country Reports- 2007: Malawi," section 6d.

<sup>2135</sup> *Ibid.*

<sup>2136</sup> *Ibid.*

<sup>2137</sup> *Ibid.*, section 5.

<sup>2138</sup> Integrated Regional Information Networks, "Malawi: Government intensifies campaign against child labour", IRINnews.org, [online], November 30, 2007 [cited December 10, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportID=75626>.

<sup>2139</sup> U.S. Embassy- Lilongwe, *reporting, March 5, 2008*, section 5i.

<sup>2140</sup> U.S. Embassy- Lilongwe, *reporting, March 1, 2007*.

<sup>2141</sup> U.S. Embassy- Lilongwe, *reporting, March 5, 2008*, sections 3b, 4f.

<sup>2142</sup> U.S. Department of State, "Country Reports- 2007: Malawi," section 5. U.S. Department of State, "Trafficking in Persons Report- 2007: Malawi."

<sup>2143</sup> ILO-IPEC, *Country Programme to Combat Child Labour in Malawi*, technical progress report, Geneva, September 2007, 2.

<sup>2144</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Malawi."

<sup>2145</sup> UNICEF, *Malawi- Background*, [online] [cited December 10, 2007]; available from [http://www.unicef.org/infobycountry/malawi\\_2424.html](http://www.unicef.org/infobycountry/malawi_2424.html). See also The Policy Project, *Recent Successes: Malawi*, [online] [cited October 18, 2006]; available from <http://www.policyproject.com/countries.cfm?country=Malawi>.

<sup>2146</sup> U.S. Department of State, "Malawi (Tier 1)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65989.htm>. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Malawi."

<sup>2147</sup> ILO-IPEC, *Country Programme to Combat Child Labour in Malawi*, project document, Geneva, 2005, 2. See also ILO-IPEC, *Program to Combat Child Labor in Malawi*, technical progress report, September 2007, 21.

<sup>2148</sup> Winrock International, *Project Fact Sheet: Reducing Child Labor through Education (CIRCLE 1)*, [online] n.d. [cited March 18, 2008]; available from <http://www.winrock.org/fact/facts.asp?CC=5411&bu=>

<sup>2149</sup> U.S. Embassy- Lilongwe, *reporting, March 5, 2008*, section 4g.

<sup>2150</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Malawi."

<sup>2151</sup> U.S. Embassy- Lilongwe, *reporting, March 5, 2008*, section 6b.

<sup>2152</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Malawi."

## Mali

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2153</sup>	
Working children, 5-14 years (%), 2005:	65.8
Working boys, 5-14 years (%), 2005:	66.6
Working girls, 5-14 years (%), 2005:	64.9
Working children by sector, 5-14 years (%), 2005:	
- Agriculture	58.2
- Manufacturing	1.9
- Services	39.5
- Other	0.4
Minimum age for work:	14
Compulsory education age:	12*
Free public education:	Yes**
Gross primary enrollment rate (%), 2005:	77
Net primary enrollment rate (%), 2005:	59
School attendance, children 5-14 years (%), 2005:	44.8
Survival rate to grade 5 (%), 2004:	87
ILO-IPEC participating country:	Yes
*According to the law, children have the right to 9 years of school	
**Must pay for miscellaneous school expenses	

### Incidence and Nature of Child Labor

The majority of economically active children in Mali work in the agricultural sector.<sup>2154</sup> Children, including street children, work within informal urban sectors in such activities as begging, portering, and car window washing.<sup>2155</sup> Children work in hazardous conditions in garages, forges, workshops, and gold mines, which include working underground and exposure to chemicals such as mercury.<sup>2156</sup> The practice of sending boys to Koranic teachers to receive education is a tradition in various countries, including Mali.<sup>2157</sup> While some boys receive lessons, many are forced by their teachers to beg and surrender the money that they have earned.<sup>2158</sup> A UNICEF study in Mopti reported that children spend more time begging or working in fields than learning from

their teachers.<sup>2159</sup> Children, especially girls, work as domestic servants; which a government study found increased the risk of sexual exploitation.<sup>2160</sup> There are also reports of commercial sexual exploitation of children, especially girls in hotels, restaurants, and brothels.<sup>2161</sup>

Mali is an origin, transit, and destination country for children trafficked for forced labor and commercial sexual exploitation, though most trafficking is internal. Children have been trafficked internally to the central regions to work in rice fields.<sup>2162</sup> Boys have been trafficked to work in agriculture, gold mining, and begging.<sup>2163</sup> Boys have also been trafficked to Senegal for the purposes of forced begging.<sup>2164</sup> Children, especially girls, are trafficked to Guinea to work as domestic workers.<sup>2165</sup> Children are trafficked to Côte d'Ivoire to work as domestic servants, in mines, and on plantations; especially on coffee, cotton, and cocoa farms.<sup>2166</sup> Children are trafficked from Burkina Faso to Mali for the purposes of mining and domestic servitude.<sup>2167</sup> Children are also trafficked from Benin for the purpose of domestic service, as well as forced labor in mines, on plantations, and as street hawkers.<sup>2168</sup> There are likewise reports of children being trafficked through Mali on their way to Europe.<sup>2169</sup> For example, Ivorian boys have been trafficked to Mali with the lure of European soccer jobs.<sup>2170</sup>

### Child Labor Laws and Enforcement

The minimum age for employment and apprenticeship is 14 years.<sup>2171</sup> The law allows children 12 to 14 years to be employed in light domestic or seasonal work, such as on plantations, with the express authorization of their parents or guardians if they work in the same establishment as their parents or guardians. However, these children may not be employed for more than 4.5 hours per day or 2 hours per day if they are in school, and in all cases these children are prohibited from working on Sundays or holidays.<sup>2172</sup> Children under 18 years are not allowed to engage in work that threatens their safety or morals, exceeds 8 hours per day or their physical capacity, or occurs at night.<sup>2173</sup>

The law prohibits forced or obligatory labor.<sup>2174</sup> It also makes child trafficking punishable by 5 to 20 years of imprisonment.<sup>2175</sup> The Government requires that Malian children under 18 years carry travel documents in an effort to slow cross-border trafficking.<sup>2176</sup> The law establishes penalties for sexual exploitation, abuse and carnal knowledge of any person under the age of 15.<sup>2177</sup> The minimum age for both voluntary recruitment and military conscription is 18 years.<sup>2178</sup>

Inspectors from the Ministry of Employment and Civil Service conduct surprise and complaint-based inspections in the formal sector, but according to USDOS, lack of resources limit the frequency and effectiveness of monitoring and enforcement of child labor laws.<sup>2179</sup> In the past year, five cases that were investigated were referred to the courts, four of which involved charges of commercial sexual exploitation of children.<sup>2180</sup> The Ministry for the Promotion of Women, Children, and Family is the lead ministry combating trafficking.<sup>2181</sup> Security forces investigated and arrested several traffickers, but as of this report, no prosecutions were reported as completed.<sup>2182</sup>

Mali was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>2183</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; assist each other in the investigation, arrest and prosecution of trafficking offenders; and protect, rehabilitate, and reintegrate trafficking victims.<sup>2184</sup>

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

In 2007, the Government of Mali finalized and signed the United Nations Development Assistance Framework (UNDAF), which defines concrete outcomes for the United Nations System agencies in Mali for the period of 2008 through 2012. The framework specifically targets measures at children who are victims of trafficking.<sup>2185</sup> The Ministry for the Promotion of Women, Children, and Family working with IPEC undertook awareness raising activities, such as the week-long National

Campaign Against Child Labor.<sup>2186</sup> Labor inspectors also received training on preventing child labor abuses.<sup>2187</sup>

The Ministry for the Promotion of Women, Children, and Family and the Ministry of Labor and Civil Service cooperated with the Ministry of Foreign Affairs and the Ministry of Territorial Administration to develop a program of identification, rehabilitation, education of the population, and strengthening of the legal system's stance on the trafficking of minors.<sup>2188</sup> The Government also provides temporary shelter and protection to trafficking victims at welcome centers in several cities and helps child trafficking victims return to their families.<sup>2189</sup> Malian officials also worked with government authorities from Senegal and Guinea-Bissau to repatriate trafficked children.<sup>2190</sup>

Mali is participating in a USD 3.5 million ILO-IPEC Timebound Preparation project, funded by USDOL that aims to withdraw 3,000 children and prevent 6,000 children from exploitive work in agriculture, mining, the informal urban sector, domestic service, and commercial sexual exploitation.<sup>2191</sup>

In 2007, Mali also participated in the Combating Trafficking in Children for Labor Exploitation in West and Central Africa, Phases 1 & 2 (LUTRENA) regional project, funded by USDOL at USD 9.28 million and implemented by ILO-IPEC, to combat the trafficking of children for exploitive labor. During Phase II, from July 2001 to December 2007 (when the project ended) the project withdrew 4,240 children and prevented 7,213 children from trafficking in the region.<sup>2192</sup> The Government also participated in a USDOL-funded Education Initiative project implemented by CARE to increase access to basic quality education for children at risk of being trafficked in Mali. This project also ended in December and prevented 6,044 children from trafficking and exploitive child labor.<sup>2193</sup> The Government of Mali also participated in the Community Based Innovations to Reduce Child Labor through Education (CIRCLE) global project funded by USDOL at 8.1 million and USAID at USD 500,000 and implemented by Winrock International and various community-based organizations.<sup>2194</sup>

The Government of Mali likewise participated in a USAID project that is educating families in five villages on the methods used by child traffickers.<sup>2153</sup> Mali cooperated on a French-funded, USD 3.1 million, regional ILO-IPEC project that worked on eliminating child labor through 2007. Additionally, Mali continues to participate in a USD 4.9 million French-funded, regional ILO-IPEC project that runs until December 31, 2009.<sup>2156</sup> Both of these projects include measures aimed at improving vocational training and apprenticeships as well as capacity building.<sup>2157</sup>

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<sup>2153</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Mali, *Decret no. 96-178/P-RM portant Application de Diverses Dispositions de la Loi no 92-20 portant Code du travail* (June 13, 1996), article 187; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/44399/65027/F96MLI01.htm>. See also U.S. Department of State, "Mali," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100492.htm>. See also Government of Mali, *Loi no 02-062/P-RM portant Code de protection de l'enfant*, (June 5, 2002), article 20; available from <http://www.justicemali.org/doc107.htm>. See also World Bank Group, *Evaluation of the World Bank Assistance to Primary Education in Mali*, Washington D.C., 2007.

<sup>2154</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007, ILO-IPEC, *Support for the Preparation of the Mali Time-Bound Programme*, Project Document, Geneva, September 1, 2006, 6. See also U.S. Department of State, "Country Reports- 2007: Mali," section 6d.

<sup>2155</sup> FAFO, *Identification of Street Children: Characteristics of Street Children in Bamako and Accra*, FAFO Report 474, Norway, 2005, 63; available from <http://www.fafon.org/pub/rapp/474/474.pdf>.

<sup>2156</sup> ILO-IPEC, *MALI TBP Project Document*, 6-7. See also ILO-IPEC, *Prevention and Elimination of Child Labor in Mining in West Africa*, Project Document, Geneva, September 30, 2005, 36.

<sup>2157</sup> Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/ab>

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el2.html. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>2158</sup> U.S. Department of State, "Country Reports- 2007: Mali," section 5. See also Integrated Regional Information Network, "MALI: Urbanisation fuelling begging on streets of capital", IRINnews.org, [online], January 22, 2008; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=76375>.

<sup>2159</sup> U.S. Department of State, "Country Reports- 2007: Mali," section 5. See also ILO-IPEC, *MALI TBP Project Document*, 6-7.

<sup>2160</sup> U.S. Department of State, "Country Reports- 2007: Mali," section 5. See also ILO-IPEC, *MALI TBP Project Document*, 6.

<sup>2161</sup> ILO-IPEC, *MALI TBP Project Document*, 8. ECPAT International CSEC Database, *Mali*; accessed December 2, 2007; available from <http://www.ecpat.net>.

<sup>2162</sup> U.S. Department of State, "Country Reports- 2007: Mali."

<sup>2163</sup> U.S. Department of State, "Mali (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>2164</sup> U.S. Department of State, "Senegal," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100501.htm>.

<sup>2165</sup> Human Rights Watch, *Bottom of the Ladder: Exploitation and Abuse of Girl Domestic Workers in Guinea*, Volume 19, No.8 (A), New York, June, 2007, 36-38; available from <http://hrw.org/reports/2007/guinea0607/guinea0607web.pdf>.

<sup>2166</sup> ILO-IPEC LUTRENA, *La Traite des Enfants Aux Fins D'Exploitation De Leur Travail Dans Les Mines d'Or D'Issia Cote D'Ivoire*, Research Report, Cote D'Ivoire, 2005, 24, 62 and 64. See also U.S. Embassy - Bamako, *reporting*, December 03, 2007, para 14. See also U.S. Department of State, "Cote d'Ivoire (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>2167</sup> Brad Kress, *Burkina Faso: Testing the Tradition of Circular Migration*, Migration Policy Institute, May, 2006; available from <http://www.migrationinformation.org/Profiles/print.cfm?ID=399>.

<sup>2168</sup> U.S. Department of State, "Benin (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June

12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>2169</sup> U.S. Embassy - Bamako, *reporting, December 03, 2007*, para 14.

<sup>2170</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Cote d'Ivoire."

<sup>2171</sup> Government of Mali, *Loi no 92-020 portant Code du Travail*, (September 23, 1992), article 187. ; available from <http://www.assemblee-nationale.insti.ml/codesetlois/18-travail.pdf>.

<sup>2172</sup> *Ibid.*, articles D.189-35 & D.189-36.

<sup>2173</sup> *Ibid.*, articles D.189-14, D.189-15, and D.189-16.

<sup>2174</sup> *Ibid.*, article 6.

<sup>2175</sup> U.S. Department of State, "Country Reports- 2007: Mali," section 5. See also Government of Mali, *Loi no 61-99 AN-RM du aout 1961*, (August 3, 1961), article 189; available from <http://www.assemblee-nationale.insti.ml/codesetlois/11-codepenal.pdf>.

<sup>2176</sup> Government of Mali, *Déterminant les spécifications techniques du titre de voyage tenant lieu d'autorisation de sortie pour les enfants âgés de zéro à dix-huit ans*, (February 20, 2002). See also Integrated Regional Information Network, "Mali: Children to Carry Mandatory Travel Documents", IRINnews.org, [online], August 10, 2001; available from [http://www.irinnews.org/report.asp?ReportID=10452&SelectRegion=West\\_Africa&SelectCountry](http://www.irinnews.org/report.asp?ReportID=10452&SelectRegion=West_Africa&SelectCountry).

<sup>2177</sup> Government of Mali, *Code pénal*, article 180 and 182.

<sup>2178</sup> Coalition to Stop the Use of Child Soldiers, "Mali," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=784](http://www.child-soldiers.org/document_get.php?id=784).

<sup>2179</sup> U.S. Department of State, "Mali," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78745.htm>. See also U.S. Embassy - Bamako, *reporting, December 03, 2007*, para 4.

<sup>2180</sup> U.S. Embassy - Bamako, *reporting, December 03, 2007*, para 4.

<sup>2181</sup> U.S. Embassy - Bamako, *reporting, February 28, 2007*, para 5b.

<sup>2182</sup> U.S. Department of State, "Country Reports- 2007: Mali," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Mali."

<sup>2183</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>2184</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja,

July 7, 2006. See also ILO-IPEC, *LUTRENA, September 2006 Technical Progress Report*, 10-11.

<sup>2185</sup> Government of Mali and United Nations, *Plan cadre des Nations Unies pour l'Aide au Développement 2008-2012*.

<sup>2186</sup> U.S. Department of State, "Country Reports- 2007: Mali," section 5. See also ILO-IPEC, *Support for the Preparation of the Mali Time-Bound Programme*, Technical Progress Report, Geneva, September 30, 2007, 16.

<sup>2187</sup> U.S. Embassy - Bamako, *reporting, December 03, 2007*, para 4.

<sup>2188</sup> U.S. Department of State, "Country Reports- 2007: Mali," section 5.

<sup>2189</sup> *Ibid.* See also U.S. Department of State, "Trafficking in Persons Report- 2007: Mali."

<sup>2190</sup> U.S. Embassy - Dakar, *reporting, March 04, 2008*, para 28h.

<sup>2191</sup> ILO-IPEC, *MALI TBP Project Document*, cover page and 46.

<sup>2192</sup> ILO-IPEC, *Amendment to Project Document "Combating the Trafficking of Children for Labour Exploitation in West and Central Africa"*, Project Document Amendment Geneva, September 3, 2004. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2007, 1-3. See also ILO-IPEC official, E-mail communication to USDOL official, December 13, 2007. See also ILO-IPEC Geneva official, *LUTRENA Project Table III.C. Final Report March 2008* E-mail communication to USDOL official, March 24, 2008.

<sup>2193</sup> U.S. Department of Labor International Child Labor Program, *A Better Future for Mali's Children: Combating Child Trafficking through Education, project document*, 2003.

<sup>2194</sup> USDOL/ILAB, *Technical Cooperation Project Summary: Community-Based Innovations to Reduce Child Labor through Education I and II (CIRCLE I and II)*. See also Winrock International, *Project Fact Sheet: Reducing Child Labor through Education (CIRCLE 1)*, [online] [cited October 13, 2006]; available from [. See also Winrock International, \*Project Fact Sheet: Reducing Child Labor through Education \(CIRCLE 2\)\*, \[online\] \[cited December 14, 2007\]; available from \[.\]\(http://www.winrock.org/fact/facts.asp?CC=5519&bu=\)](http://www.winrock.org/fact/facts.asp?CC=5411&bu=)

<sup>2195</sup> U.S. Embassy - Bamako, *reporting, December 03, 2007*, para 8.

<sup>2196</sup> ILO-IPEC official, E-mail communication, December 13, 2007. See also ILO-IPEC official, E-mail communication to USDOL official, February 27, 2008.

<sup>2197</sup> ILO-IPEC official, E-mail communication, February 27, 2008.

# Mauritania

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2198</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	99
Net primary enrollment rate (%), 2005:	77
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	53
ILO-IPEC participating country:	No
*Must pay for miscellaneous school expenses.	
**Accession.	

## Incidence and Nature of Child Labor

In rural areas in Mauritania, children frequently work with their families in activities such as farming, herding, and fishing. Children perform a wide range of urban informal activities, such as domestic service, street vending, and driving donkey carts to collect garbage and deliver water and construction materials.<sup>2199</sup>

In remote areas of the country where the economy continues to rely on traditional labor and barter arrangements, such as the practice of slavery and indentured servitude that have historically been utilized in Sahelian communities, children continued to be exploited in slave-like practices.<sup>2200</sup>

Girls as young as 7 years work as domestic servants in urban households, often without pay;<sup>2201</sup> some of these girls are victims of trafficking. Girls trafficked for domestic service come from within

Mauritania, and from Senegal and Mali. Within Mauritania, girls are also trafficked for sexual exploitation. Mauritanian boys are trafficked by religious leaders for begging as part of their religious instruction.<sup>2202</sup> The practice of sending boys to Koranic teachers to receive education is a tradition in various countries, including Mauritania. While many religious leaders, or *marabouts*, provide the boys with lessons, other *marabouts* force their boy students, or *talibés*, to beg for more than 12 hours per day without adequate food and shelter.<sup>2203</sup> *Talibés* come from the Pulaar tribes of southern Mauritania,<sup>2204</sup> but some are trafficked into Mauritania from Senegal and Mali.<sup>2205</sup> Mauritanian boys are also trafficked by street gang leaders for begging and selling drugs, although the incidence of this problem is unknown.<sup>2206</sup>

## Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years unless the child has not yet completed the 9 years of compulsory education in which case the minimum working age may be raised.<sup>2207</sup> At 12 years, children may perform light work in establishments where their family members are employed, provided that they have the Minister of Labor's authorization and maintain their schooling. However, 12-year-olds may not work more than 2 hours a day, with the total combined hours of school and work not to exceed 7 hours a day, and the work must not be harmful to their normal development.<sup>2208</sup> Children under 14 years may not work on Fridays or public holidays, and children under 16 years are prohibited from night work.<sup>2209</sup> The law also bans children under 18 years from work that is beyond their strength or is likely to harm their safety, health, or morals.<sup>2210</sup> Employers must maintain a registry of employed youths under 18 years, including hours worked.<sup>2211</sup> Violation of Mauritania's child labor laws may result in a prison sentence of 15 days to 1 month and/or a fine.<sup>2212</sup>

Mauritanian law defines the worst forms of child labor as all forms of slavery and exploitive work; work exceeding the physical capacity of a child or considered degrading; work connected to

trafficking in children; and activities requiring children to handle chemicals or dangerous materials; work on Fridays or holidays; and work outside the country.<sup>2213</sup> With parental consent, or failing that, with permission from the Minister of Defense, children may enlist voluntarily in the military at 16 years. While the law requires every citizen to register for military service at 17 years, there has no active military registration in recent years.<sup>2214</sup> Forced and compulsory labor and trafficking in persons are prohibited by law,<sup>2215</sup> with the penalty for the trafficking of children being forced labor for 5 to 10 years and a fine.<sup>2216</sup> In addition, the law establishes penalties for engaging in prostitution or procuring prostitutes, ranging from fines to imprisonment for 2 to 5 years for cases involving minors.<sup>2217</sup> In August 2007, the Government passed a law criminalizing slavery. Once it takes effect, the new law will provide penalties ranging from fines to between 5 and 10 years of imprisonment for offenders.<sup>2218</sup>

Several government entities, including the Ministry of Labor, share responsibility for enforcing child labor laws. According to USDOS, the labor inspectorate lacked the necessary resources to enforce child labor laws, and did not investigate any child labor cases in 2007.<sup>2219</sup> According to USDOS, there were no prosecutions of trafficking cases in 2007.<sup>2220</sup> Reports indicate that some local officials may have engaged in a cover-up of slavery cases by intimidating or providing material goods to victims in exchange for testimony that their living conditions were satisfactory.<sup>2221</sup>

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

The Government of Mauritania continued to collaborate with UNICEF to provide domestic workers and former slaves with micro-credit programs. The Government worked with NGOs to implement a program to reduce the number of *talibés* and provide them with food and medical care.<sup>2222</sup> It also continued to fund six centers in the capital, Nouakchott, that care for indigent people, including many *talibés*, and established a welcome center for children who had been trafficked to the United Arab Emirates to work as camel jockeys.<sup>2223</sup> The Government of Mauritania continues to participate in a USD 2.7 million program to return and reintegrate child camel jockeys to their home

countries, funded by the United Arab Emirates and implemented by UNICEF. As of June 2007, at least 21 former child camel jockeys from Mauritania have been returned home and provided with an education, and their families have been assisted with alternative income-generating activities under the program.<sup>2224</sup>

The Government's Commissariat for Social Protection and Humanitarian Assistance continued its efforts to combat child labor and human trafficking.<sup>2225</sup> In December 2007, the President of Mauritania launched a national campaign to raise awareness and to eradicate all forms of slavery in the country, and committed an estimated USD 7.5 million to this effort.<sup>2226</sup>

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<sup>2198</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Mauritania, *Code du travail, 2004*, Loi No. 2004-017, (July 2004), article 153. See also UN Committee on the Rights of the Child, *Written Replies by the Government of Mauritania Concerning the List of Issues CRC/C/Q/MAU/1*, prepared by Government of Mauritania, pursuant to Additional report on the implementation of the Convention on the Rights of the Child, August 16, 2001; available from <http://www.unhcr.ch/html/menu2/6/crc/doc/replies/wr-mauritania-1.pdf>. See also U.S. Department of State, "Mauritania," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007>.

<sup>2199</sup> U.S. Department of State, "Country Reports- 2007: Mauritania," section 6d. See also U.S. Embassy-Nouakchott, *reporting, November 30, 2007*, para 11.

<sup>2200</sup> U.S. Department of State, "Country Reports- 2007: Mauritania." See also US Department of State official, E-mail communication to USDOL official, July 20, 2008. See also ILO, *A Global Alliance Against Forced Labor*, Geneva, 2005, 42; available from [http://www.ilo.org/dyn/declaris/DECLARATIONWE B.DOWNLOAD\\_BLOB?Var\\_DocumentID=5059](http://www.ilo.org/dyn/declaris/DECLARATIONWE B.DOWNLOAD_BLOB?Var_DocumentID=5059).

<sup>2201</sup> U.S. Department of State, "Country Reports- 2007: Mauritania," section 5 and 6d.

<sup>2202</sup> U.S. Department of State, "Mauritania (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>2203</sup> U.S. Embassy-Nouakchott, *reporting, November 30, 2007*, para 12. See also U.S. Department of State,

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Country Reports- 2007: Mauritania," sections 5 and 6d. See also Peter Easton, Mark Peach, Ibrahima Lalya Bah, ElHadj Bella Doumboula, and Mohammed Lamine Barry, *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>2204</sup> U.S. Embassy-Nouakchott, *reporting, November 30, 2007*, para 13.

<sup>2205</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Mauritania."

<sup>2206</sup> U.S. Department of State, "Mauritania (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>2207</sup> Government of Mauritania, *Code du travail, 2004*, article 153.

<sup>2208</sup> *Ibid.*, articles 153 and 154.

<sup>2209</sup> *Ibid.*, articles 155 and 164.

<sup>2210</sup> *Ibid.*, article 247. See also ILO NATLEX National Labor Law Database, *Arrêté no. 239 du 17 septembre 1954*, accessed October 11, 2006; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=MRT&p\\_classification=04&p\\_origin=COUNTRY&p\\_sortby=SORTBY\\_COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=MRT&p_classification=04&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY).

<sup>2211</sup> Government of Mauritania, *Code du travail, 2004*, article 156.

<sup>2212</sup> *Ibid.*, articles 449-450.

<sup>2213</sup> U.S. Embassy- Nouakchott, *reporting, August 18, 2004*.

<sup>2214</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182) Mauritania (ratification: 2001)*, [online] 2005 [cited March 6, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>. See also U.S. Embassy- Nouakchott official, E-mail communication to USDOL official, August 11, 2006. See Coalition to Stop the Use of Child Soldiers, "Mauritania," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=785](http://www.child-soldiers.org/document_get.php?id=785).

<sup>2215</sup> Government of Mauritania, *Code du travail, 2004*,

article 5. See also ILO Committee of Experts, *Direct Request, Convention No. 182: Mauritania*.

<sup>2216</sup> Government of Mauritania, *Public Comments to USDOL*, July 30, 2004. See also ILO Committee of Experts, *Direct Request, Convention No. 182: Mauritania*.

<sup>2217</sup> Government of Mauritania, *Ordonnance 83-162 du 09 juillet 1983 portant institution d'un Code pénal*, (July 9, 1983); available from <http://www.droit-afrique.com/images/textes/Mauritanie/Mauritanie%20-%20Code%20penal.pdf>.

<sup>2218</sup> Integrated Regional Information Networks, *Mauritania: New Anti-Slavery Law Not Enough for Real Change, Activists Say*, IRINnews.org [online], August 24, 2007; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=73936>. See also U.S. Embassy-Nouakchott, *reporting, November 30, 2007*, para 4.

<sup>2219</sup> U.S. Department of State, "Country Reports- 2007: Mauritania," section 6d. See also U.S. Embassy-Nouakchott, *reporting, November 30, 2007*, para 6.

<sup>2220</sup> U.S. Department of State, "Country Reports- 2007: Mauritania," section 5.

<sup>2221</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Mauritania."

<sup>2222</sup> U.S. Department of State, "Country Reports- 2007: Mauritania," section 5.

<sup>2223</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Mauritania."

<sup>2224</sup> UNICEF, *Starting Over: Children Return Home from Camel Racing*, 2006, 5-6, 12-13; available from <http://www.unicef.org/infobycountry/files/StartingOver.pdf>. See also UNICEF, "UAE Supports UNICEF in Safe Return of Camel Jockeys to Home Countries", [online], May 8, 2005 [cited December 9, 2007]; available from

[http://www.unicef.org/media/media\\_26692.html](http://www.unicef.org/media/media_26692.html). See also Isselmou, "Supporting the Repatriation of Child Camel Jockeys in Mauritania".

<sup>2225</sup> Government of Mauritania official, Interview with USDOL official, March 10, 2008. See also Government of Mauritania official, E-mail communication to USDOL official, December 15, 2006.

<sup>2226</sup> U.S. Department of State, "Country Reports- 2007: Mauritania," section 6c. See also US Department of State official, E-mail communication, July 20, 2008.

# Mauritius

## *Selected Statistics and Indicators on Child Labor*<sup>2227</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	102
Net primary enrollment rate (%), 2005:	95
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	97
ILO-IPEC participating country:	No

### **Incidence and Nature of Child Labor**

Children in Mauritius work as informal street traders; in agriculture and animal rearing; and in restaurants, shops, woodworking workshops, gas stations, auto repair, and other small businesses.<sup>2228</sup> The commercial sexual exploitation of young girls reportedly occurs in Mauritius. Some girls are forced into the commercial sex industry by family members, while others are exploited by prostitution rings.<sup>2229</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment and apprenticeship in Mauritius is 16 years.<sup>2230</sup> It is illegal to employ a young person under age 18 in activities that are dangerous, harmful to their health, or otherwise unsuitable; or to require a young person to work more than 10 hours per day or between 6 p.m. and 6 a.m.<sup>2231</sup> In addition, young

persons who have not been fully instructed or are inadequately supervised are prohibited from operating dangerous machinery. The law also provides for the health and safety of young persons working aboard ships.<sup>2232</sup> Employers found in violation of child labor laws may be imprisoned for up to 1 year and fined.<sup>2233</sup>

The Government's Office of the Ombudsperson for Children investigates violations of child rights and cases of unlawful employment of children.<sup>2234</sup> The Ministry of Labor, Industrial Relations and Employment enforces child labor laws and employs 45 inspectors to investigate child labor. USDOS reports that child labor inspections are frequent.<sup>2235</sup> At least 10 cases of child labor were found and 3 were prosecuted, leading to 2 convictions in 2007.<sup>2236</sup>

The law prohibits forced labor and slavery.<sup>2237</sup> There is no system of military conscription and the minimum age for voluntary recruitment is 18 years.<sup>2238</sup> Child pornography and causing, inciting, or allowing any child to engage in prostitution are crimes punishable by imprisonment of up to 8 years, or up to 15 years if the victim is mentally handicapped.<sup>2239</sup> Acting as an accomplice to child prostitution is unlawful and violators are subject to 2 to 10 years in prison and a fine.<sup>2240</sup> The law also prohibits the recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation, either outside Mauritius or within its borders. These crimes are punishable by up to 15 years of imprisonment.<sup>2241</sup> A dedicated unit within the police force, the Minors Brigade, investigates cases of child prostitution and child trafficking.<sup>2242</sup> During the reporting period, eight cases of underage prostitution were reported and 22 arrests were made.<sup>2243</sup> USDOS reports that despite the efforts of law enforcement officials, locating and arresting criminals involved in child prostitution remains a challenge because of the illicit nature of these activities and limited resources.<sup>2244</sup> Additionally, it is reported that locating and providing services to victims has been difficult as they are hesitant to come forward and assistance is limited.<sup>2245</sup>

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

The Government of Mauritius is implementing a National Plan of Action to combat the commercial sexual exploitation of children.<sup>2246</sup> Among other goals, the plan aims to develop indicators for monitoring child sexual exploitation and empower the public to protect children against the problem.<sup>2247</sup> Under the plan, the Government is conducting training on commercial sexual exploitation of children and trafficking for police officers, community leaders, social workers, and schools; it also has initiated public awareness campaigns in the media and provided funds to a local NGO to educate the public on the issue.<sup>2248</sup> The Government operates a drop-in center for children exploited in the commercial sex industry that provides counseling and educational services.<sup>2249</sup> The Government also established a formal protocol to assist victims of commercial sexual exploitation, whereby they are accompanied by a child welfare officer to give a police statement and receive priority treatment at the hospital.<sup>2250</sup>

The Ministry of Women's Rights, Child Development and Family Welfare provides free legal assistance to children exploited in commercial sex, operates a hotline to respond to children in need of immediate support services, and administers a Child Watch Network to identify children at risk and refer them to authorities. The Ministry also oversees the National Children's Council; a group of governmental departments and NGOs coordinating child welfare and protection issues, including the commercial sexual exploitation of children. The Ministry launched a Community Child Protection Program to promote grass roots community involvement in child protection and prevention of commercial sexual exploitation of children.<sup>2251</sup>

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<sup>2228</sup> U.S. Embassy- Port Louis, *reporting*, November 30, 2007, para 2. See also Government of Mauritius, *Written communication submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007)*, 6. See also U.S. Department of State, "Mauritius," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100494.htm>. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Mauritius (ratification: 2000)*, [2006 [cited December 7, 2007], article 4 para 2; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>. See also ILO Committee of Experts, *Observation, Minimum Age Convention, 2003 (No. 138) Mauritius (ratification: 1990)*, [online] [cited September 19, 2006]; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN>.

<sup>2229</sup> U.S. Department of State, "Country Reports- 2007: Mauritius," section 5. See also U.S. Embassy- Port Louis, *reporting*, October 5, 2007. See also ECPAT, *Report on the Status of Action Against Commercial Sexual Exploitation of Children: Mauritius, 2007*, 11; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/AF/Globa1\\_Monitoring\\_Report-MAURITIUS.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/AF/Globa1_Monitoring_Report-MAURITIUS.pdf).

<sup>2230</sup> Government of Mauritius, *Written communication submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007)*, 1, 3. See also Government of Mauritius, *Labour Act*, part I, article 2 and part II article 7. See also U.S. Department of State, "Country Reports- 2007: Mauritius," section 6d.

<sup>2231</sup> Government of Mauritius, *Labour Act*, part 3, article 15. See also U.S. Embassy- Port Louis, *reporting*, November 30, 2007, para 4.

<sup>2232</sup> U.S. Embassy- Port Louis, *reporting*, November 30, 2007, para 4.

<sup>2233</sup> U.S. Department of State, "Country Reports- 2007: Mauritius," section 6d.

<sup>2234</sup> U.S. Embassy- Port Louis, *reporting*, November 30, 2007, para 6.

<sup>2235</sup> U.S. Department of State, "Country Reports- 2007: Mauritius," section 6d.

<sup>2236</sup> U.S. Embassy- Port Louis, *reporting*, March 3, 2008, para 28f, 30b. See also Government of Mauritius, *Written communication submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007)*, 6.

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<sup>2227</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Mauritius, *Labour Act*, (December 30, 1975), section 4; available from <http://www.gov.mu/portal/goc/labour/file/labour%2>

<sup>2237</sup> Government of Mauritius, *Constitution of the Republic of Mauritius*, (March 12, 1968), chapter II, article 6; available from <http://www.gov.mu/portal/site/AssemblySite/menuitem.ee3d58b2c32c60451251701065c521ca/>. See also Government of Mauritius, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (July 29, 2005) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, August 17, 2005, 2.

<sup>2238</sup> Government of Mauritius, *Written communication submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007)*, 1. See also U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 7.

<sup>2239</sup> Government of Mauritius, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (December 5, 2006) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, February 20, 2007, 2. See also U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 7. See also ECPAT, *Report on the Status of Action*, 19.

<sup>2240</sup> ECPAT, *Report on the Status of Action*, 19.

<sup>2241</sup> Government of Mauritius, *The Child Protection (Amendment) Act No. 34*, (December 6, 2005), article 13; available from [http://supremecourt.intnet.mu/Entry/dyn/GuestGetDoc.Aspx?Doc\\_Idx=2977961&Mode=Html&Search=No](http://supremecourt.intnet.mu/Entry/dyn/GuestGetDoc.Aspx?Doc_Idx=2977961&Mode=Html&Search=No). See also U.S. Department of State, "Mauritius (Tier 2)," Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 7. See also ECPAT, *Report on the Status of Action*, 20.

<sup>2242</sup> Government of Mauritius, *The Mauritius Police Force: Police Family Protection Unit*, [online] March 29, 2007 [cited December 10, 2007]; available from <http://www.gov.mu/portal/site/police/menuitem.fd3503a43d26d778455084e80fb521ca/>. See also U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 7.

<sup>2243</sup> U.S. Embassy- Port Louis, *reporting, March 3, 2008*, para 28f.

<sup>2244</sup> U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 7.

<sup>2245</sup> U.S. Embassy- Port Louis, *reporting, March 3, 2008*, para 27d.

<sup>2246</sup> U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 8. See also Government of Mauritius, *Written communication submitted in response to U.S. Department of Labor Federal Register Notice (December 5, 2006)*, 7.

<sup>2247</sup> ECPAT, *Report on the Status of Action*, 13.

<sup>2248</sup> Government of Mauritius, *Written communication submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007)*, 4. See also U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 6. See also ECPAT, *Report on the Status of Action*, 13.

<sup>2249</sup> Government of Mauritius, *Written communication submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007)*, 4. See also U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 8.

<sup>2250</sup> U.S. Embassy- Port Louis, *reporting, March 3, 2008*, para 29b.

<sup>2251</sup> U.S. Embassy- Port Louis, *reporting, November 30, 2007*, para 8, 11. See also ECPAT, *Report on the Status of Action*, 14, 15, 17. See also U.S. Department of State, "Country Reports- 2007: Mauritius," section 5.

## Moldova

### **Incidence and Nature of Child Labor**

In Moldova, children often work on family farms or perform other work for their families. It has been reported that two-thirds of rural children have engaged in agricultural work by the age of 14.<sup>2252</sup> According to the Government of Moldova, the number of registered cases of the worst forms of child labor increased between 2001 and 2004, the most recent period for which such information is

available.<sup>2253</sup> The Ministry of Internal Affairs reported that in 2003 there were 3,681 children living or working in the streets.<sup>2254</sup>

Moldova is a major country of origin for children trafficked abroad for sexual exploitation, forced labor, and begging.<sup>2255</sup> Russia is reported to be the primary destination for children trafficked internationally from Moldova for commercial sexual exploitation and begging. Turkey is also a

major destination for girls trafficked for commercial sexual exploitation.<sup>2256</sup> Trafficking from and through the separatist region of Transnistria is reported to occur.<sup>2257</sup> There have also been reports that girls are trafficked internally from rural areas to the capital, Chisinau.<sup>2258</sup> According to information gathered by ILO-IPEC in 2003, boys and girls as young as 12 years are trafficked, often by people they know.<sup>2259</sup> Migration of adults in search of work has left approximately 40,000 children parentless.<sup>2260</sup> These children often do not have proper supervision and are at greater risk of exploitation.<sup>2261</sup>

maximum of 35 hours a week and no more than 7 hours a day.<sup>2265</sup> Children under 18 years are not permitted to work on holidays or weekends.<sup>2266</sup> To be eligible to work, children must pass a medical exam every year until they reach 18 years.<sup>2267</sup> Children under 18 years are prohibited from working overtime or participating in hazardous work, including work at nightclubs, work involving gambling, or selling tobacco or alcohol.<sup>2268</sup> The Government has approved a list of hazardous work forbidden to children, including underground work, metal work, energy and heat production, and well drilling.<sup>2269</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2262</sup>	
Working children, 5-14 years (%), 2000:	30.1
Working boys, 5-14 years (%), 2000:	31.2
Working girls, 5-14 years (%), 2000:	28.9
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	9
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	91
Net primary enrollment rate (%), 2006:	83
School attendance, children 5-14 years (%), 2000:	82.2
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 16 years.<sup>2263</sup> In certain cases, children 15 years old can work with parental or legal authorization if the work will not interfere with the child's education, health, or development.<sup>2264</sup> Children between 15 and 16 years are allowed to work a maximum of 24 hours a week and no more than 5 hours a day. Children between 16 and 18 years can work a

The constitution prohibits forced labor and the exploitation of minors.<sup>2270</sup> The law provides for 10 years to life imprisonment for trafficking and using children in the worst forms of child labor.<sup>2271</sup> The law protects children under 18 years from sexual exploitation.<sup>2272</sup> The law permits vulnerable youth from 16 to 18 years (including those living in residential institutions, orphans, children from single parent families, and victims of trafficking) to receive benefits from the Unemployment Fund.<sup>2273</sup> The minimum age for compulsory military service is 18 years. The minimum age for voluntary military service for officer trainees is 17 years, though participation in active combat is not permitted until 18 years.<sup>2274</sup>

The Labor Inspection Office (LIO) is responsible for enforcing all labor laws, including those pertaining to child labor.<sup>2275</sup> The LIO employs 123 people, including 81 inspectors.<sup>2276</sup> There were 371 child labor investigations in 2007. Of those, 298 were found to involve hazardous conditions, including 15 that were cited as abusive.<sup>2277</sup> The law permits inspection for child labor of both legally registered workplaces and of persons, thus covering informal worksites. Inspectors are also allowed to seek assistance from local public administrators to withdraw licenses of employers who repeatedly neglect labor inspection recommendations.<sup>2278</sup> In May 2007, a Child Labor Unit (CLU) was established within the LIO. The CLU is responsible for developing, implementing and monitoring national action to combat the worst forms of child labor.<sup>2279</sup> However, USDOS reports that the Government of Moldova does not enforce its child labor laws effectively.<sup>2280</sup>

The Center to Combat Trafficking in Persons (CCTIP) is the Moldovan Government's principal anti-trafficking agency. It operates a task force to coordinate the country's law enforcement efforts.<sup>2281</sup> In 2007, the CCTIP also organized an awareness-raising campaign which included 18 seminars with the Center for Combating Trafficking in Women, two seminars with IOM for religious workers, two seminars for university students, and two conferences in Chisinau and Causeni that trained lawyers, teachers, and social workers.<sup>2282</sup> The Ministry of Justice is responsible for addressing the social reintegration of children who have been used for criminal activities and are at risk of trafficking.<sup>2283</sup> The law stipulates Government protection for the victims/witnesses in trafficking cases. USDOS and others report that the law has been inadequately implemented, and very few witnesses feel safe enough to testify in court.<sup>2284</sup> A trafficking victims' referral network exists in 12 regions.<sup>2285</sup> Child trafficking victims returned from Russia were referred by law enforcement to NGOs for services.<sup>2286</sup> During the first 9 months of 2007, the Ministry of the Interior inspected 195 travel and employment agencies and withdrew the licenses of 14 for suspected trafficking.<sup>2287</sup> During the first 11 months of 2007, the Ministry of Internal Affairs registered 495 trafficking cases and convicted 219 persons. Of these, there were 43 cases of child trafficking and 9 persons were convicted for child trafficking.<sup>2288</sup> USDOS reports that corruption among government officials and law enforcement hampered efforts to combat trafficking.<sup>2289</sup>

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

The National Commission for Tripartite Bargaining and Consultation approved the Collective Convention on the Elimination of the Worst Forms of Child Labor and a List of Jobs prohibited to Children on July 3, 2007. A Child Labor Documentation Center was established within the LIO in May 2007. The National Strategy on the Residential Childcare System in Moldova and the National Plan of Action (2008-2012) for its implementation were approved on July 9, 2007. The strategy aims to reduce the number of children living in orphanages, who are especially vulnerable to trafficking, by promoting alternatives to

residential care.<sup>2290</sup> In June 2007, the LIO, with support from ILO-IPEC, developed a training program for labor inspectors on child labor through which 34 labor inspectors were trained.<sup>2291</sup> The National Human Rights Action Plan was revised to include measures to address trafficking in persons.<sup>2292</sup>

The Moldovan Government is participating in a project called Trafficking and other Worst Forms of Child Labor in Central and Eastern Europe (Phase II; 2006-2009), a USD 3.5 million USDOL-funded project implemented by ILO-IPEC. The project is operating in Albania, Bulgaria, Kosovo, Moldova, Romania, and Ukraine; and aims to withdraw 1,350 children and prevent 3,150 children from exploitive labor in the region.<sup>2293</sup> The Government is also participating in the USD 2.2 million German Government-funded ILO-IPEC project to combat child labor in the Stability Pact countries; a USD 606,300 German Government-funded ILO-IPEC regional project (Albania, Moldova, Romania, Ukraine) to combat child trafficking; and a USD 1,209,189 German Government-funded regional project (Albania, Moldova, Romania, Ukraine) to combat the worst forms of child labor through education and youth employment.<sup>2294</sup>

The Government of Moldova is participating in a USDOL-funded USD 1.25 million project implemented by Catholic Relief Services. The project seeks to provide market-based job training, livelihood skills courses, and links to employment opportunities for young women and girls at risk for trafficking.<sup>2295</sup> The Government is also supporting a USAID-funded USD 756,000 anti-trafficking project implemented by Winrock International. The project seeks to prevent trafficking by improving access to employment for young women and girls.<sup>2296</sup> The U.S. Government also provides funding to UNDP and the IOM to implement anti-trafficking projects in Moldova.<sup>2297</sup> The Ministry of Social Protection, Family, and Child provided staff and facilities to assist victims of trafficking and provided funding for the Chisinau Rehabilitation Center.<sup>2298</sup> The National Employment Agency of the Ministry of Economy and Trade provided free vocational training and employment services to repatriated trafficking victims and persons who are at risk.<sup>2299</sup>

<sup>2252</sup> U.S. Department of State, "Country Reports- 2007: Moldova," section 6d.

<sup>2253</sup> PROTECT CEE, *Moldova Country Profile*, [online] 2006], 4; available from [http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2005\\_fs\\_moldova.pdf](http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2005_fs_moldova.pdf).

<sup>2254</sup> United Nations, *Common Country Assessment*, Chisinau, July 2005, 37; available from [http://www.un.md/key\\_doc\\_pub/doc/CCA\\_Eng\\_last.pdf](http://www.un.md/key_doc_pub/doc/CCA_Eng_last.pdf).

<sup>2255</sup> U.S. Department of State, "Country Reports- 2007: Moldova," section 5, 6d.

<sup>2256</sup> Mike Dottridge, *Action to Prevent Child Trafficking in South Eastern Europe*, UNICEF, Geneva, 37; available from <http://www.unicef.org.uk/publications/pdf/traffick3008.pdf>.

<sup>2257</sup> U.S. Department of State, "Country Reports- 2007: Moldova," section 5.

<sup>2258</sup> U.S. Department of State, "Moldova (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Country Reports- 2007: Moldova," section 5.

<sup>2259</sup> ILO-IPEC, *Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Moldova*, 2003, Chisinau, 2004, 25-28, 54-56; available from <http://www.ilo.org/ipeccinfo/product/editSearchProduct.do>. See also ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, Project Document, Geneva, September 2003, 10.

<sup>2260</sup> Vladimir Lozinski, *Lack of Jobs in Moldova Leaves Children Without Parental Care*, UNICEF, Rublenita, Moldova, October 17, 2006; available from [http://www.unicef.org/infobycountry/moldova\\_36200.html](http://www.unicef.org/infobycountry/moldova_36200.html).

<sup>2261</sup> PROTECT CEE, *Moldova Country Profile*, 5.

<sup>2262</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of the Republic of Moldova, *Labour Code*, (March 28, 2003), article 46; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64896/63849/F1780758090/MDA64896ENG.PDF>. See also U.S. Embassy- Chisinau, *reporting*, November 29, 2007, para 5. See also U.S. Department of State, "Moldova," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100573.htm>. See also Government of the Republic

of Moldova, *Constitution of the Republic of Moldova*, (1994), article 35; available from <http://www.e-democracy.md/en/legislation/constitution/>.

<sup>2263</sup> Government of the Republic of Moldova, *Labour Code*, article 46. See also U.S. Embassy- Chisinau, *reporting*, November 29, 2007, para 5. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, Geneva, 2006, 34.

<sup>2264</sup> Government of the Republic of Moldova, *Labour Code*, article 46.

<sup>2265</sup> *Ibid.*, articles 96, 100.

<sup>2266</sup> *Ibid.*, articles 109, 110. See also U.S. Embassy- Chisinau, *reporting*, November 29, 2007, para 5.

<sup>2267</sup> Government of the Republic of Moldova, *Labour Code*, article 253. See also U.S. Embassy- Chisinau, *reporting*, November 29, 2007.

<sup>2268</sup> Government of the Republic of Moldova, *Labour Code*, articles 105, 255. See also U.S. Embassy- Chisinau, *reporting*, November 29, 2007.

<sup>2269</sup> U.S. Embassy- Chisinau, *reporting*, November 29, 2007, para 5. See also U.S. Embassy- Chisinau, *reporting*, August 26, 2005.

<sup>2270</sup> Government of the Republic of Moldova, *Constitution of the Republic of Moldova*, articles 44 and 50.

<sup>2271</sup> U.S. Embassy- Chisinau, *reporting*, November 29, 2007, para 5. See also U.S. Department of State, "Country Reports- 2007: Moldova," section 6d.

<sup>2272</sup> U.S. Embassy- Chisinau, *reporting*, August 26, 2005.

<sup>2273</sup> *Ibid.*

<sup>2274</sup> Coalition to Stop the Use of Child Soldiers, "Moldova," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=917](http://www.child-soldiers.org/document_get.php?id=917).

<sup>2275</sup> U.S. Embassy- Chisinau, *reporting*, November 29, 2007, para 5.

<sup>2276</sup> *Ibid.*

<sup>2277</sup> U.S. Embassy- Chisinau, *reporting*, May 8, 2008.

<sup>2278</sup> U.S. Embassy- Chisinau, *reporting*, August 26, 2005.

<sup>2279</sup> U.S. Embassy- Chisinau, *reporting*, November 29, 2007.

<sup>2280</sup> U.S. Department of State, "Country Reports- 2007: Moldova," section 6d.

<sup>2281</sup> *Ibid.*, section 5.

<sup>2282</sup> U.S. Embassy- Chisinau, *reporting*, May 8, 2008, para 85, 86.

<sup>2283</sup> ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, Technical Progress Report, RER/03/P50/USA, Bucharest, March 2005, 3.

<sup>2284</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Moldova." See also Barbara Limanowska, *Trafficking in Human Beings in Southeastern Europe. 2003 Update on Situation and Responses to Trafficking in Human Beings in: Albania, Bosnia and Herzegovina, Bulgaria,*

Croatia, Serbia and Montenegro including the UN Administered Province of Kosovo, the Former Yugoslav Republic of Macedonia, Moldova, and Romania., December 2003, 79; available from [http://www.osce.org/documents/odhr/2003/12/1645\\_en.pdf](http://www.osce.org/documents/odhr/2003/12/1645_en.pdf).

<sup>2285</sup> U.S. Embassy- Chisinau, reporting, May 8, 2008, para 65.

<sup>2286</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Moldova."

<sup>2287</sup> U.S. Department of State, "Country Reports- 2007: Moldova," section 5.

<sup>2288</sup> Ibid.

<sup>2289</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Moldova."

<sup>2290</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, August 31, 2007, 5.

<sup>2291</sup> U.S. Embassy- Chisinau, reporting, November 29, 2007,

para. 5.

<sup>2292</sup> ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, 2.

<sup>2293</sup> ILO-IPEC, *Balkans Child Trafficking Phase II, Project Document*, cover page, 69.

<sup>2294</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>2295</sup> Catholic Relief Services, *Moldova Employment and Training Alliance (META)*, Technical Progress Report, Chisinau, January 31, 2008.

<sup>2296</sup> U.S. Department of State, *USG Funds Obligated in FY 2007 for TIP Projects*, [online] February 2008 [cited March 14, 2008]; available from <http://www.state.gov/documents/organization/101403.pdf>.

<sup>2297</sup> U.S. Embassy- Chisinau, reporting, May 8, 2008, para 2.

<sup>2298</sup> Ibid., para 21.

<sup>2299</sup> Ibid., para 32.

## Mongolia

### Selected Statistics and Indicators on Child Labor<sup>2300</sup>

Working children, 5-14 years (%), 2002-2003:	7.2
Working boys, 5-14 years (%), 2002-2003:	8.7
Working girls, 5-14 years (%), 2002-2003:	5.7
Working children by sector, 5-14 years (%), 2002-2003:	
- Agriculture	93.4
- Manufacturing	0.5
- Services	5.2
- Other	1
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	101
Net primary enrollment rate (%), 2006:	91
School attendance, children 5-14 years (%), 2002-2003:	73.3
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated

### Incidence and Nature of Child Labor

Mongolia is traditionally a nomadic herding society, so most working children can be found in rural areas, especially engaged in activities in the livestock sector.<sup>2301</sup> Boys generally herd and tend livestock, while girls mostly undertake domestic tasks; milking cows and producing dairy products, collecting animal dung for fire, shearing wool, and gathering fruit and nuts.<sup>2302</sup> Children as young as 5 years are engaged in informal gold and fluorspar mining.<sup>2303</sup> These children face severe health hazards, such as exposure to mercury and handling of explosives in the mines.<sup>2304</sup> The National Human Rights Commission of Mongolia estimates that there are 40 to 50 horse racing events each year, and at each event, approximately 2,000 children between the ages of 6 and 16 years are engaged as jockeys, which poses risks to the life and health of the children involved.<sup>2305</sup>

In urban areas, children sell goods, wash cars, polish shoes, collect and sell coal and wood, and work as porters.<sup>2306</sup> Children also work informally in petty trade and scavenging in dumpsites.<sup>2307</sup> Child prostitution is a problem in Mongolia. One

NGO reported that during the last 4 months of 2007, at least three underage girls were kidnapped in Ulaanbaatar and forced into sex work. There were reports of children trafficked internally for commercial sexual exploitation, as well as for labor exploitation.<sup>2308</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 16 years, with some exceptions.<sup>2309</sup> Children 15 years may work with the permission of a parent or guardian, as long as employment does not harm their health, physical growth, or moral status.<sup>2310</sup> Children 14 years may work in vocational education programs, with the consent and under supervision of a parent or guardian.<sup>2311</sup> Children 14 and 15 years may not work for more than 30 hours, and children 16 and 17 years may not work for more than 36 hours per week.<sup>2312</sup> Children under 18 years may not work at night, in arduous, noxious, or hot conditions, or underground.<sup>2313</sup> They are also prohibited from working overtime, on public holidays, or weekly rest days.<sup>2314</sup>

Mongolian law prohibits the use of children in forced labor, illicit activities, begging, slavery, and work that is harmful to their health, morals, or safety.<sup>2315</sup> The Constitution prohibits forced labor of children,<sup>2316</sup> and forcing a child to work is punishable by imprisonment of up to 4 years or fines.<sup>2317</sup> Labor inspectorates are in charge of enforcing these prohibitions, in addition to other labor regulations. Although these inspectors have the availability to force people to immediately comply with labor laws, enforcement was limited due because of the low number of inspectors and the increasing number of independent enterprises.<sup>2318</sup> Trafficking of a minor is punishable by imprisonment of 5 to 10 years; if committed by an organized group, the term of imprisonment increases to 10 to 15 years.<sup>2319</sup> However, contacts within the Government have acknowledged that legal provisions regarding trafficking are weak and need to be amended.<sup>2320</sup> Production and dissemination of pornographic materials involving a person under 16 years is punishable by imprisonment of 1 to 3 months or fines. Inducing a child below the age of 16 years to engage in these crimes is also punishable by a fine or by imprisonment of 3 to 6 months.<sup>2321</sup> Involving a minor in prostitution is also illegal, punishable by

fines or 1 to 3 months of incarceration. If the crime is committed repeatedly or through the use of violence or threat, the punishment is a prison term of 3 to 5 years or fines.<sup>2322</sup> The minimum age for military conscription is 18 years.<sup>2323</sup>

Despite the existing legislative measures to protect children's rights, the U.N. Committee on the Rights of the Child has expressed concern about the insufficient number of implementation measures and some contradictory provisions of domestic laws that leave children without adequate protection, including the ability of children to engage in work before reaching the compulsory school leaving age.<sup>2324</sup> In addition, international organizations and human rights groups are expressing concern about the use of child jockeys in horse racing. The U.N. has requested that the Government ban the employment of children under 16 years as horse jockeys, but by the end of 2007 the Government had still not taken any such action.<sup>2325</sup>

In the 2006-2007 reporting period, the Government did not prosecute any trafficking offenses or convict any trafficking offenders. This marked a decline from the previous year when five cases were prosecuted and one case convicted.<sup>2326</sup>

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

The Government of Mongolia is implementing the National Program for Child Development and Protection (2002-2010).<sup>2327</sup> The Mongolian Government has also approved the National Program on Protection from Trafficking of Children and Women with the Purpose of Sexual Exploitation, to support implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography.<sup>2328</sup> Mongolia is currently participating in a USDOL-funded USD 2.9 million ILO-IPEC project, the Mongolia Timebound Program, which is set to run through 2009. The project is designed to strengthen the country's ability to take action against the worst forms of child labor, and to develop an area-based intervention model at the local level, targeting children at risk or engaged in the worst forms of child labor; specifically, children involved in mining, commercial sexual exploitation, work in

dumpsites or marketplaces, herding, and domestic work.<sup>2329</sup> The project aims to withdraw 2,700 children and prevent 3,300 children from the worst forms of child labor.<sup>2330</sup>

In addition, under the Timebound Program, the IPEC Program Unit of the ILO is helping to provide child victims with physical and emotional rehabilitation and reintegration services through the Adolescent Development Center. An NGO also implemented a program for preventing, protecting, and rehabilitating disadvantaged girls from sexual exploitation.<sup>2331</sup> Since 2001, about 400 girls have been involved in this program.<sup>2332</sup>

The Government also provided continued assistance to children who were victims of commercial sexual exploitation through support of a police program that encourages the re-entry of exploited children into school. It also began working with IOM on a program to help with the repatriation of victims through counseling and other services.<sup>2333</sup> IOM, with help from other NGOs, provided trafficking-related training to police, immigration officials, and various ministry officials.<sup>2334</sup>

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<sup>2300</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see *Labor Law of Mongolia (as Amended)*, (January 24, 1991); available from <http://www.indiana.edu/~mongsoc/mong/laborlaw.htm>. See also U.S. Department of State, "Mongolia," in *Country Reports on Human Rights Practices- 2007*, Washington, D.C., March 11, 2008; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100530.htm>. See also *Constitution of Mongolia, 1992*, (January 13, 1992), Article 16(7); available from <http://www.law.nyu.edu/centralbankscenter/texts/Mongolia-Constitution.html>.

<sup>2301</sup> ILO-IPEC, *National Programme for the Prevention and Elimination of Child Labour in Mongolia (Phase II), Status Report*, Status Report, Geneva, June 16, 2003.

<sup>2302</sup> ILO-IPEC, *National Program for the Prevention and Elimination of Child Labor in Mongolia, Phase II, Project Document*, Geneva, April 9, 2002. See also ILO-IPEC, *Helping Hands or Shackled Lives? Understanding Child Domestic Labour and Responses to it*, Geneva, 2004, 22; available from <http://www.ilo.org/public/english/standards/ipecc/>

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[standards/ipecc/publ/download/cdl\\_2004\\_helpinghands\\_en.pdf](http://www.ilo.org/public/english/standards/ipecc/publ/download/cdl_2004_helpinghands_en.pdf).

<sup>2303</sup> ILO-IPEC, *Baseline Survey on Child and Adult Workers in Informal Gold and Fluorspar Mining*, Ulaan Baatar, 2006.

<sup>2304</sup> *Ibid.*, 37.

<sup>2305</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Mongolia (ratification: 2001)*, [2006 [cited November 7, 2006]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=18894&chapter=9&query=%28C29%2C+C105%2C+C138%2C+C182%29+%40ref+%2B+%28Mongolia%29+%40ref+%2B+%23YEAR%3E2000&highlight=&querytype=bool&context=0>.

<sup>2306</sup> ILO-IPEC, *National Program in Mongolia, Phase II, project document*, 17.

<sup>2307</sup> U.S. Department of State, "Country Reports- 2007: Mongolia."

<sup>2308</sup> U.S. Department of State, "Mongolia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, D.C., June 5, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>. See also U.S. Department of State, "Country Reports-2007: Mongolia."

<sup>2309</sup> *Labor Law of Mongolia*, article 85. See also U.S. Department of State, "Country Reports- 2007: Mongolia." See also U.S. Embassy- Ulaanbaatar, *reporting*, December 31, 2007.

<sup>2310</sup> *Labor Law of Mongolia*, article 85.1.

<sup>2311</sup> *Ibid.*

<sup>2312</sup> *Ibid.*, article 26.

<sup>2313</sup> *Ibid.*, article 86.

<sup>2314</sup> *Ibid.*

<sup>2315</sup> ILO-IPEC, *National Programme Phase II, status report, June 2003*, Annex II, 3.

<sup>2316</sup> *Constitution of Mongolia, 1992*, article 16(4).

<sup>2317</sup> *Criminal Code of Mongolia*, (2002), article 121; available from <http://www.unhcr.org/cgi-bin/txis/vtx/rsd/rsddocview.pdf?tbl=RSDLEGAL&id=3ed919fd4>.

<sup>2318</sup> U.S. Department of State, "Country Reports- 2007: Mongolia," section 6d.

<sup>2319</sup> *Criminal Code of Mongolia*, article 113. See also U.S. Embassy- Ulaanbaatar, *reporting, December 31, 2007*.

<sup>2320</sup> U.S. Embassy- Ulaanbaatar, *reporting*, March 9, 2005.

<sup>2321</sup> *Criminal Code of Mongolia*, Article 123.

<sup>2322</sup> U.S. Embassy- Ulaanbaatar, *reporting, December 31, 2007*.

<sup>2323</sup> Coalition to Stop the Use of Child Soldiers, "Mongolia," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=859](http://www.child-soldiers.org/document_get.php?id=859).

<sup>2324</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding observations:*

Mongolia, CRC/C/15/Add.264, Geneva, September 21, 2005, 3; available from [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/480889c76b2a2309c12570bc004c51a0/\\$FILE/G0544018.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/480889c76b2a2309c12570bc004c51a0/$FILE/G0544018.pdf).

<sup>2325</sup> U.S. Department of State, "Country Reports- 2007: Mongolia."

<sup>2326</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Mongolia."

<sup>2327</sup> Government of Mongolia, *National Programme of Action for the Development and Protection of Children 2002-2010*, Ulaanbaatar, December 2002; available from <http://mirror.undp.org/mongolia/publications/UNICEF/EFNPAEng.pdf>.

<sup>2328</sup> Government of Mongolia, *Initial Report of Mongolia to the UN Committee on the Rights of the Child*, pursuant to Optional Protocol to the Convention on the Rights of the

Child on the Sale of Children, Child Prostitution and Child Pornography, October 10, 2007; available from <http://www.pmis.gov.mn/cabinet/Document/2007/OP%20SC%20Eng%20final.doc>.

<sup>2329</sup> ILO-IPEC, *Support to the Proposed National Sub-programme to Eliminate the Worst Forms of Child Labour: Time-Bound Measures*, technical progress report, Geneva, September 2006.

<sup>2330</sup> Ibid.

<sup>2331</sup> Government of Mongolia, *Initial Report of Mongolia to the UN Committee on the Rights of the Child*.

<sup>2332</sup> Ibid.

<sup>2333</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Mongolia."

<sup>2334</sup> U.S. Embassy- Ulaanbaatar, *reporting, December 31, 2007*.

## Montenegro

### *Selected Statistics and Indicators on Child Labor*<sup>2335</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

Children in Montenegro can be found working on family farms. Roma children also work in the informal sector, selling small items or washing car windows.<sup>2336</sup> They also are often found begging.<sup>2337</sup>

Montenegro is primarily a transit country for girls trafficked to Western Europe. The IOM estimates that trafficking levels remained the same in 2007 as in 2006.<sup>2338</sup> Roma children also have been trafficked abroad for forced begging and theft rings.<sup>2339</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment is 15 years.<sup>2340</sup> Children under 18 years are not permitted to work in jobs that involve particularly difficult physical work, overtime and night work, underground or underwater work, or in jobs that "bear a high level of risk of damaging the condition and life of the referred employees."<sup>2341</sup> The law provides for monetary penalties for violation of these provisions.<sup>2342</sup>

Forced labor is prohibited.<sup>2343</sup> Trafficking in persons is prohibited, and trafficking of a minor is punishable by 3 to 10 years imprisonment.<sup>2344</sup>

Inciting a minor into prostitution is punishable by 1 to 10 years imprisonment.<sup>2345</sup> The minimum age to volunteer for the Montenegrin military is 18 years.<sup>2346</sup> The Labor Inspectorate of the Ministry of Labor and Social Welfare is responsible for the enforcement of labor laws, including those protecting children from exploitation in the workplace. The Ministry has 40 inspectors covering labor issues, and in 2007, there were numerous labor investigations but no incidents of child labor were discovered.<sup>2347</sup> The Government's enforcement efforts were generally effective, according to USDOS.<sup>2348</sup>

In 2007, the Government initiated two human trafficking investigations and prosecuted three individuals on trafficking charges. All three were convicted and given prison sentences of 5 years.<sup>2349</sup> With assistance from the Italian Government, Montenegro drafted a Manual for Training Judges and Prosecutors. Police, prosecutors, judges, and other officials have been trained specifically on trafficking.<sup>2350</sup> There were reports of police and customs officers who unofficially provided security to nightclubs or bars that serve as trafficking outlets, which allowed some traffickers to evade arrest.<sup>2351</sup>

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

The Government of Montenegro continued to sponsor public awareness campaigns on trafficking, assuming funding and providing police security for one of three trafficking shelters.<sup>2352</sup> It has supported anti-trafficking policies through a website, organized round tables, a hotline for potential trafficking victims, and anti-trafficking educational programs in public schools.<sup>2353</sup>

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<sup>2335</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Montenegro, *Labour Law*, (July 9, 2003), article 10; available from <http://www.gom.cg.yu/files/1176469100.doc>. See also U.S. Embassy- Podgorica, *reporting*, November 30, 2006. See also Government of Montenegro, *The Constitution of the Republic of Montenegro*, (October 19, 2007); available from <http://www.legislationline.org/upload/>

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legislations/01/9c/b4b8702679c8b42794267c691488.htm. See also U.S. Embassy- Podgorica, *reporting*, January 11, 2008.

<sup>2336</sup> U.S. Department of State, "Montenegro," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, March 11, 2007, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100575.htm>.

<sup>2337</sup> U.S. Embassy- Podgorica, *reporting*, January 11, 2008. See also Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe 2004 - Focus on Prevention in: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, The Former Yugoslav Republic of Macedonia, Moldova, Romania, Serbia and Montenegro, the UN Administered Province of Kosovo*, UNDP, New York, March 2005, 64; available from <http://www.unicef.org/ceecis/Trafficking.Report.2005.pdf>.

<sup>2338</sup> U.S. Department of State, "Country Reports- 2007: Montenegro," section 5. See also U.S. Embassy- Podgorica, Email communication to USDOL official, July 22, 2008.

<sup>2339</sup> U.S. Embassy- Podgorica, *reporting*, January 11, 2008.

<sup>2340</sup> Government of Montenegro, *Labour Law*, article 10.

<sup>2341</sup> *Ibid.*, articles 75 and 77.

<sup>2342</sup> *Ibid.*, article 148, paragraphs 5 and 32.

<sup>2343</sup> U.S. Department of State, "Country Reports- 2007: Montenegro," section 6c.

<sup>2344</sup> Government of Montenegro, *Criminal Code of Montenegro*, (June 29, 2006), article 444, sections 1-3; available from <http://www.legislationline.org/legislation.php?tid=1&lid=6221>.

<sup>2345</sup> *Ibid.*, article 210.

<sup>2346</sup> U.S. Embassy- Podgorica, *reporting*, January 11, 2008.

<sup>2347</sup> *Ibid.*

<sup>2348</sup> U.S. Department of State, "Country Reports- 2007: Montenegro," section 6d.

<sup>2349</sup> U.S. Embassy- Podgorica, *reporting*, March 4, 2008. See also U.S. Embassy- Podgorica, Email communication, July 22, 2008.

<sup>2350</sup> U.S. Department of State, "Montenegro (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>.

<sup>2351</sup> *Ibid.*

<sup>2352</sup> *Ibid.* See also U.S. Department of State, "Country Reports- 2007: Montenegro," section 5. See also U.S. Embassy- Podgorica, Email communication, July 22, 2008.

<sup>2353</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Montenegro." See also U.S. Embassy- Podgorica, Email communication, July 22, 2008.

## Morocco

### *Selected Statistics and Indicators on Child Labor<sup>2354</sup>*

Working children, 7-14 years (%), 1998-1999:	13.2
Working boys, 7-14 years (%), 1998-1999:	13.5
Working girls, 7-14 years (%), 1998-1999:	12.8
Working children by sector, 7-14 years (%):	
- Agriculture	60.6
- Manufacturing	8.2
- Services	10.1
- Other	21.1
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	107
Net primary enrollment rate (%), 2005:	87
School attendance, children 7-14 years (%), 1998:	71.6
Survival rate to grade 5 (%), 2004:	79
ILO-IPEC participating country:	Yes

### **Incidence and Nature of Child Labor**

The majority of underage workers in Morocco are found on family farms.<sup>2355</sup> Doukala, an agricultural province in the Northwest, contains the highest concentration of working children, estimated at 26.1 percent of total children working in the country.<sup>2356</sup> Children in rural areas are reportedly six times more likely to be working than those in urban areas.<sup>2357</sup> There are also children working as artisans, producing textiles and carpets in the industrial sector, and in other light manufacturing activities.<sup>2358</sup> A large number of children work as junior artisans in the handicraft industry, many of them beginning their work as apprentices before they reach 12 years.<sup>2359</sup>

There are reports that tens of thousands of girls work in Morocco as domestic workers. Girls work 100 hours or more per week with little rest or days off, and are often subjected to physical and verbal abuse.<sup>2360</sup>

Thousands of street children live and work in Morocco's urban centers.<sup>2361</sup> Street children in Morocco engage in diverse forms of work including selling cigarettes, begging, shining shoes, and washing cars.<sup>2362</sup> Street children are predominantly boys, though girls have been seen on the street in increasing numbers; these girls are commonly former household maids who have fled abusive employers. Street children are vulnerable to being forced into illicit activities such as prostitution and selling drugs in order to collect money for gang leaders.<sup>2363</sup>

Boys and girls are involved in commercial sexual exploitation in Morocco.<sup>2364</sup> There are official reports of child prostitution in the cities of Agadir, Meknès, Tangier, Marrakech, Fez, and Casablanca.<sup>2365</sup> Isolated cases of child pornography have been reported in the country, but the Minister of Human Rights and the Parliamentary Commission on Social Affairs indicate that it goes mostly undetected.<sup>2366</sup> Sex tourism of Moroccan boys and girls is a growing problem.<sup>2367</sup>

Morocco is a country of destination for children trafficked from sub-Saharan Africa, North Africa, and Asia, and it serves as a transit and origin point for children trafficked to Europe for forced labor, drug trafficking, and commercial sexual exploitation.<sup>2368</sup> Children are also trafficked internally for exploitation as domestic workers and beggars, and girls are trafficked to El-Hajeb in the Middle Atlas for prostitution.<sup>2369</sup> In urban areas, many girls working as domestic servants can be found in situations of unregulated "adoptive servitude," in which girls from rural areas are sold by their parents, trafficked, and adopted by wealthy urban families to work in their homes.<sup>2370</sup> The Law on the Protection of Children states that persons under 18 years who cannot support themselves economically and whose parents cannot be reached or identified are considered eligible for adoption; adoptive parents are also entitled to a stipend from the Government.<sup>2371</sup> There has been some concern that girls are being adopted at higher rates than boys, and that they are then allegedly being forced to work.<sup>2372</sup> In addition, children are

also rented out by their parents or other relatives to beg.<sup>2373</sup>

## **Child Labor Laws and Enforcement**

The minimum age for employment in Morocco is 15 years.<sup>2374</sup> The minimum age restriction applies to the industrial, commercial, and agricultural sectors, and extends to children working in apprenticeships and family enterprises.<sup>2375</sup> Children under 16 years are prohibited from working more than 10 hours per day, which includes at least a 1-hour break.<sup>2376</sup>

Children under 16 years are also not permitted to work between 9 p.m. and 6 a.m. in non-agricultural work, or between 8 p.m. and 5 a.m. in agricultural activities.<sup>2377</sup> The law prohibits employment of children under 18 years in stone quarries or for underground work carried out in mines.<sup>2378</sup>

Employers may not permit workers under 18 years to use products or substances, equipment, or machinery deemed potentially hazardous to their health or safety, or permit minors to perform activities that pose an extreme danger to them, exceed their capacities, or result in a breach of public morals.<sup>2379</sup>

The Ministry of Employment, Social Affairs, and Solidarity has responsibility for enforcing and implementing child labor laws.<sup>2380</sup> The law provides for legal sanctions against employers who actively recruit children under 15 years. Violators are punished with a fine, and in case of a second offense, with imprisonment of 6 days to 3 months or additional fines.<sup>2381</sup> Other remedies to enforce child labor laws include the withdrawal or suspension of one or more civil, national, or family rights, including denial of legal residence in the country for 5 to 10 years.<sup>2382</sup> The law enables inspectors and police to bring charges against employers of children under 15 years in all sectors.<sup>2383</sup> However, according to USDOS, the informal sector is not closely monitored by Ministry of Labor inspectors due to insufficient resources.<sup>2384</sup>

Forced or compulsory labor is prohibited by law.<sup>2385</sup> The minimum age for compulsory conscription to the Government's Armed Forces is 20 years, while the minimum age for volunteering is 18 years.<sup>2386</sup> The prostitution of children, child trafficking, or corruption of minors are prohibited under the law. Those found to be involved in or who fail to

prevent trafficking, including Government officials, are subject to fines and prison sentences of 6 months to 20 years.<sup>2387</sup> Anyone who incites or procures a minor under 18 years for prostitution is subject to a prison sentence of 2 to 5 years and a fine.<sup>2388</sup> Any person who uses violence, threats, or fraud to abduct (or attempt to abduct) a minor under 18 years, or who facilitates the abduction of a minor, may be imprisoned from 5 to 10 years. If the minor is under the age of 12, the sentence is doubled.<sup>2389</sup>

The Ministry of Interior is responsible for implementing and enforcing anti-trafficking activities and regulations. From January to October 2007, the Ministry disbanded 260 criminal trafficking rings; there is no data regarding the sentences of the traffickers.<sup>2390</sup>

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

The Government of Morocco has put in place a number of action programs toward the achievement of its National Action Plan to Eliminate Child Labor (2005-2015).<sup>2391</sup> The focus of the national plan includes improving implementation and raising awareness of child labor laws and improving basic education. Sectoral plans target children in agriculture and herding, the industrial sector (carpets and stitching), metal and auto work, construction, the hospitality industry and food production, children on the streets, and children subjected to commercial sexual exploitation.<sup>2392</sup> In January 2007, the Government of Morocco formally launched the first of five phases of the National Plan of Action.<sup>2393</sup>

The Government of Morocco is participating in three USDOL-funded projects to eliminate child labor and provide educational opportunities for working children. The first project is the USD 3.1 million ADROS: Combating Child Labor through Education project executed by Management Systems International, which aims to eliminate the practice of selling and hiring "Petites Bonnes" (Little Maids) and other child domestic workers, and create educational opportunities for children involved and vulnerable to exploitive labor.<sup>2394</sup> The second project in the amount of USD 2.25 million is an ILO-IPEC project that aims to strengthen national efforts against the worst forms

of child labor in Morocco and to remove and prevent 5,800 children from work in rural areas of the country.<sup>2395</sup> The third project is a recently approved USD 3 million Combating Exploitive Child Labor through Education project carried out by Management Systems International. The project began September 30, 2007 with the goal of withdrawing 4,000 and preventing 4,000 children from the worst forms of child labor.<sup>2396</sup>

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<sup>2354</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Morocco, *Le nouveau code de travail*, Dahir n. 1-03-194 du 14 rejec 1424 (11 septembre 2003) portant promulgation de la loi n. 65-99 relative au Code du travail, (May 6, 2004), article 143; available from <http://www.maroc.ma/NR/rdonlyres/9A951844-BCA6-4468-9EFD-7460E229E00F/0/codedetravail.pdf>. See also U.S. Consulate - Casablanca, *reporting*, December 14, 2007. See also U.S. Department of State, "Morocco," in *Country Reports on Human Rights Practices-2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100602.htm>.

<sup>2355</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 6d. See also ILO, World Bank, and UNICEF, *Understanding Children's Work in Morocco*, UCW Project, Geneva, March 2003, 2; available from [http://www.ucw-project.org/pdf/publications/report\\_morocco\\_draft.pdf](http://www.ucw-project.org/pdf/publications/report_morocco_draft.pdf).

<sup>2356</sup> ILO, World Bank, and UNICEF, *Understanding Children's Work in Morocco*, 11, 20.

<sup>2357</sup> *Ibid.*, 2.

<sup>2358</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 6d. See also UN Committee on the Rights of the Child, *Periodic Reports of States Parties due in 2004: Morocco*, prepared by Government of Morocco, pursuant to 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, July 15, 2005, para. 137; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G05/42/8/21/PDF/G0542821.pdf?OpenElement>. See also ILO, World Bank, and UNICEF, *Understanding Children's Work in Morocco*, 26.

<sup>2359</sup> ILO, World Bank, and UNICEF, *Understanding Children's Work in Morocco*, 26. See also U.S. Department of State, "Country Reports- 2007 Morocco," section 6d.

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<sup>2360</sup> Human Rights Watch, *Morocco: 'Hidden' Children Face Abuse*, [online] December 20, 2005 [cited April 2, 2008]; available from [http://hrw.org/english/docs/2005/12/21/morocc12278\\_txt.htm](http://hrw.org/english/docs/2005/12/21/morocc12278_txt.htm).

<sup>2361</sup> U.S. Consulate - Casablanca, *reporting*, December 14, 2007.

<sup>2362</sup> UN Committee on the Rights of the Child, *Initial Reports of States Parties: Morocco*, para 137.

<sup>2363</sup> ILO, World Bank, and UNICEF, *Understanding Children's Work in Morocco*, 29-30.

<sup>2364</sup> *Ibid.*, 28-29. See also U.S. Department of State, "Morocco," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>2365</sup> ILO, World Bank, and UNICEF, *Understanding Children's Work in Morocco*, 28.

<sup>2366</sup> *Ibid.*, 28, 29.

<sup>2367</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Morocco." See also U.S. Consulate - Casablanca, *reporting*, December 14, 2007.

<sup>2368</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 6d.

<sup>2369</sup> *Ibid.* See also U.S. Department of State, "Trafficking in Persons Report- 2007: Morocco." See also ILO, World Bank, and UNICEF, *Understanding Children's Work in Morocco*, 28, 29.

<sup>2370</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 6d. See also WTO General Council Review of Trade Policies and ICFTU, *Internationally-Recognised Core Labour Standards in Morocco*, Geneva, June 16-18, 2003, 8; available from [http://www.icftu.org/www/pdf/cls\\_morocco\\_2003.pdf](http://www.icftu.org/www/pdf/cls_morocco_2003.pdf).

<sup>2371</sup> UN Committee on the Rights of the Child, *Summary Record of the 882nd Meeting, Consideration of Reports Submitted by States Parties (continued): Second Periodic Report of Morocco (continued)*, CRC/C/SR/.882, pursuant to Article 44 of the Convention on the Rights of the Child, July 16, 2003, paras 18-19; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/8e3b9ac683d8dd0ac1256d7a004a2b52/\\$FILE/G0342258.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/8e3b9ac683d8dd0ac1256d7a004a2b52/$FILE/G0342258.pdf).

<sup>2372</sup> *Ibid.*, para 43.

<sup>2373</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 6d.

<sup>2374</sup> Government of Morocco, *Le nouveau Code du travail*, article 143. See also U.S. Department of State, "Country Reports- 2007 Morocco," section 6d.

<sup>2375</sup> ILO, World Bank, and UNICEF, *Understanding Children's Work in Morocco*, 38.

<sup>2376</sup> U.S. Department of State, "Country Reports- 2007

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Morocco," section 6d.

<sup>2377</sup> Government of Morocco, *Le nouveau Code du travail*, article 172.

<sup>2378</sup> *Ibid.*, article 179.

<sup>2379</sup> *Ibid.*, articles 181 and 287.

<sup>2380</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 6d.

<sup>2381</sup> Government of Morocco, *Note on Child Labor* submitted in response to U.S. Department of Labor Federal Register Notice (December 5, 2006) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, February 28, 2007.

<sup>2382</sup> UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties Due in 2000: Morocco*, prepared by Government of Morocco, pursuant to Article 44 of the Convention on the Rights of the Child, February 12, 2003, para 647; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/22c537968b14bcfbc1256d2d0037f5b4/\\$FILE/G0340393.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/22c537968b14bcfbc1256d2d0037f5b4/$FILE/G0340393.pdf).

<sup>2383</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 6d.

<sup>2384</sup> *Ibid.*

<sup>2385</sup> Government of Morocco, *Le nouveau Code du travail*, article 10.

<sup>2386</sup> Coalition to Stop the Use of Child Soldiers, "Morocco," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child->

[soldiers.org/document\\_get.php?id=948](http://soldiers.org/document_get.php?id=948). See also U.S. Department of State, "Country Reports- 2007 Morocco," section 6d.

<sup>2387</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 5.

<sup>2388</sup> UN Committee on the Rights of the Child, *Second Periodic Reports of States Parties: Morocco*, para 642, 643.

<sup>2389</sup> *Ibid.*, para 660.

<sup>2390</sup> U.S. Department of State, "Country Reports- 2007 Morocco," section 5.

<sup>2391</sup> Government of Morocco, *Note on Child Labor*.

<sup>2392</sup> UN Committee on the Rights of the Child, *Initial Reports of States Parties: Morocco*, paras 98-99 and 128-129.

<sup>2393</sup> U.S. Consulate- Casablanca, *reporting, December 14, 2007*.

<sup>2394</sup> Management Systems International, *Adros: Combating Child Labor Through Education in Morocco*, Technical Progress Report, March-August, Rabat, September 30, 2007, 1.

<sup>2395</sup> ILO-IPEC, *Combating Child Labour in Morocco by Creating an Enabling National Environment and Developing Direct Action Against Worst Forms of Child Labour in Rural Areas*, Technical Progress Report, Geneva, September 18, 2007, 1.

<sup>2396</sup> U.S. Department of Labor and Management Systems International, *Combating Exploitive Child Labor through Education in Morocco*, Notice of Award, September 24, 2007, 1, 3.

## Mozambique

### Incidence and Nature of Child Labor

In rural areas of Mozambique, children work on family or commercial farms, often picking cotton, tea, tobacco, and herding livestock.<sup>2397</sup> Children also work in prostitution and as domestics.<sup>2398</sup> At informal bars, known as *barracas*, girl employees are also made to work as prostitutes.<sup>2399</sup> In some instances, children work in bonded labor in order to pay off a family debt.<sup>2400</sup> Child begging is a mounting problem, with incidences of children being "contracted" to beg for non-family members.<sup>2401</sup>

Children are trafficked internally and to South Africa for forced labor and commercial sexual exploitation in brothels and popular nightclubs.<sup>2402</sup>

Young boys are trafficked within the country and to South Africa for farm and mine work, while girls are trafficked into prostitution and domestic servitude.<sup>2403</sup>

Children are known to cross the border from Zimbabwe into Mozambique to work in agriculture, construction, informal mining, prostitution, and street vending.<sup>2404</sup>

***Selected Statistics and Indicators  
on Child Labor***<sup>2405</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	12
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	102
Net primary enrollment rate (%), 2005:	77
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	62
ILO-IPEC participating country:	Associated
* Must pay for miscellaneous school expenses	

### **Child Labor Laws and Enforcement**

The minimum age for employment in Mozambique is 15 years. In exceptional cases, the law allows children between 12 and 15 years to work with the joint approval of the Ministries of Labor, Health, and Education; these children are afforded special rights that protect their mental, physical, and social development.<sup>2406</sup> The law restricts the conditions under which minors between 15 and 18 years may work, and commits employers to provide for their education and professional training. For example, children are prohibited from working more than 38 hours per week and more than 7 hours per day.<sup>2407</sup> Minors under 18 years are not permitted to work in unhealthy, dangerous, or physically taxing occupations; must undergo a medical examination; and must be paid at least minimum wage. Violators of child labor laws are subject to fines.<sup>2408</sup>

The Ministry of Labor has the authority to enforce and regulate child labor laws in both the formal and informal sectors. Labor inspectors may obtain court orders to enforce compliance with child labor legislation.<sup>2409</sup> According to USDOS, however, both the Labor Inspectorate and the police lack adequate staff, funds, and training to investigate child labor

cases, especially outside the capital. USDOS claims that the law is enforced in the formal sector but that enforcement is inadequate in the informal sector.<sup>2410</sup>

The law prohibits forced labor, with the exception of prison labor.<sup>2411</sup> The age for conscription and voluntary recruitment into the military is 18 years. In times of war, however, the minimum age for military conscription may be lowered.<sup>2412</sup> The law also forbids the practice of prostitution in any form, including that of children. Procuring a minor is punishable by imprisonment for 6 months to 2 years.<sup>2413</sup> Various penal statutes contain provisions that can be applied to the trafficking of children.<sup>2414</sup>

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

The Government provided information and provided education about the dangers of child labor. Public outreach efforts included police training on child prostitution and pornography.<sup>2415</sup> Police stations in Mozambique have established facilities to address the needs of child trafficking victims.<sup>2416</sup> In 2007, the Ministry of Interior was increased the number of these facilities from 151 to 155.<sup>2417</sup>

The Government of Mozambique is participating in a USD 3 million USDOL-funded program implemented by the American Institutes for Research to combat child labor in agriculture, domestic work, street work, and commercial sexual exploitation.<sup>2418</sup> The 3-year project aims to withdraw and prevent 2,600 children from engaging in such activities.<sup>2419</sup>

The Civic Education Forum, a civil society organization, operates a shelter for victims of trafficking. The shelter was built on land donated by the Moamba District Government to house and grow food for the residents.<sup>2420</sup>

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<sup>2397</sup> Ibid., section 6d. See also Save the Children, *Visitors from Zimbabwe: A preliminary study outlining the risks and vulnerabilities facing Zimbabwean children who have illegally crossed into Mozambique*, May 2006, 8; available from [http://www.savethechildren.it/2003/download/Pubblicazioni/Zimbabwe/Zimbabwe\\_Cross\\_Border\\_Children.pdf](http://www.savethechildren.it/2003/download/Pubblicazioni/Zimbabwe/Zimbabwe_Cross_Border_Children.pdf).

<sup>2398</sup> U.S. Department of State, "Country Reports- 2007: Mozambique," section 6d. See also UN Committee on the Rights of the Child, *Summary Record of the 762nd Meeting, Consideration of reports of States parties, Initial Report: Mozambique*, CRC/C/SR.762, February 28, 2003, 8; available from <http://tb.ohchr.org/default.aspx?country=mz>.

<sup>2399</sup> Save the Children UK, *Visitors from Zimbabwe: A Preliminary Study Outlining the Risks and Vulnerabilities Facing Zimbabwean Children who have Crossed Illegally into Mozambique*, May 24, 2006, 9; available from <http://www.reliefweb.int/library/documents/2006/sc-zim-24may.pdf> See also Integrated Regional Information Networks, "Mozambique: Exploitation and abuse awaits Zimbabwe's migrants", IRINnews.org, [online], May 25, 2006 [cited December 10, 2007]; available from <http://www.irinnews.org/report.aspx?ReportId=39621>. See also Integrated Regional Information Networks, "Mozambique: New bridge puts children at risk", IRINnews.org, [online], November 7, 2006 [cited December 10, 2007]; available from <http://www.irinnews.org/report.aspx?ReportId=61502>.

<sup>2400</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Mozambique*, CRC/C/15/Add.172, April 3, 2002, 10; available from <http://tb.ohchr.org/default.aspx?country=mz>. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention (No. 182), Mozambique (ratification: 2003)*, [online] 2006 [cited March 18, 2008]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>2401</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention 182*.

<sup>2402</sup> Jonathan Martens, Maciej 'Mac' Pieczkowski, and Bernadette van Vuuren-Smyth, *Seduction, Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa, 3rd edition*, International Organization for Migration Regional Office for Southern Africa, Pretoria, May 2003, 51; available from <http://www.iom.org.za/site/media/docs/TraffickingReport3rdEd.pdf>. See also U.S. Department of State, "Mozambique (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>2403</sup> U.S. Department of State, "Country Reports- 2007: Mozambique," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Mozambique."

<sup>2404</sup> Save the Children UK, *Visitors from Zimbabwe*, 7-10.

<sup>2405</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Mozambique," in *Country Reports on Human Rights Practices- 2007* Washington, DC, March 11, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100495.htm>.

<sup>2406</sup> Government of Mozambique, *Labour Law*, (October 2007), articles 23, 26; available from [http://www.arbitrationmz.com/data/docs/Labour\\_Law\\_nr\\_232007.eng.pdf](http://www.arbitrationmz.com/data/docs/Labour_Law_nr_232007.eng.pdf). See also UN Committee on the Rights of the Child, *Summary Record of the 762nd Meeting, Consideration of reports of States parties, Initial Report*, 8. See also U.S. Department of State, "Country Reports- 2007: Mozambique," section 6d.

<sup>2407</sup> Government of Mozambique, *Mozambique Labour Law*, Articles 23, 26. See also U.S. Department of State, "Country Reports- 2007: Mozambique," section 6d.

<sup>2408</sup> Government of Mozambique, *Mozambique Labour Law*, Articles 23, 27, 267. See also U.S. Department of State, "Country Reports- 2007: Mozambique," section 6d.

<sup>2409</sup> U.S. Department of State, "Country Reports- 2007: Mozambique," section 6d.

<sup>2410</sup> *Ibid.*

<sup>2411</sup> Government of Mozambique, *Constitution*, (November 2, 1990), article 88; available from [www.chr.up.ac.za/hr\\_docs/constitutions/docs/MozambiqueC\(rev\).doc](http://www.chr.up.ac.za/hr_docs/constitutions/docs/MozambiqueC(rev).doc).

<sup>2412</sup> Coalition to Stop the Use of Child Soldiers, "Mozambique," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/regions/country?id=145>.

<sup>2413</sup> The Protection Project, *Mozambique*, [online] 2006 [cited March 19, 2008]; available from [http://www.protectionproject.org/human\\_rights\\_reports/report\\_documents/mozambique.doc](http://www.protectionproject.org/human_rights_reports/report_documents/mozambique.doc).

<sup>2414</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention 182*. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Mozambique."

<sup>2415</sup> U.S. Department of State official, E-mail communication to USDOL official, February 1, 2007.

<sup>2416</sup> U.S. Embassy- Maputo, *reporting*, November 20, 2007.

<sup>2417</sup> U.S. Embassy- Maputo, *reporting*, March 3, 2008, para 11.

<sup>2418</sup> American Institutes for Research, *RECLAIM: Reducing Exploitive Child Labor in Mozambique*, technical progress report, September 2006.

<sup>2419</sup> American Institutes for Research, *RECLAIM: Reducing Exploitive Child Labor in Mozambique*, cooperative

agreement, September 2005, 1, 2.

<sup>2420</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Mozambique." See also U.S. Embassy-

Maputo, *reporting*, March 3, 2008, para 11.

## Namibia

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2421</sup>	
Working children, 6-14 years (%), 1999:	14.7
Working boys, 6-14 years (%), 1999:	15.5
Working girls, 6-14 years (%), 1999:	13.9
Working children by sector, 6-14 years (%), 1999:	
- Agriculture	91.4
- Manufacturing	0.4
- Services	8.2
- Other	0.1
Minimum age for work:	14
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	106
Net primary enrollment rate (%), 2005:	77
School attendance, children 6-14 years (%), 1999:	91.6
Survival rate to grade 5 (%), 2004:	86
ILO-IPEC participating country:	Associated

### Incidence and Nature of Child Labor

Children in Namibia work in commercial and communal agriculture, and domestic service.<sup>2422</sup> Children find self-employment in basket weaving, traditional beer making, selling produce, barbering, milking cows, and charcoal production.<sup>2423</sup> To support their households, children tend livestock, hunt, fish, and gather wild foods.<sup>2424</sup> Children also unload goods, including hazardous chemicals, and guard cargo at night for long-distance truck drivers.<sup>2425</sup> Children from poor rural households frequently assist extended family members in urban centers with house cleaning, cooking, and

child care in exchange for food, shelter, and sometimes clothes and money.<sup>2426</sup> Numerous HIV/AIDS orphans and other vulnerable children are reportedly engaged in commercial sexual exploitation.<sup>2427</sup>

Children from Angola, Zambia, and other countries neighboring Namibia reportedly enter the country illegally to work on communal farms.<sup>2428</sup> According to USDOS, however, Namibia is not a country of origin, transit, or destination for a significant number of trafficked children.<sup>2429</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years. The law also prohibits children under 16 years from working in any mine, industrial, or construction setting, and prohibits children under 18 years from engaging in night work from 8 p.m. to 7 a.m.<sup>2430</sup> The Constitution protects children under 16 years from economic exploitation and states that they are not to be employed in any work that is likely to be hazardous; harmful to their physical health, or mental, spiritual, moral, or social development; or that would interfere with their education.<sup>2431</sup>

The Constitution prohibits slavery and forced labor.<sup>2432</sup> The law criminalizes trafficking in persons and human smuggling.<sup>2433</sup> Those found guilty of trafficking are subject to fines or

imprisonment of up to 50 years.<sup>2434</sup> The law also makes it an offense for any adult to solicit or entice a child to participate in prostitution.<sup>2435</sup>

The law allows for compulsory military service, but there is no military draft because individuals

currently enlist into the Armed Forces in sufficient numbers. According to Ministry of Defense Policy, the minimum age for voluntary military service is 18 years.<sup>2436</sup>

According to USDOS, the Government of Namibia has difficulty monitoring the working conditions on tens of thousands of communal and commercial farms.<sup>2437</sup>

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

The Government of Namibia is working with ILO-IPEC to implement a USDOL-funded USD 5 million regional child labor project in Southern Africa.<sup>2438</sup> Project activities in Namibia include conducting research on the nature and incidence of exploitive child labor and developing a national child labor plan of action.<sup>2439</sup> In collaboration with the governments and NGOs in the region, the American Institutes for Research is implementing a regional USDOL-funded USD 9 million project in Southern Africa to improve the quality of and access to basic and vocational education for children who are working or at risk of entering exploitive child labor.<sup>2440</sup> Over its lifetime, this project aims to prevent 10,000 children in five countries, including Namibia, from engaging in exploitive labor.<sup>2441</sup> With the assistance of the Namibia Agricultural Union and the Namibia Farm Workers Union, the Government of Namibia conducts public-awareness campaigns on child labor.<sup>2442</sup> The Program Advisory Committee on Child Labor, comprised of Government Ministries, unions, NGOs, and businesses, continued to coordinate child labor efforts and advise the two USDOL-funded projects operating in the country.<sup>2443</sup>

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<sup>2421</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Namibia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100496.htm>. See also U.S. Embassy- Sana'a, *reporting*, November 29, 2007, para 5.

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<sup>2422</sup> Debie LeBeau, *Scoping Report on Child Labour in Namibia*, ILO-IPEC, Geneva, August 2003, 29-33. See also U.S. Department of State, "Country Reports- 2007: Namibia," para 6.

<sup>2423</sup> Debie LeBeau, *Scoping Report on Child Labour in Namibia*, Discussion Document, commissioned by ILO-IPEC, Geneva, August 2003, 24-25. See also U.S. Embassy- Windhoek, *reporting*, December 18, 2007, para 6.

<sup>2424</sup> Debie LeBeau, *Scoping Report*, 25. See also Towards the Elimination of the worst forms of Child Labor (TECL), *Overview of child work in Namibia*, [online] 2007 [cited November 27, 2007]; available from <http://www.child-labour.org.za/blns-countries/namibia/forms-of-child-labour/national-child-labour-profile/overview/overview-of-child-work-in-namibia/>.

<sup>2425</sup> Towards the Elimination of the worst forms of Child Labor (TECL), *Overview of child work*.

<sup>2426</sup> Debie LeBeau, *Scoping Report*, 32.

<sup>2427</sup> U.S. Department of State, "Country Reports- 2007: Namibia," section 5. See also ECPAT International CSEC Database, *Namibia*, accessed November 27, 2007; available from <http://www.ecpat.net/>. See also Debie LeBeau, *Scoping Report*, 35, 37. See also U.S. Embassy- Windhoek, *reporting*, December 18, 2007, para 1.

<sup>2428</sup> Debie LeBeau, *Scoping Report*, 31. See also U.S. Embassy- Windhoek, *reporting*, December 18, 2007, para 1.

<sup>2429</sup> U.S. Embassy- Windhoek, *reporting*, February 27, 2008, para 1.

<sup>2430</sup> Government of Namibia, *Labor Act* (December 8, 2004), chapter 2, section 3,4; available from <http://www.parliament.gov.na/parliament/billsandacts/Actdetail.asp?ActID=115>. See also Debie LeBeau, *Scoping Report*, 17.

<sup>2431</sup> Government of Namibia, *Constitution* (February 1990), article 15; available from [http://www.oefre.unibe.ch/law/icl/wa00000\\_.html](http://www.oefre.unibe.ch/law/icl/wa00000_.html).

<sup>2432</sup> *Ibid.*, article 9.

<sup>2433</sup> U.S. Embassy- Windhoek, *reporting*, February 27, 2008, para 8.

<sup>2434</sup> U.S. Department of State, "Country Reports- 2007: Namibia," section 5.

<sup>2435</sup> *Ibid.* See also U.S. Embassy- Windhoek, *reporting*, February 27, 2008, para 9. See also U.S. Department of State, "Country Reports- 2007: Namibia," section 5. See also Debie LeBeau, *Scoping Report*, 21.

<sup>2436</sup> Coalition to Stop the Use of Child Soldiers, "Namibia," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/library/global-reports>.

<sup>2437</sup> U.S. Embassy- Windhoek, *reporting*, December 18, 2007, para 6. See also U.S. Embassy- Windhoek, *reporting*, December 13, 2006, para 6.

<sup>2438</sup> ILO-IPEC, *Supporting the Time-Bound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, Project Document, Geneva, September 30, 2003, cover page. See also Towards the Elimination of the worst forms of Child Labor (TECL), *Overview of child work*.

<sup>2439</sup> ILO-IPEC, *Supporting the Timebound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, Annex to TECL Project Document: Strategy for Namibia, Geneva, May, 2005, 4. Towards the Elimination of the worst forms of Child Labor (TECL), *About the Child Labor Program in Namibia*, [online] 2007 [cited March 26, 2008]; available

from <http://www.child-labour.org.za/blns-countries/namibia/about-the-child-labour-programme/general/>.

<sup>2440</sup> American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, Project Document, Washington, DC, September 8, 2005, 17-18.

<sup>2441</sup> *Ibid.*, 21-22.

<sup>2442</sup> U.S. Embassy- Windhoek, *reporting, December 18, 2007*, para 3. See also U.S. Department of State, "Country Reports- 2007: Namibia," section 6d.

<sup>2443</sup> Towards the Elimination of the worst forms of Child Labor (TECL), *Namibia Governance*, [online] 2007 [cited March 26, 2008]; available from <http://www.child-labour.org.za/blns-countries/namibia/about-the-child-labour-programme/general/blns-countries/namibia/about-the-child-labour-programme/governance>. See also U.S. Embassy- Windhoek, *reporting, December 18, 2007*, para 3.

## Nepal

### Incidence and Nature of Child Labor

The National Child Labor Study identifies 50 types of paid economic activities that involve children.<sup>2444</sup>

The majority of working children are active in the informal sector.<sup>2445</sup> Children work as domestic servants, porters, rag pickers, rock breakers, and carpet factory workers, and in mines, in restaurants, in agriculture, and the transportation sector. Depending on the specific sector, children work long hours without breaks; carry heavy loads; have ear, eye, and skin disorders; have musculoskeletal problems; and are at risk of sexual exploitation.<sup>2446</sup> There are two kinds of child bonded laborers in Nepal; *Kamaiyas* are born into a family legacy of bonded labor although this practice was outlawed in 2002. The other bonded child laborers come from large, landless families and work in the following sectors: agriculture, brick kilns, carpet-weaving, commercial sexual exploitation, domestic work, restaurants, and stone quarries.<sup>2447</sup>

Children in Nepal are exploited through prostitution, sex tourism, and trafficking.<sup>2448</sup> Reports indicate many children are trafficked to India to work in carpet factories, circuses, agriculture, road construction, domestic service,

and begging. Boys are also trafficked to India to work in the embroidery industry.<sup>2449</sup> Nepal is also a source country for children trafficked to India and the Middle East for commercial sexual exploitation. Internal trafficking occurs for commercial sexual exploitation and involuntary servitude as child soldiers, domestic servants, circus entertainers, or factory workers.<sup>2450</sup>

While violence overall has declined, reports indicate that the Communist Party of Nepal-Maoist (CPN-M) continues to recruit, often forcibly, thousands of children as young as 10 years old to serve in combat and in various battlefield support functions.<sup>2451</sup> It has been reported that children attempting to leave the cantonments (combat quarters) have been forced to return by CPN-M cadres.<sup>2452</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years.<sup>2453</sup> The law prohibits children less than 16 years from employment in occupations such as tourism, carpet weaving, factories, mines, or other hazardous work harmful to their health or well-being. Children can work up to 6 hours a day and 36 hours a week, between 6 a.m. and 6 p.m.<sup>2454</sup> The

law sets a monthly minimum wage for children ages 14 to 16 years.<sup>2455</sup> The Child Labor Act imposes a punishment of up to 3 months in prison for employing an underage child. Employing children in dangerous work or against their will is punishable by imprisonment for up to 1 year.<sup>2456</sup> The Labor Act allows fines to be levied against employers in violation of labor laws.<sup>2457</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2458</sup>	
Working children, 5-14 years (%), 1999:	39.6
Working boys, 5-14 years (%), 1999:	35.4
Working girls, 5-14 years (%), 1999:	44
Working children by sector, 5-14 years (%), 1999:	
- Agriculture	87.1
- Manufacturing	1.3
- Services	11
- Other	0.5
Minimum age for work:	14
Compulsory education age:	Not Compulsory
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	126
Net primary enrollment rate (%), 2004:	79
School attendance, children 5-14 years (%), 1999:	69.2
Survival rate to grade 5 (%), 2005:	79
ILO-IPEC participating country:	Yes

The minimum age for voluntary military service is 18 years, but children can begin military training at 15 years.<sup>2459</sup> The 2007 Interim Constitution states that no minor shall be employed in any hazardous work, and shall not be used in the army, police, or in conflicts.<sup>2460</sup> The 2006 Comprehensive Peace Accord prohibits the sexual exploitation of children.<sup>2461</sup> The 2007 Human Trafficking Control Act prohibits trafficking in persons and provides for up to 20 years of imprisonment for violations.<sup>2462</sup> The law also prohibits the use of children in immoral activities, including taking and distributing pornographic photographs.<sup>2463</sup> The

*Kamaiya* system, a form of bonded labor, was formally outlawed in 2002; the law forbids keeping or employing any person as a bonded laborer and cancels any unpaid loans or bonds between creditors and *Kamaiya* laborers.<sup>2464</sup> The law prohibits children from involvement in the sale, distribution, or trafficking of alcohol and drugs.<sup>2465</sup>

The law calls for the establishment of a Child Labor Elimination Committee and a Child Labor Elimination Fund, both of which have been established.<sup>2466</sup> The Central Child Welfare Board and Child Welfare Officers have the responsibility of enforcing children's rights legislation.<sup>2467</sup> The Ministry of Labor and Transport Management (MoLTM) is responsible for enforcing child labor legislation and issues.<sup>2468</sup> USDOS reports that despite legal protections, resources devoted to enforcement of child labor laws are limited: the Ministry of Labor employed 10 labor inspectors in 2007.<sup>2469</sup> The law only covers formal sectors of employment, leaving the majority of children who work in the informal sector without legal protection.<sup>2470</sup>

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

The MoLTM's national Master Plan on Child Labor, 2004-2014 calls for eliminating the worst forms of child labor by 2009, and all forms of child labor by 2014.<sup>2471</sup> The National Planning Commission implemented its interim plan from 2007/2008 through 2010/2011 on July 16, 2007, which includes a commitment to implement the national Master Plan on Child Labor.<sup>2472</sup>

World Education and its local partner organizations continue to implement phase two of the Brighter Futures Program, a USD 3.85 million program funded by USDOL, scheduled to run through September 2009. The project provides technical assistance on government policies related to child labor, and aims to withdraw 15,400 children and prevent 15,200 children from exploitive labor including children formerly associated with the Armed Forces.<sup>2473</sup>

The Government continues to take action in order to rescue and rehabilitate freed bonded laborers; however, distribution of land to former *Kamaiyas* has not been consistent with the level of need.<sup>2474</sup>

USDOL continues to fund the USD 2 million second phase of a project to assist former child bonded laborers and their families. The ILO-IPEC implemented project aims to withdraw 3,000 children and prevent 6,600 children from exploitive labor.<sup>2475</sup>

The Government has a National Plan of Action to Combat Trafficking.<sup>2476</sup> The Government, with the support of NGOs and international organizations, implemented awareness raising campaigns on trafficking in persons, and a trafficking education campaign for girls in 19 districts.<sup>2477</sup> The National Tourism Board, several other government agencies, and NGOs constitute the Committee against Pedophilia and Commercial Sexual Exploitation of Children through Tourism to combat child sex tourism. The Committee is developing a code of conduct for the hotel industry and organizes awareness raising campaigns.<sup>2478</sup> In 2007, the Ministry of Women, Children and Social Welfare began a rehabilitation program for trafficking victims, providing shelter and services to 100 girls in three communities. The Government's *Child Development and Rehabilitation Fund* offers support to children working in the carpet manufacturing sector.<sup>2479</sup> The Government is also supporting a cash transfer program to support children affected by the conflict.<sup>2480</sup>

The Government is currently implementing its Education for All National Plan of Action, which aims to expand education access, provide alternative schooling, and provide non-formal education alternatives. Child laborers are one of the target groups identified in the plan.<sup>2481</sup> The Government is also participating in several USAID-funded programs in Nepal to reduce the vulnerability of children to child labor. These include scholarship programs for girls from disadvantaged and conflict-affected families; vocational training for youth and displaced and disadvantaged persons; and an anti-trafficking program targeted at girls exploited by, and at risk of, being trafficked.<sup>2482</sup> In addition, the Government of Italy supported a project to prevent and eliminate child labor in Nepal which ended in December 2007.<sup>2483</sup>

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<sup>2444</sup> Kamal Banskota, Bikash Sharma, and Binod Shrestha, *Study on the Costs and Benefits of the Elimination of Child Labour in Nepal*, Study for the International Labour Office International Programme on the Elimination of Child Labour (IPEC), Kathmandu, 2002, 5-6.

<sup>2445</sup> U.S. Department of State, "Country Reports- 2007: Nepal," section 6d.

<sup>2446</sup> World Education, *Combating Child Labor through Education in Nepal: The Brighter Futures Program Phase II*, Project Document, Boston, September 30, 2005, 5-8. See also ILO-IPEC, *Sustainable Elimination of Child Bonded Labour in Nepal Phase II*, Project Document, Geneva, 2006, 13. See also Occupational Safety and Health Project, *Study on Identification and Prioritisation of Hazardous Works, Work Processes and Workplaces Involving Child Labour*, Kathmandu, July 2006, Executive Summary. See also U.S. Department of State, "Country Reports- 2007: Nepal," section 5, 6d.

<sup>2447</sup> ILO-IPEC, *Sustainable Elimination of Child Bonded Labour Phase II*, Project Document, 6. See also William F. Stafford Jr., *Understanding Bonded Child Labour in Asia*, Child Workers in Asia, Bangkok, 2007, 23-25; available from [http://www.crin.org/docs/CWA\\_%20UnderstandingBondedChildLabour.pdf](http://www.crin.org/docs/CWA_%20UnderstandingBondedChildLabour.pdf).

<sup>2448</sup> ECPAT International CSEC Database, *Nepal*, accessed December 14, 2007; available from <http://www.ecpat.net/>. See also ECPAT International, *Situational Analysis Studies on Child Sex Tourism in Tourist Destinations of India, Nepal and Sri Lanka*, Kathmandu, December 2003, 4; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/sex\\_tourism/Executive%20Summary.Web1.pdf](http://www.ecpat.net/eng/Ecpat_inter/projects/sex_tourism/Executive%20Summary.Web1.pdf).

<sup>2449</sup> U.S. Embassy-Kathmandu, *reporting*, December 2, 2007, para 16. See also ILO-IPEC, *Cross Border Trafficking of Boys*, Kathmandu, March 2002, 2, 10; available from [http://www.ilo.org/public/libdoc/ilo/2002/102B09\\_152\\_engl.pdf](http://www.ilo.org/public/libdoc/ilo/2002/102B09_152_engl.pdf). See also Women's Rehabilitation Centre (WOREC), "Insight: A Publication Against Trafficking in Persons," (2003); available from <http://www.worecnepal.org/downloads/insight.pdf>. See also U.S. Department of State, "Country Reports-2007: Nepal," section 5. See also U.S. Embassy-Kathmandu, *reporting* July 27, 2004.

<sup>2450</sup> U.S. Department of State, "Nepal (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also U.S. Department of State, "Country Reports- 2007: Nepal," section 5. See also U.S. Embassy-Kathmandu, *reporting*, July 27, 2004, para 1, 6.

<sup>2451</sup> UN Security Council, *Report of the Secretary-General on Children and Armed Conflict in Nepal*, December 20, 2006, 1, 4, 5; available from <http://www.crin.org/>

docs/UNSG\_Report\_CAC\_Nepal\_E.pdf. See also UN Security Council, *Conclusions on Children and Armed Conflict in Nepal*, June 12, 2007, 4; available from <http://www.securitycouncilreport.org/atf/cf/%7B65BF-CF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20SAC51%202007%208.pdf>. See also U.S. Department of State, "Country Reports-2007: Nepal," section 5.

<sup>2452</sup> U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 17.

<sup>2453</sup> Government of Nepal, *Children's Act*, chapter 2, section 17. See also *Child Labor (Prohibition and Regulation) Act (No. 14)*, (2000), chapter 2, section 3; available from <http://natlex.ilo.org/txt/E00NPL01.htm>. See also U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 3.

<sup>2454</sup> U.S. Embassy- Kathmandu, *reporting, August 20, 2004*, para 4. See also *Child Labor (Prohibition and Regulation) Act (No. 14)*, section 2(a), 3(1) and (2), schedule. See also Government of Nepal, *Children's Act*, article 17-18. See also U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 2.

<sup>2455</sup> U.S. Department of State, "Country Reports- 2007: Nepal," section 6d.

<sup>2456</sup> *Child Labor (Prohibition and Regulation) Act (No. 14)*, section 19(1) and (2).

<sup>2457</sup> Government of Nepal, *Labor Act*, (1992), section 55; available from <http://natlex.ilo.org/txt/E92NPL01.htm>.

<sup>2458</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Nepal, *Children's Act*, (1992), chapter 1, section 2(a) and chapter 2 section 17(1); available from [http://www.labournepal.org/labourlaws/child\\_act.html](http://www.labournepal.org/labourlaws/child_act.html). See also Government of Nepal, *Child Labor (Prohibition and Regulation) Act*, No. 14, (2000), chapter 2, section 3(1); available from <http://natlex.ilo.org/txt/E00NPL01.htm>. See also U.S. Department of State, "Nepal," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100618.htm>. See also UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Nepal*, June 3, 2005, para 75; available from [http://www.bayefsky.com/.pdf/nepal\\_t4\\_crc\\_39.pdf](http://www.bayefsky.com/.pdf/nepal_t4_crc_39.pdf). See also Government of Nepal, *Interim Constitution of Nepal*, (January 15, 2007), article 17(2); available from [http://www.worldstatesmen.org/Nepal\\_Interim\\_Constitution2007.pdf](http://www.worldstatesmen.org/Nepal_Interim_Constitution2007.pdf).

<sup>2459</sup> Coalition to Stop the Use of Child Soldiers, "Nepal," in *Child Soldiers Global Report 2004*, London, 2004;

available from [http://www.child-soldiers.org/document\\_get.php?id=861](http://www.child-soldiers.org/document_get.php?id=861).

<sup>2460</sup> Government of Nepal, *Interim Constitution of Nepal: 2007*, article 22(5).

<sup>2461</sup> U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 4. See also Government of Nepal, *Comprehensive Peace Agreement held between Government of Nepal and Communist Part of Nepal (Maoist)*, (2006), 7.6.1; available from [http://swiss-nepal.ch/uploads/news/061121\\_SPA\\_Maoist\\_agreement.pdf](http://swiss-nepal.ch/uploads/news/061121_SPA_Maoist_agreement.pdf).

<sup>2462</sup> U.S. Embassy- Kathmandu, *reporting, September 12, 2007*, 3. See also U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, 8. See also Government of Nepal, *Trafficking in Person and Transportation (Control) Act*, 2064 Bikram Era, (2007), article 15(a). See also Government of Nepal, *Trafficking and Selling in Person Activity (Prohibition) Act*, Act No. 15 of 2043 Bikram Era, (1986), article 3, 8. See also U.S. Embassy- Kathmandu official, E-mail communication USDOL official, December 9, 2007.

<sup>2463</sup> Government of Nepal, *Children's Act*, chapter 2, section 16 (2) (3).

<sup>2464</sup> Government of Nepal, *The Kamaiya Labor (Prohibition) Act*, (2002), chapter 2, chapter 3.

<sup>2465</sup> Government of Nepal, *Children's Act*, chapter 2, section 16(4). See also Government of Nepal, *The Narcotic Drugs (Control) Act*, 2033, (1976), chapter 3, section 14. See also Government of Nepal, *Report of the Republic of Nepal on Efforts by GSP Beneficiary Countries to Eliminate Worst Forms of Child Labour*, submitted in response to U.S. Department of Labor Federal Register Notice (December 5, 2006) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Kathmandu, December 25, 2006.

<sup>2466</sup> UN Economic and Social Council, *Implementation of the International Covenant on Economic, Social and Cultural Rights: Second Period Reports Submitted by State Parties under Articles 16 and 17 of the Covenant*, August 7, 2006, 47; available from [http://www.ohchr.org/english/bodies/cescr/docs/E\\_C12\\_NPL\\_2.doc](http://www.ohchr.org/english/bodies/cescr/docs/E_C12_NPL_2.doc). See also Government of Nepal, *Child Labor Info.*, section 3, 5.

<sup>2467</sup> Government of Nepal, *Children's Act*, section 32 and 33.

<sup>2468</sup> U.S. Department of State, "Country Reports- 2007: Nepal," section 6d. See also Government of Nepal, *Child Labor Info.*, section 3.

<sup>2469</sup> U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 9.

<sup>2470</sup> U.S. Department of State, "Country Reports- 2007: Nepal," section 6d.

<sup>2471</sup> Ministry of Labor and Transport Management, *National Master Plan on Child Labor, 2004-2014*,

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Kathmandu, 2004. See also UN Economic and Social Council, *Implementation of the International Covenant on Economic, Social and Cultural Rights*, Executive Summary, 47. See also UN Committee on the Rights of the Child, *Concluding Observations of the Committee 2005*, para 93.

<sup>2472</sup> U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 13. See also U.S. Embassy- Kathmandu, E-mail communication USDOL official, July 24, 2008.

<sup>2473</sup> U.S. Department of Labor, *Combating Child Labor through Education in Nepal: The Brighter Futures Program Phase II*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007. See also World Education, *Combating Child Labor through Education in Nepal: The Brighter Futures Program Phase II*, Technical Progress Report, Boston, September 2006. See also World Education, *Combating Child Labor through Education in Nepal: The Brighter Futures Program Phase II*, Project Revision, Boston, June 26, 2007, 1.

<sup>2474</sup> U.S. Department of State, "Country Reports- 2007: Nepal," section 6d.

<sup>2475</sup> U.S. Department of Labor, *Sustainable Elimination of Child Bonded labor in Nepal - Phase 2*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007, ILO-IPEC, *Sustainable Elimination of Child Bonded Labour Phase II, Project Document*, 44.

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<sup>2476</sup> U.S. Department of State, "Country Reports- 2007: Nepal," section 5.

<sup>2477</sup> Ibid. See also U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 11.

<sup>2478</sup> ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children Nepal*, Bangkok, 2006, 17; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/South\\_Asia/Global\\_Monitoring\\_Report-NEPAL.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/South_Asia/Global_Monitoring_Report-NEPAL.pdf).

<sup>2479</sup> U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 11.

<sup>2480</sup> Ibid.

<sup>2481</sup> Ministry of Education and Sports, *EFA National Plan of Action: Nepal*, Kathmandu, April 2003; available from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=30125&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=30125&URL_DO=DO_TOPIC&URL_SECTION=201.html). See also U.S. Embassy-Kathmandu, *reporting, December 2, 2007*, para 14.

<sup>2482</sup> USAID, *Operational Plan FY2006*, June 12, 2006, 9-10,13; available from [http://pdf.usaid.gov/pdf\\_docs/PDACH275.pdf](http://pdf.usaid.gov/pdf_docs/PDACH275.pdf). See also U.S. Embassy-Kathmandu, *reporting, September 12, 2007*, para 1.

<sup>2483</sup> ILO-IPEC official, E-mail communication to USDOL official, January 4, 2008.

## Nicaragua

### Incidence and Nature of Child Labor

Children in the agricultural sector of Nicaragua work in the production of such crops as coffee, corn, sugar, and tobacco.<sup>2484</sup> Children also work in street sales and personal services, such as domestic service in third-party homes, as well as in markets, restaurants, hotels, and cigar factories. A small percentage of children engage in mining, stone quarrying, construction, and transport.<sup>2485</sup> The majority of children work in the informal sector, and some are engaged in garbage dump scavenging.<sup>2486</sup>

Child prostitution and sex tourism are problems in Nicaragua.<sup>2487</sup> Nicaragua is a source and transit country for children trafficked for sexual exploitation. Children are trafficked within Nicaragua from rural to urban areas.<sup>2488</sup> Children

from poor rural areas between the ages of 13 and 18 are among the most vulnerable to trafficking. Some are recruited to work as nannies and waitresses, but are then forced to work as prostitutes in other countries.<sup>2489</sup> Some children are trafficked internally for forced labor as domestic servants. Children are also trafficked from Nicaragua, often along the Pan-American Highway, to other parts of Central America to work as prostitutes in bars and nightclubs.<sup>2490</sup> The Government reported that trafficking was linked to organized crime, including prostitutes and brothel owners who recruit trafficking victims.<sup>2491</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years.<sup>2492</sup> Children 14 to 16 years cannot work without parental permission and under the supervision of the Labor Ministry.<sup>2493</sup> Children 14

to 18 cannot work more than 6 hours a day or 30 hours a week. Minors are also prohibited from engaging in work that endangers their health and safety, such as work in mines, garbage dumps, and night entertainment venues, and work that may interfere with schooling.<sup>2494</sup> Annually the Ministry of Labor publishes a list of types of work that are harmful to the health, safety, and morals of children.<sup>2495</sup> An inter-ministerial resolution specifically prohibits children under 14 years from work in export processing zones, while another prohibits contracting children under 16 for work at sea.<sup>2496</sup>

The minimum legal age for entry into the Armed Forces is not specified.<sup>2500</sup>

Prostitution is legal for individuals 14 years and older, but the promotion and procurement of prostitution is prohibited by law. The law establishes a penalty of 4 to 8 years of imprisonment for those found guilty of recruiting children under 16 years into prostitution, and 12 years of imprisonment for recruiting children under 12 years.<sup>2501</sup> Promoting, filming, or selling child pornography is prohibited.<sup>2502</sup> Trafficking in persons is penalized with 4 to 10 years of imprisonment.<sup>2503</sup> The Ministry of Labor is responsible for enforcing child labor laws.<sup>2504</sup> The Ministry of Labor's Inspector General's Office is responsible for conducting all inspections, including those regarding child labor.<sup>2505</sup> Although the law imposes fines for violators and allows inspectors to close establishments employing children, according to USDOS, the Ministry of Labor does not have sufficient resources to adequately enforce the law, with the exception of the small formal sector.<sup>2506</sup>

The law prohibits any type of forced or compulsory labor.<sup>2507</sup> The Ministry of Government is responsible for law enforcement in the country, operates an anti-trafficking office, and leads the National Coalition against Trafficking in Persons. The Office of the National Prosecutor, through its specialized Women and Children's unit, is responsible for prosecuting trafficking cases.<sup>2508</sup> The Office of the Human Rights Prosecutor also has separate Special Prosecutors for Women, Children, and Adolescents who investigate trafficking cases.<sup>2509</sup> However, USDOS notes that Government progress in the prosecution of traffickers has been limited. In addition, the deficit of data collection and registration of trafficking of persons cases, and the loose immigration controls between the borders of Nicaragua, El Salvador, Honduras, and Guatemala further weaken Government efforts to pursue enforcement actions against traffickers effectively.<sup>2510</sup>

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

The Government's Policy on Special Protection for Children and Adolescents includes special

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2497</sup>	
Working children, 5-14 years (%), 2005:	8.4
Working boys, 5-14 years (%), 2005:	13.5
Working girls, 5-14 years (%), 2005:	3.2
Working children by sector, 5-14 years (%), 2005:	
- Agriculture	70.7
- Manufacturing	9.6
- Services	19.2
- Other	0.5
Minimum age for work:	14
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	112
Net primary enrollment rate (%), 2005:	87
School attendance, children 5-14 years (%), 2005:	84.9
Survival rate to grade 5 (%), 2004:	54
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses.	

The law provides for fines in cases of violations of child labor laws. Within the Ministry of Labor, the National Commission for the Progressive Eradication of Child Labor and Protection of the Young Worker (CNEPTI) receives revenues from fines that are put toward drawing attention to the rights and protection of minors.<sup>2498</sup>

The Constitution prohibits forced labor, slavery, and indentured servitude.<sup>2499</sup> The Constitution was amended in 1995 to prohibit military conscription.

protections for victims of commercial sexual exploitation and trafficking in persons.<sup>2511</sup> The Government oversees implementation of a 5-year National Plan against the Commercial Sexual Exploitation of Children (2003-2008) and a 10-year National Action Plan for Children and Adolescents.<sup>2512</sup> The Ministry of Labor (CNEPTI), in coordination with ILO-IPEC, finalized a 10-year plan (2007-2016) to end child labor that requires all government programs and projects include child labor prevention and eradication initiatives.<sup>2513</sup> In June 2007, the Ministry of Labor signed an accord with the Ministries of Agriculture and Environment, the Institute of Rural Development, the ILO, and several labor organizations to renew the Government's commitment to eradicate child labor.<sup>2514</sup>

Through its Program for Children and Adolescents at Risk, the Ministry of Family works to remove children from exploitive work, provide counseling to children and their families, and coordinate with other government agencies, the police, and NGOs to provide services.<sup>2515</sup> The ministry also operates a "traffic lights" project to assist children who perform odd jobs around traffic intersections.<sup>2516</sup> In addition, the Ministry is responsible for the operation of a shelter that provides services to minors who are victims of commercial sexual exploitation and a national hotline for victims of abuse and exploitation.<sup>2517</sup>

The Ministries of Government, Education, Tourism, and the Women's Division of the National Police continued to implement trafficking awareness campaigns specifically for border police, immigration officials, students, teachers, the press, and the tourism industry.<sup>2518</sup> The Government also sponsored an education program in the city of Granada with the Ministry of Tourism to train hotel owners and taxi drivers to discourage the commercial sexual exploitation of children.<sup>2519</sup> Additionally, the Ministry of Labor conducted outreach and training activities on child labor, including training on labor legislation in four major coffee growing areas and raising awareness about the risks of child labor aimed at municipality leaders and agricultural producers.<sup>2520</sup>

The Government of Nicaragua participates in regional projects funded by USDOL. These include

a USD 8.8 million regional project implemented by ILO-IPEC that seeks to combat commercial sexual exploitation through a variety of activities including capacity building and legal reform. In addition, the project aims to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region.<sup>2521</sup> Also, in coordination with the Nicaraguan Government, CARE is implementing a USD 5.7 million regional project funded by USDOL to combat exploitive child labor through the provision of quality basic education. The project aims to withdraw and prevent 2,984 children and adolescents from exploitive child labor in the region, in addition to strengthening regional cooperation, legislation, policies, and institutions to effectively address the worst forms of child labor.<sup>2522</sup>

The Government of Nicaragua participated in a Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain and implemented by ILO-IPEC.<sup>2523</sup>

The Government also implements a project to prevent and eradicate child labor in small-scale mining, and another to combat child labor in the tobacco-growing sector.<sup>2524</sup> The Nicaraguan Government participates in a regional project funded by the Government of Canada to prevent and combat the worst forms of child labor by strengthening the country's labor ministry.<sup>2525</sup>

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<sup>2484</sup> U.S. Embassy- Managua, *reporting*, December 14, 2007.

<sup>2485</sup> Ministry of Labor and ILO-IPEC, *National Report on the Results of the Child and Adolescent Labour Survey in Nicaragua*, April 2003, 29. See also U.S. Embassy-Managua, *reporting*, December 19, 2006. See also U.S. Department of State, "Country Reports- 2007: Nicaragua," section 6d.

<sup>2486</sup> U.S. Department of State, "Country Reports- 2007: Nicaragua," section 6d. See also U.S. Department of State, "Nicaragua," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78899.htm>.

<sup>2487</sup> U.S. Department of State, "Country Reports- 2007: Nicaragua," section 6d. See also U.S. Department of

State, "Nicaragua (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>2488</sup> U.S. Department of State, "Country Reports- 2007: Nicaragua," section 5.

<sup>2489</sup> *Ibid.* See also U.S. Embassy- Managua, *reporting*, March 27, 2007.

<sup>2490</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Nicaragua." See also U.S. Embassy- Managua, *reporting*, March 27, 2007.

<sup>2491</sup> U.S. Department of State, "Country Reports- 2007: Nicaragua," section 5.

<sup>2492</sup> Government of Nicaragua, *Ley núm. 474*, article 2. See also Government of Nicaragua, *Código de la Niñez y la Adolescencia*, *Ley. No. 287*, (May 1998), article 73; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/55822/66754/S98NIC01.htm>. See also U.S. Department of State, "Country Reports- 2007: Nicaragua," section 6d.

<sup>2493</sup> ILO NATLEX National Labor Law Database, *Decreto núm. 22-97 de creación de la Comisión Nacional para la erradicación progresiva del trabajo infantil y la protección del menor trabajador*, accessed December 7, 2007, article 2; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=NIC&p\\_classification=04&p\\_origin=COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=NIC&p_classification=04&p_origin=COUNTRY).

<sup>2494</sup> Government of Nicaragua, *Ley núm. 474*, articles 3-5.

<sup>2495</sup> ILO NATLEX National Labor Law Database, *Acuerdo Ministerial núm. VGC-AM-0020-10-06 sobre el listado de trabajos peligrosos aplicado para el caso de Nicaragua*, accessed December 7, 2007; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=NIC&p\\_classification=04&p\\_origin=COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=NIC&p_classification=04&p_origin=COUNTRY). See also U.S. Embassy- Managua, *reporting*, March 27, 2007.

<sup>2496</sup> Ministry of Labor and ILO-IPEC, *National Report on the Results of the Child and Adolescent Labour Survey*, 17.

<sup>2497</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Nicaragua, *Ley núm. 474 por la que se dicta la Ley de reforma al Título VI, Libro Primero del Código de Trabajo*, (October 21, 2003), article 2; available from [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). See also Government of Nicaragua, *Constitución Política de la República de Nicaragua* (1987, with 1995, 2002 and 2005 reforms), article 121; available from <http://pdba.georgetown.edu/Constitutions/Nica/nica05.html>. See also U.S. Department of State, "Nicaragua,"

in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from

<http://www.state.gov/g/drl/rls/hrrpt/2007/100647.htm>.

<sup>2498</sup> Government of Nicaragua, *Ley núm. 474*, article 6. See also ILO NATLEX National Labor Law Database, *Decreto núm. 22-97*, article 7.

<sup>2499</sup> Government of Nicaragua, *Constitución Política de Nicaragua*, article 40. See also U.S. Department of State, "Country Reports- 2007: Nicaragua," section 6c.

<sup>2500</sup> Coalition to Stop the Use of Child Soldiers, "Nicaragua," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=833](http://www.child-soldiers.org/document_get.php?id=833).

<sup>2501</sup> Government of Nicaragua, *Código Penal de la República de Nicaragua*, (1974), articles 201 and 203; available from [http://www.unifr.ch/derechopenal/legislacion/ni/cp\\_nicaragua3.pdf](http://www.unifr.ch/derechopenal/legislacion/ni/cp_nicaragua3.pdf).

<sup>2502</sup> Government of Nicaragua, *Código de la Niñez y la Adolescencia*, article 69.

<sup>2503</sup> Government of Nicaragua, *Código Penal*, article 203.

<sup>2504</sup> U.S. Department of State, "Country Reports- 2007: Nicaragua," section 6d. See also Ministry of Labor, *Mision*, [online] [cited December 12 2007]; available from <http://www.mitrab.gob.ni/mision.html#>.

<sup>2505</sup> Ministry of Labor, *Servicios*, [online] [cited December 12, 2007]; available from <http://www.mitrab.gob.ni/sevicios.html>.

<sup>2506</sup> U.S. Department of State, "Country Reports- 2007: Nicaragua," section 6d.

<sup>2507</sup> *Ibid.*, section 6c.

<sup>2508</sup> *Ibid.*, section 5.

<sup>2509</sup> U.S. Embassy- Managua, *reporting*, March 27, 2007.

<sup>2510</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Nicaragua." See also U.S. Embassy- Managua, *reporting*, March 27, 2007. See also U.S. Department of State, "Country Reports- 2007: Nicaragua," section 6d.

<sup>2511</sup> ILO-IPEC, "Stop the Exploitation" ("Alto a la explotación") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Technical Progress Report, RLA/02/P51-05/52/USA, September 13, 2006, 2.

<sup>2512</sup> U.S. Embassy- Managua, *reporting*, December 19, 2006. See also CONAPINA, *Plan Nacional Contra La Explotación Sexual Comercial de Niñas, Niños y Adolescentes 2003-2008*, November 2003. See also UN Committee on the Rights of the Child, *Written Replies by the Government of Nicaragua Concerning the List of Issues (CRC/C/Q/NIC/3) Formulated by the Committee on the Rights of the Child in Connection with Consideration of the Third Periodic Report of Nicaragua (CRC/C/125/Add.3)*, CRC/C/RESP/83,

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prepared by Government of Nicaragua, pursuant to Article 44 of the Convention on the Rights of the Child, April 18 2005, 54; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/3faa16ea862e67b2c125701f00457e2f/\\$FILE/CRC\\_C\\_RESP\\_83\(E\).doc](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/3faa16ea862e67b2c125701f00457e2f/$FILE/CRC_C_RESP_83(E).doc).

<sup>2513</sup> U.S. Embassy- Managua, *reporting*, December 14, 2007.

<sup>2514</sup> Government of Nicaragua, *Acuerdo de Acción Conjunta: Agricultura Libre de Trabajo Infantil: La Cosecha Futura*, June 20, 2007.

<sup>2515</sup> U.S. Embassy- Managua, *reporting*, July 26, 2005. See also ILO-IPEC, "Stop the Exploitation" ("Alto a la explotación") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Technical Progress Report, RLA/02/P51-05/52/USA, September 3, 2007.

<sup>2516</sup> UN Committee on the Rights of the Child, *Written Replies by the Government of Nicaragua Concerning the List of Issues (CRC/C/Q/NIC/3)*, 56.

<sup>2517</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Nicaragua." See also U.S. Embassy- Managua, *reporting*, March 27, 2007. See also ILO-IPEC, "Stop the Exploitation" ("Alto a la explotación"), *Technical Progress Report*, September 2007.

<sup>2518</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Nicaragua." See also U.S. Department of State, "Country Reports- 2006: Nicaragua," section 5.

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<sup>2519</sup> U.S. Embassy- Managua, *reporting*, March 27, 2007. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Nicaragua."

<sup>2520</sup> U.S. Embassy- Managua, *reporting*, December 14, 2007.

<sup>2521</sup> ILO-IPEC, "Stop the Exploitation" ("Alto a la explotación") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, RLA/02/P51-05/52/USA, San Jose, 2002, 2005, 1 and 63. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, Geneva, September 2005, 1 and 22.

<sup>2522</sup> CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor Through Education in Central America (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and the Dominican Republic*, Project Document, 2004, 5. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, 22-23.

<sup>2523</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>2524</sup> UN Committee on the Rights of the Child, *Written Replies by the Government of Nicaragua Concerning the List of Issues (CRC/C/Q/NIC/3)*, 56

<sup>2525</sup> ILO-IPEC Geneva official, E-mail communication, December 12, 2007.

## Niger

### Incidence and Nature of Child Labor

In Niger, children work in the agricultural, commercial, and artisanal sectors, often in family businesses. In rural areas, children work on family farms; including gathering water or firewood, pounding grain, and tending animals.<sup>2526</sup> There are children working in hazardous conditions in mines and quarries; breaking rocks; transporting heavy loads in head-pans; washing and processing gold, which may expose children to mercury; and crushing and hoisting ore.<sup>2527</sup> Children also work in domestic service and as vendors.<sup>2528</sup> The practice of sending boys to Koranic teachers to receive education is a tradition in various countries,

including Niger.<sup>2529</sup> While some boys receive lessons, others are forced by their teachers to beg and surrender the money that they have earned or perform manual labor.<sup>2530</sup>

Traditional forms of caste-based servitude, including of children, still exist in parts of Niger.<sup>2531</sup> This practice is more prevalent among the nomadic populations of Northern Niger, such as the Tuareg, but is also found among the Zarma and Arab ethnic minorities.<sup>2532</sup> Children are also reportedly being used to gather intelligence on government forces by a rebel group, the Nigerien Justice Movement.<sup>2533</sup> Niger serves as a source, transit, and destination country for children trafficked for forced labor,

including commercial sexual exploitation and domestic service. Children are trafficked internally to work in mines, agricultural labor, and domestic service, as well as for commercial sexual exploitation and begging.<sup>2534</sup> Girls are trafficked from rural to urban areas for the purpose of prostitution.<sup>2535</sup> Some children are trafficked to Niger for exploitive labor from Benin, Ghana, Mali, Nigeria, and Togo.<sup>2536</sup> Some of these children are trafficked to work in mines, on farms, or in workshops as welders or mechanics.<sup>2537</sup>

The law prohibits forced and bonded labor, except for work by legally convicted prisoners.<sup>2543</sup> Nigerien law also outlaws all forms of slavery and provides for a prison sentence of 30 years for violations.<sup>2544</sup> The law criminalizes the procurement or incitement of a minor for the purpose of prostitution, and establishes fines and prison terms of 2 to 5 years for violations.<sup>2545</sup> Nigerien law also punishes the parents of minors or any person that encourages minors to beg and who profit from their begging, by 6 months to 1 year of imprisonment.<sup>2546</sup> The minimum age for conscription into the military is 18 years.<sup>2547</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2538</sup>	
Working children, 5-14 years (%), 2000:	66.2
Working boys, 5-14 years (%), 2000:	71.8
Working girls, 5-14 years (%), 2000:	60.6
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	12
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	50
Net primary enrollment rate (%), 2005:	42
School attendance, children 5-14 years (%), 2000:	31.1
Survival rate to grade 5 (%), 2004:	65
ILO-IPEC participating country:	Yes

The Ministry of Labor is charged with enforcing labor laws and has approximately 80 inspectors who are responsible for investigating and enforcing all elements of the Labor Code, including child labor.<sup>2548</sup> According to USDOS, there were no labor inspections during the year due to resource constraints.<sup>2549</sup>

Niger was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>2550</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>2551</sup>

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

#### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 14 years, including apprenticeships.<sup>2539</sup> Children under 18 years may not be employed at night and must have at least a 12 hour break.<sup>2540</sup> Children 12 and 13 years old may work with special authorization for up to 2 hours per day; those 14 to 18 years old may not work for more than 4.5 hours per day and are restricted to certain types of employment.<sup>2541</sup> The law also requires that no child be employed in work that exceeds their strength, and that employers guarantee certain minimum sanitary conditions.<sup>2542</sup>

In 2007, the Government of Niger approved its Poverty Reduction Strategy Document (Phase 2), which included elements on child labor.<sup>2552</sup> In 2007, the Ministry of Labor created a national committee to combat child labor within its agency.<sup>2553</sup> The Ministry of Labor also continued its work with ILO-IPEC and UNICEF on a program to determine the extent of the country's child labor problem.<sup>2554</sup> The Ministry of Basic Education trained educators on the needs of child laborers.<sup>2555</sup> The Government

conducted awareness-raising events and campaigns on slavery and trafficking. As part of this effort, the Ministry of Basic Education funded a project involving teachers, school inspectors, and trafficking victims; while the Ministry of Labor had labor inspectors provide counseling to employers, parents, and children.<sup>2556</sup>

The Government of Niger is participating in a USDOL-funded USD 3 million regional project, implemented by ILO-IPEC, to withdraw 1,500 children from artisanal gold mining and prevent 2,500 children from exploitive work in two mining areas within Niger and Burkina Faso.<sup>2557</sup>

The Government of Niger is also participating in the Child Labor Education Initiative, a USDOL-funded USD 2 million project, implemented by Catholic Relief Services to combat child labor through education. This project targets 3,200 children from exploitive work in such industries as mining; it also aims to limit children's exposure to agricultural work, cattle-breeding activities, and domestic service.<sup>2558</sup>

The Government of Niger participated in two ILO-IPEC regional projects funded by the Government of France to combat child labor in Francophone Africa through 2007; with funding levels of USD 1.3 million and USD 3.6 million. Additionally, Niger continues to participate in a USD 4.9 million French-funded ILO-IPEC regional project that runs until December 31, 2009.<sup>2559</sup> The project focuses on combating child labor by building capacity, and improving vocational training and apprenticeships.<sup>2560</sup>

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<sup>2526</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 6d. See also U. S. Embassy - Niamey, *reporting*, October 2, 2007. See also U.S. Embassy-Niamey, *reporting*, December 5, 2007.

<sup>2527</sup> ILO-IPEC, *Prevention and Elimination of Child Labor in Mining in West Africa*, Project Document, Geneva, September 30, 2005, 2. See also USDOL, *Trip Report of Site Visit by U.S. Department of Labor Officials to Niger : November 10-19* Washington, DC, December, 2007, 10-11. See also ILO-IPEC, *Eliminating Child Labor in Mining and Quarrying*, Background Document, Geneva, June 12, 2005, 7 and 11.

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<sup>2528</sup> U.S. Department of State, "Niger (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also USDOL, *Trip Report of Site Visit to Niger*.

<sup>2529</sup> Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>2530</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 5 and 6d. See also U.S. Embassy-Niamey, *reporting December 5, 2007*. See also USDOL, *Trip Report of Site Visit to Niger* 5. Republique du Niger ANDDH and UNICEF, *Rapport de l'etude nationale sur le trafic des personnes au Niger*, March, 2005, 10 and 12.

<sup>2531</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 5. See also Anti-Slavery International & Association Timidira, *Slavery in Niger: Historical, Legal and Contemporary Perspectives*, ed. Galy Kadir Abdelkader (London: Anti-Slavery International, 2004), 14, 82; available from <http://www.antislavery.org/homepage/resources/publication.htm>. See also International Confederation of Free Trade Unions (ICFTU), *Internationally Recognised Core Labour Standards in Niger and Senegal*, ICFTU, Geneva, September 24, 2003, 8; available from <http://www.icftu.org/www/pdf/nigersenegalclsreport.pdf>.

<sup>2532</sup> U.S. Embassy - Niamey, *reporting*, January 10, 2007, para 1-3.

<sup>2533</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 1g.

<sup>2534</sup> U.S. Embassy- Niamey, *reporting December 5, 2007*. See also U.S. Department of State, "Country Reports- 2007: Niger."

<sup>2535</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 5.

<sup>2536</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Niger." See also UNICEF, *At a Glance: Niger*, [online] [cited October 23, 2007]; available from <http://www.unicef.org/infobycountry/niger.html>.

<sup>2537</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 5. See also U.S. Embassy- Niamey, *reporting December 5, 2007*.

<sup>2538</sup> For statistical data not cited here, please see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, please see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Niger, *Code du Travail*

(1967), article 99. See also UNESCO, "Regional Overview: Sub-Saharan Africa," in *Global Monitoring Report 2003/4: Gender and Education for All*, Paris, 2004; available from [http://www.unesco.org/education/efa\\_report/zoom\\_regions\\_pdf/ssafrica.pdf](http://www.unesco.org/education/efa_report/zoom_regions_pdf/ssafrica.pdf). See also U.S. Department of State, "Niger," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100497.htm>. See also U.S. Embassy- Niamey, E-mail communication to USDOL official, October 4, 2005.

<sup>2539</sup> Government of Niger, *Code du Travail*, article 99.

<sup>2540</sup> *Ibid.*, article 96.

<sup>2541</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 6d.

<sup>2542</sup> Government of Niger, *Code du Travail*, article 100. See also U.S. Department of State, "Country Reports- 2007: Niger," section 6d. See also U.S. Embassy- Niamey, *reporting December 5, 2007*.

<sup>2543</sup> Government of Niger, *Code du Travail*, article 4. See also International Confederation of Free Trade Unions (ICFTU), *Core Labour Standards in Niger and Senegal*, 8.

<sup>2544</sup> U. S. Embassy - Niamey, *reporting October 2, 2007*. See also Amnesty International, *Niger Human Rights Concerns*, [online] [cited December 9, 2007]; available from <http://www.amnestyusa.org/countries/niger/index.do>.

<sup>2545</sup> Government of Niger, *Criminal Code: Chapter VIII- Offenses Against Public Morals*, (Previously online from The Protection Project Legal Library), articles 292-294. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Niger."

<sup>2546</sup> U.S. Embassy- Niamey, *reporting December 5, 2007*.

<sup>2547</sup> U.S. Embassy- Niamey, E-mail communication dated October 4, 2005.

<sup>2548</sup> U.S. Embassy- Niamey, *reporting December 5, 2007*.

<sup>2549</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 6d.

<sup>2550</sup> Catholic Relief Services, *Combating Exploitive Child Labor through Education in Niger* Technical Progress Report, September 26, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>2551</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *LUTRENA, Technical Progress Report-September 2006*, 10-11.

<sup>2552</sup> ILO-IPEC, *Prevention and Elimination of Child Labour in Mining in West Africa*, Technical Progress Report, Geneva, September 12, 2007, 2-3. Government of Niger, *Full Poverty Reduction Strategy*, Niamey, August 2007, 56-57.

<sup>2553</sup> Catholic Relief Services, *Combating Exploitive Child Labor through Education in Niger* Technical Progress Report, September 5, 2007, 20.

<sup>2554</sup> USDOL, *Trip Report of Site Visit to Niger* 3. See also U.S. Department of State, "Country Reports- 2007: Niger," section 6d.

<sup>2555</sup> U.S. Department of State, "Country Reports- 2007: Niger," section 6d.

<sup>2556</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Niger."

<sup>2557</sup> ILO-IPEC, *West Africa Mining, Project Document*, 36. See also USDOL, *Trip Report of Site Visit to Niger*

<sup>2558</sup> Catholic Relief Services, *Combating Exploitive Child Labor through Education in Niger*, Project Document, 2006, cover page and 20.

<sup>2559</sup> ILO-IPEC Geneva official, E-mail communication USDOL official, December 13, 2007.

<sup>2560</sup> ILO-IPEC official, E-mail communication to USDOL official, February 27, 2008.

## Nigeria

### Incidence and Nature of Child Labor

Children in Nigeria work in agriculture and as domestic servants, as well as in carpentry, masonry, hairdressing, weaving, dyeing, tailoring, and tanning.<sup>2561</sup> In urban areas, children also labor as street-peddlers, shoe-shiners, load carriers, car-washers, scavengers, and beggars.<sup>2562</sup> Children work risking exposure to hazardous conditions in fishing, sand-harvesting, mining, quarrying,

transportation, and construction.<sup>2563</sup> One study of children in riverine communities in Nigeria who engage in the fishing industry, which involves diving and dangerous tools such as knives, found that 70 percent of these children reported having been injured at least once in the previous year.<sup>2564</sup>

The practice of sending boys to Koranic teachers to receive education is a tradition in various countries,

including Nigeria.<sup>2565</sup> While some boys receive lessons, others are forced by their teachers to beg and surrender the money that they have earned or perform manual labor; such boys are also often without sufficient food or shelter.<sup>2566</sup> Some children in Nigeria are engaged in the drug trade.<sup>2567</sup> Commercial sexual exploitation of children is prevalent in many Nigerian cities, including the Niger Delta cities of Port Harcourt and Bonny, Akwa Ibom state, and large cities such as Lagos.<sup>2568</sup>

trafficked to Nigeria for domestic service. With the exception of the Central African Republic and Gabon, there are reports that children from these same countries, especially boys, are trafficked to Nigeria for labor in agriculture.<sup>2573</sup> Children from Cameroon are also trafficked to Nigeria to work in agriculture and, along with children from Gabon, Ghana, and Liberia, are likewise trafficked to Nigeria for the purpose of street vending.<sup>2574</sup>

Chadian children are trafficked to Nigeria for the purposes of cattle-herding.<sup>2575</sup> Children from Benin, Burkina Faso, and Niger are trafficked into hazardous labor in Nigerian mines and quarries.<sup>2576</sup> Beninese, Burkinabe, Liberian, and Togolese children are also reportedly trafficked to Nigeria for the purpose of commercial sexual exploitation.<sup>2577</sup> Nigeria is also a source country for international trafficking of children. Children from Nigeria are trafficked to Cameroon, Cote d'Ivoire, Equatorial Guinea, Gabon, Ghana, Guinea, Niger, Togo, and Saudi Arabia for diverse purposes, including farm work, street vending, and work as mechanics, divers, domestics, waitresses, and prostitutes.<sup>2578</sup> Reportedly, Nigerian children trafficked to the Middle East serve as camel jockeys.<sup>2579</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 12 years except for light work in the agricultural, horticultural, or domestic sector if the employer is a family member.<sup>2580</sup> In addition, young persons less than 14 years old may be employed if they are able to return each night to the residence of a parent or guardian and are employed on a daily basis and with wages, excepting domestic service.<sup>2581</sup> The law prohibits the employment of young persons under 15 years in any industrial undertaking or on any vessel.<sup>2582</sup> Youth under 16 years are prohibited from working underground, on machines, at night, on public holidays, or in dangerous or immoral employment. Young persons less than 16 years are also prohibited from working more than 8 hours a day and cannot be required to work more than 4 hours consecutively.<sup>2583</sup> The law sets the minimum age for apprenticeship at 12 years and requires that both the parent or guardian and the child consent to enter into the contract. Youth of age 16 or older can apprentice themselves.<sup>2584</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2569</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	12
Compulsory education age:	12*
Free public education:	Yes**
Gross primary enrollment rate (%), 2005:	96
Net primary enrollment rate (%), 2005:	63
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2003:	73
ILO-IPEC participating country:	Yes
*According to law: Schooling is free and compulsory, "when practical."	
**Must pay for miscellaneous school expenses.	

Nigeria is a source, transit, and destination country for child trafficking.<sup>2570</sup> Children are reported to be trafficked internally for domestic and agricultural labor as well as street peddling.<sup>2571</sup> Within the country, boys have been trafficked primarily to work as bonded laborers, street peddlers, and beggars, while girls have been trafficked for domestic service, street peddling, and commercial sexual exploitation.<sup>2572</sup> Children from a number of African countries are trafficked to Nigeria for a variety of purposes. Children, primarily girls, from Benin, Burkina Faso, the Central African Republic, Gabon, Ghana, Liberia, Niger, and Togo are

The Federal Child's Rights Act of 2003 provides criminal sanctions for violations of child labor laws. However, it is legally binding only in the Nigerian states where it has been adopted. Of Nigeria's 36 states, only 16 and the Federal Capital Territory have adopted this law.<sup>2585</sup> The Labor Code also applies penalties to anyone who violates the child labor provision in the form of fines.<sup>2586</sup>

The law prohibits forced labor, trafficking in slaves, prostitution, pornography, drug trafficking, or the forced or compulsory recruitment into armed conflict of any person, including children.<sup>2587</sup> Provisions of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act of 2003 establish non-variable penalties for convictions of these acts; however, in certain cases, the law distinguishes penalties for crimes committed against children less than 18 years versus crimes committed against "any person" with no age specified. For example, inducing a person under 18 years into prostitution, whether by force, deception, debt bondage, or with the victim's consent, is punishable by 10 years imprisonment; while using, procuring or inducing "any person" into prostitution leads to a sentence of 14 years imprisonment.<sup>2588</sup> The law sets a punishment of life in prison for anyone convicted of enslaving another person.<sup>2589</sup> The law applies to all residents of Nigeria and to Nigerians who are convicted outside of Nigeria for trafficking-related offenses.<sup>2590</sup> It also provides for the rights of victims of trafficking, including the right to access health and social services while a temporary resident, protection of identity, and the right to press charges against the trafficker.<sup>2591</sup> Nigeria has no military conscription, and recruitment into the professional armed forces is on a voluntary basis. The minimum legal recruitment age is 18 years.<sup>2592</sup>

The responsibility of enforcing child labor laws rests with various ministries and agencies at the Federal, State, and local levels. The Federal Ministry of Employment, Labor, and Productivity coordinates all efforts to combat child labor through its Inspectorate Department, which includes a Child Labor Unit.<sup>2593</sup> The law authorizes the Minister of Labor to regulate child domestic service.<sup>2594</sup> The Ministry employs approximately 400 labor inspectors, of which at least 120 have training on child labor laws and conducting

inspections.<sup>2595</sup> From April to June 2007, the Ministry of Labor conducted 110 child labor inspections and 4 comprehensive inspections that included a child labor component. However, no fines or penalties were issued.<sup>2596</sup>

Enforcement efforts regarding trafficking are the primary responsibility of the National Agency for Prohibition of Trafficking in Persons (NAPTIP).<sup>2597</sup> The National Police Force and the Nigerian Immigration Service also have anti-trafficking units responsible for combating trafficking, as do some State police.<sup>2598</sup> From January to October 2007, NAPTIP documented 121 trafficking cases involving victims under the age of 17. In July 2007, State police intercepted and rescued 62 children from being trafficked in a storage container, which reportedly was destined for Benin.<sup>2599</sup>

Nigeria was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>2600</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>2601</sup>

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

In 2007, the Government of Nigeria took active steps to implement provisions of the 2006 ECOWAS-ECCAS Multilateral Cooperation Agreement. In particular, the Ministry of Labor began to reproduce the ILO-IPEC monitoring system for trafficking and child labor victims.<sup>2602</sup> In 2007, the Government also provided shelter to trafficking victims, and reunited or repatriated trafficked children.<sup>2603</sup>

The Government of Nigeria raised awareness in 2007 on exploitive child labor and the worst forms of child labor.<sup>2604</sup> The Ministry of Labor conducted trainings for labor inspectors on child labor laws and inspections.<sup>2605</sup> The Ministry also sponsored training programs for customs, law enforcement,

and Government officials to raise awareness on the laws.<sup>2606</sup> As part of an effort to prevent and withdraw children from the worst forms of child labor, the Government upgraded and built vocational training centers.<sup>2607</sup>

In 2007, the Government participated in a USDOL-funded USD 9.5 million regional USDOL-funded ILO-IPEC regional project to combat the trafficking of children for exploitive labor in West and Central Africa. The project, which ended in December, withdrew 4,240 children and prevented 7,213 children from trafficking in the West and Central African region.<sup>2608</sup>

The Government of Nigeria continues to participate in the USAID-supported Sustainable Tree Crops Program that incorporates child labor issues into its teachings on integrated crop, pest and quality management in Nigeria. Materials used to train farmers under this program highlight particularly hazardous aspects of agricultural work for children, such as the use of pesticides or the carrying of heavy loads.<sup>2609</sup>

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<sup>2561</sup> Government of Nigeria, *Draft National Policy on Child Labor*, 2006, 4.

<sup>2562</sup> *Ibid.*, 4. See also U.S. Department of State, "Nigeria," in *Country Reports on Human Rights Practices- 2007*, March 11, 2008, section 5 and 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100498.htm>, U.S. Embassy- Abuja official, E-mail communication to USDOL official, November 30, 2007. See also Edith Osiruemu, *Poverty of Parents and Child Labour in Benin City, Nigeria: A Preliminary Account of its Nature and Implications*, Department of History, Delta State University, Abraka, 2007, 118. See also Christine Jaulmes, "Digital Diary: Nigerian Street Children Tell Their Stories of Life Without Security," *UNICEF*, December 26, 2007; available from [http://www.unicef.org/infobycountry/nigeria\\_42282.html](http://www.unicef.org/infobycountry/nigeria_42282.html).

<sup>2563</sup> Government of Nigeria, *Draft National Policy on Child Labor*, 4-5. See also Government of Nigeria, *Efforts to Eliminate the Worst Forms of Child Labor*, February 26, 2007, 1. See also Macro, *Children Working in Riverine Communities in Nigeria*, Research Report, Maryland, 2007, 11 and 73. See also ILO-IPEC, *Eliminating Child Labor in Mining and Quarrying*, Background Document, Geneva, June 12, 2005, 8 and 11.

<sup>2564</sup> Macro, *Children Working in Riverine Communities*, vi.

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<sup>2565</sup> Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>2566</sup> U.S. Department of State, "Country Reports- 2007: Nigeria," section 5.

<sup>2567</sup> Government of Nigeria, *Efforts to Eliminate the Worst Forms of Child Labor*, 1. See also Government of Nigeria, *Draft National Policy on Child Labor* 2006, 5.

<sup>2568</sup> ECPAT International CSEC Database, *Nigeria* accessed December 2, 2007; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/countries.asp?arrCountryID=126&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pronography,trafficking&Implement=Coordination\\_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National\\_plans\\_of\\_action&orgWorkCSEC=&DisplayBy=optDisplayCountry](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=126&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pronography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=&DisplayBy=optDisplayCountry).

<sup>2569</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, please see the Executive Summary. For minimum age for admission to work, see Government of Nigeria, *Nigeria Labour Act 1974*, article 59, sub-article 1a and article 91, sub-article 1; available from <http://www.ilo.org/dyn/natlex/docs/WBTEXT/42156/64980/E7RNGA01.htm#p3>. For age to which education is compulsory, and free public education, see UNESCO, "Regional Overview: Sub-Saharan Africa," in *Global Monitoring Report 2003/4: Gender and Education for All*, Paris, 2004; available from [http://www.unesco.org/education/efa\\_report/zoom\\_regions\\_pdf/ssafrika.pdf](http://www.unesco.org/education/efa_report/zoom_regions_pdf/ssafrika.pdf). See also Government of Nigeria, *National Policy on Education*, NERDC, Lagos, November 2004, 13. See also Nigerian Universal Basic Education Commission (UBEC), *Some Information on Universal Basic Education by UBEC*, 2005, 3. See also *Constitution of the Federal Republic of Nigeria*, (1999), chapter 1, article 18; available from <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm>. See also Government of Nigeria, *National Policy on Education*, section 3, article 15.

<sup>2570</sup> U.S. Department of State, "Nigeria (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also United Nations Office on Drugs and Crime, *Measures to Combat Trafficking in Human Beings in Benin, Nigeria and Togo*, Geneva, September, 2006, 29.

<sup>2571</sup> U.S. Department of State, "Country Reports- 2007: Nigeria," section 5.

<sup>2572</sup> ILO - IPEC LUTRENA, *A Survey of Child Trafficking in Asewele, Ondo State Nigeria*, Research Report, Geneva, 2005, 20-21. See also Integrated Regional Information Network, "Nigeria: Stepping up the Fight Against Child-Trafficking", IRINnews.org, [online], December 10, 2007; available from <http://www.irinnews.org/Report.aspx?ReportId=75783>. See also ILO- IPEC LUTRENA, *International Training Workshop on Child Trafficking for Security Agencies in Ghana and Nigeria*, workshop report, Accra, 2005, 59. See also U.S. Department of State, "Country Reports- 2007: Nigeria," section 5.

<sup>2573</sup> U.S. Department of State, "Burkina Faso (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Central African Republic (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Gabon (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Ghana (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Liberia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also United Nations Office on Drugs and Crime, *Measures to Combat Trafficking in Human Beings in Benin, Nigeria and Togo*, 12, 29, and 30. See also U.S. Department of State, "Niger (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also U.S. Department of State, "Togo (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100509.htm>.

<sup>2574</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Gabon." See also U.S. Department of State, "Trafficking in Persons Report- 2007: Ghana." See also U.S. Department of State, "Trafficking in Persons Report- 2007: Liberia." See also U.S. Embassy- Yaounde, reporting, June 7, 2007, para 8.

<sup>2575</sup> U.S. Department of State, "Chad (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>.

<sup>2576</sup> ILO-IPEC LUTRENA, *La Traite des Enfants A Des Fins D'Exploitation De Leur Travail Au Benin*, Research Report, Geneva, 2006, 32-34. See also U.S. Department of State, "Benin (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also Terres des Hommes, *Little Hands of the Stone Quarries, Investigation of Child Trafficking Between Benin and Nigeria*, December, 2005. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Burkina Faso." See also U.S. Department of State, "Trafficking in Persons Report- 2007: Niger."

<sup>2577</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Benin." See also U.S. Department of State, "Trafficking in Persons Report- 2007: Burkina Faso." See also U.S. Department of State, "Trafficking in Persons Report- 2007: Liberia." See also U.S. Department of State, "Trafficking in Persons Report- 2007: Togo."

<sup>2578</sup> U.S. Department of State, "Cameroon (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Embassy- Abidjan, reporting, reporting, March 2, 2007. See also U.S. Department of State, "Equatorial Guinea (Tier 3)," in *Trafficking in Persons Report 2007*, Washington, DC, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Gabon." See also U.S. Department of State, "Trafficking in Persons Report- 2007: Ghana." See also U.S. Department of State, "Guinea (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Niger." See also U.S. Department of State, "Saudi Arabia (Tier 3)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Togo."

<sup>2579</sup> U.S. Department of State, "Country Reports- 2007: Nigeria," section 5.

<sup>2580</sup> Government of Nigeria, *Nigeria Labour Act 1974*, article 59, sub-article 1 and article 91, sub-article 1.

<sup>2581</sup> *Ibid.*, article 59, sub-article 3.

<sup>2582</sup> *Ibid.*, article 59, sub-article 2 and article 61, sub-article 1.

<sup>2583</sup> *Ibid.*, article 59, sub-articles 5-8.

<sup>2584</sup> *Ibid.*, article 49, sub-article 1.

<sup>2585</sup> U.S. Embassy - Abuja, reporting, November 30, 2007, para a.

<sup>2586</sup> Government of Nigeria, *Nigeria Labour Act 1974*, article 64, sub-article 1.

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<sup>2587</sup> Government of Nigeria, *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act*, 2003, (July 2003), section 15. See also Bisi Olateru-Olagberu and Anne Ikpeme, *Review of Legislation and Policies in Nigeria on Human Trafficking and Forced Labour*, ILO, January, 2006, 24; available from [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_083149.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_083149.pdf).

<sup>2588</sup> Government of Nigeria, *Trafficking in Persons Act*, sections 11-14.

<sup>2589</sup> *Ibid.*, section 23.

<sup>2590</sup> *Ibid.*, sections 14 and 25.

<sup>2591</sup> *Ibid.*, section 36.

<sup>2592</sup> Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004-Nigeria*, online report, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=790](http://www.child-soldiers.org/document_get.php?id=790).

<sup>2593</sup> ENCOMPASS, Research and Collection of Information on Government Efforts to Eliminate the Worst Forms of Child Labor, Interview with Official from Government of Nigeria and USDOL Consultant, March 29, 2005, 17. See also U.S. Department of State, "Country Reports-2007: Nigeria," section 6d.

<sup>2594</sup> Government of Nigeria, *Nigeria Labour Act 1974*, articles 59 and 65.

<sup>2595</sup> U.S. Department of State, "Country Reports- 2007: Nigeria," section 6d.

<sup>2596</sup> U.S. Embassy - Abuja, *reporting, November 30, 2007*, para b. See also U.S. Embassy- Abuja official, E-mail communication, November 30, 2007.

<sup>2597</sup> U.S. Department of State, "Country Reports- 2007: Nigeria," section 5. See also U.S. Embassy - Abuja, *reporting, November 30, 2007*, para B.

<sup>2598</sup> U.S. Department of State, "Country Reports- 2007: Nigeria," section 5.

<sup>2599</sup> U.S. Embassy- Abuja official, E-mail communication, November 30, 2007. See also U.S. Embassy - Abuja, *reporting, November 30, 2007*, para B.

<sup>2600</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington,

DC, September 1, 2006, 2.

<sup>2601</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, September 2006, 10-11.

<sup>2602</sup> U.S. Embassy - Abuja, *reporting, November 30, 2007*, para 1b.

<sup>2603</sup> U.S. Department of State, "Country Reports- 2007: Nigeria," section 5.

<sup>2604</sup> U.S. Embassy - Abuja, *reporting, November 30, 2007*. See also U.S. Department of State, "Country Reports-2007: Nigeria," section 6d.

<sup>2605</sup> Onyebuchi Ezigbo, "FG Threatens Child Labour Offenders," *All Africa*, February 23, 2008; available from <http://allafrica.com/stories/printable/200802251171.html>. See also U.S. Department of State, "Country Reports- 2007: Nigeria," section 6d.

<sup>2606</sup> U.S. Department of State, "Country Reports- 2007: Nigeria," section 6d.

<sup>2607</sup> U.S. Embassy - Abuja, *reporting, November 30, 2007*, para 1c. See also U.S. Department of State, "Country Reports-2007: Nigeria," section 6d.

<sup>2608</sup> ILO-IPEC, *Amendment to Project Document "Combating the Trafficking of Children for Labour Exploitation in West and Central Africa"*, Project Document Amendment Geneva, September 3, 2004. See also ILO -IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2007, 1-3. See also ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007. See also ILO-IPEC Geneva official, LUTRENA Project Table III.C. Final Report March 2008 E-mail communication to USDOL official, March 24, 2008.

<sup>2609</sup> U.S. Embassy - Abuja, *reporting, November 30, 2007*, para 1e. See also U.S. Embassy- Abuja official, E-mail communication, November 30, 2007, Sustainable Tree Crops Program, *Program Overview and Country Activities*, [online] 2007 [cited December 14, 2007]; available from [http://www.treecrops.org/aboutstcp/program\\_overview.asp](http://www.treecrops.org/aboutstcp/program_overview.asp).

# Oman

## Selected Statistics and Indicators on Child Labor<sup>2610</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	Not compulsory
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	82
Net primary enrollment rate (%), 2006:	74
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2005:	100
ILO-IPEC participating country:	No

### Incidence and Nature of Child Labor

Children in Oman work in family businesses and informal occupations involving agriculture and fishing.<sup>2611</sup> Camel racing is part of the Bedouin cultural heritage; children as young as 7 years reportedly participate in competitive races.<sup>2612</sup>

Because of limited data, it is difficult to ascertain whether child prostitution, pornography, or trafficking exists in Oman. The UN Committee on the Rights of the Child has noted that a large number of migrant workers enter Oman each year; trafficked children may be among them. The Committee has recommended that the Government conduct in-depth studies on the possible commercial sexual exploitation and trafficking of children.<sup>2613</sup>

### Child Labor Laws and Enforcement

The minimum age for admission to work in Oman is 15 years; however, for certain hazardous occupations the minimum age is 18 years.<sup>2614</sup> The minimum age provision and other child labor laws do not apply to children working in family businesses.<sup>2615</sup> Minors 15 to 18 years are only permitted to work 6 hours per day, and no more than 4 consecutive hours without a break. They are only permitted to work between the hours of 6 a.m. and 6 p.m., and may not work overtime, on holidays, or on rest days.<sup>2616</sup> Workplaces that employ minors are required to post certain items for display, including a copy of the provisions of the law regulating the employment of children; an updated log with the names, ages, and dates of employment of minors employed in the workplace; and a work schedule showing work hours, rest periods, and weekly holidays.<sup>2617</sup> A royal decree sets the maximum prison term at 1 month and/or a fine for employers who repeatedly use child labor.<sup>2618</sup> In August 2005, the Government began raising annually by one year the minimum legal age to work as a camel jockey until it reaches 18 years in 2009.<sup>2619</sup>

Forced labor by children is prohibited by law.<sup>2620</sup> The minimum age for voluntary military recruitment is 18 years.<sup>2621</sup> The crime of inciting a minor under 18 years into prostitution is punishable by not less than 5 years of imprisonment.<sup>2622</sup> Child pornography is not explicitly outlawed,<sup>2623</sup> but the production, possession, or distribution of pornographic material in general is punishable by up to 1 year of imprisonment.<sup>2624</sup>

There is no specific legal provision prohibiting trafficking in persons;<sup>2625</sup> however, the crime of enslaving a person carries a prison sentence of between 3 and 15 years.<sup>2626</sup> Similarly, the crimes of receiving, possessing, acquiring, maintaining, or causing a person to enter or exit Oman in a state of servitude or slavery are punishable by 3 to 5 years of imprisonment.<sup>2627</sup> During the reporting period,

the Government of Oman did not report any prosecutions for offenses related to acts of trafficking.<sup>2628</sup> It is illegal to engage a minor under 18 years in illicit activities such as drug production or trafficking, or any other activity linked with narcotic drugs; such offenses are punishable by the death penalty.<sup>2629</sup>

The Ministry of Manpower (MOM) is responsible for the enforcement of child labor laws; however, USDOS reports that enforcement does not often extend to some small businesses, especially those engaged in agriculture and fishing.<sup>2630</sup> In 2007, the MOM virtually doubled its capacity for monitoring private sector labor practices by hiring approximately 100 new labor inspectors.<sup>2631</sup> In practice, most employers ask each prospective employee for a certificate indicating that he or she has completed basic education through grade 10. Considering that children usually begin their basic education at age 6, this means that workers, in most cases, will be at least age 16 when they begin work.<sup>2632</sup>

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

In March 2006, the Governments of Oman and Pakistan signed an MOU to increase cooperation in combating organized crime and trafficking in persons.<sup>2633</sup> Oman has also entered into bilateral and multilateral agreements with Saudi Arabia, India, and the Arab Gulf Cooperation Council aimed at combating various forms of child sexual exploitation.<sup>2634</sup> The Government operates a 24-hour hotline to allow citizens to report claims of labor abuses, including trafficking.<sup>2635</sup> In June 2007, the ILO trained 100 MOM inspectors on the requirements of core ILO conventions, as well as on how to recognize signs of trafficking.<sup>2636</sup>

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5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100603.htm>.

<sup>2611</sup> U.S. Department of State, "Country Reports- 2007: Oman," section 5. Also see UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Oman*, CRC/C/OMN/CO/2, Geneva, September 29, 2006; available from [http://www.ohchr.org/english/bodies/crc/docs/co/CRC\\_C\\_OMN\\_CO\\_2.pdf](http://www.ohchr.org/english/bodies/crc/docs/co/CRC_C_OMN_CO_2.pdf).

<sup>2612</sup> U.S. Department of State, "Country Reports- 2007: Oman," section 6d. See also U.S. Embassy- Muscat, *reporting*, March 3, 2008.

<sup>2613</sup> UN Committee on the Rights of the Child, *Concluding Observations: Oman*, section 65 and 66(a). See also UNODC, *Trafficking in Persons: Global Patterns*, Vienna, 2006, 19-20; available from [http://www.unodc.org/pdf/traffickinginpersons\\_report\\_2006ver2.pdf](http://www.unodc.org/pdf/traffickinginpersons_report_2006ver2.pdf).

<sup>2614</sup> U.S. Department of State, "Country Reports- 2007: Oman," section 6d.

<sup>2615</sup> Government of Oman, *Labour Law*, (2003), article 2; available from <http://www.directory-oman.com/labourlaw.htm>.

<sup>2616</sup> Government of Oman, *Oman Labour Law*, articles 75-77.

<sup>2617</sup> *Ibid.*, article 78.

<sup>2618</sup> U.S. Embassy- Muscat, *reporting*, November 7, 2006.

<sup>2619</sup> U.S. Department of State, "Country Reports- 2007: Oman," section 6d. See also U.S. Embassy- Muscat, *reporting*, March 3, 2008.

<sup>2620</sup> U.S. Department of State, "Country Reports- 2007: Oman."

<sup>2621</sup> U.S. Central Intelligence Agency, *The World Factbook-Oman*, [online] November 15, 2007 [cited November 30, 2007]; available from <https://www.cia.gov/cia/publications/factbook/fields/2024.html>.

<sup>2622</sup> Government of Oman, *Penal Code*, (1974), article 220; available from <http://www.interpol.int/public/Children/SexualAbuse/NationalLaws/csaOman.asp>.

<sup>2623</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182) Oman (ratification: 2001)*, [online] 2006 [cited November 26, 2007]; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displayAllComments.cfm?conv=C182&ctry=2790&hdrof=f=1&lang=EN>.

<sup>2624</sup> Government of Oman, *Penal Code*, article 34 and 224.

<sup>2625</sup> U.S. Department of State, "Country Reports- 2007: Oman," section 5.

<sup>2626</sup> U.S. Embassy- Muscat, *reporting*, March 3, 2008.

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<sup>2610</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Oman, *Royal Decree No. 35/2003: Oman Labour Law*, (May 3, 2003). See also U.S. Department of State, "Oman," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section

<sup>2627</sup> ILO Committee of Experts, *Direct Request Worst Forms of Child Labor Convention, 1999 (No. 182) Oman (ratification: 2001)*.

<sup>2628</sup> U.S. Department of State, "Oman (Tier 3 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 23, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Embassy- Muscat, *reporting, March 3, 2008*.

<sup>2629</sup> ILO Committee of Experts, *Direct Request Worst Forms of Child Labor Convention, 1999 (No. 182) Oman (ratification: 2001)*.

<sup>2630</sup> U.S. Department of State, "Country Reports- 2007: Oman," section 6d.

<sup>2631</sup> U.S. Embassy- Muscat, *reporting, December 5, 2007*.

<sup>2632</sup> U.S. Embassy- Muscat, *reporting, August 23, 2004*.

<sup>2633</sup> U.S. Department of State official, E-mail communication to USDOL official, March 14, 2006.

<sup>2634</sup> ILO Committee of Experts, *Direct Request Worst Forms of Child Labor Convention, 1999 (No. 182) Oman (ratification: 2001)*.

<sup>2635</sup> Sultanate of Oman- Ministry of Education, *National Report on Quality Education in Oman*, Muscat, 2004, 16, 25-28, and 41; available from <http://www.ibe.unesco.org/International/ICE47/English/Natreps/reports/oman.pdf>.

<sup>2636</sup> U.S. Embassy- Muscat, *reporting, March 3, 2008*.

## Pakistan

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2637</sup>	
Working children, 10-14 years (%), 1999-2000:	16.4
Working boys, 10-14 years (%), 1999-2000:	15.8
Working girls, 10-14 years (%), 1999-2000:	17.2
Working children by sector, 10-14 years (%), 1999-2000:	
- Agriculture	78.1
- Manufacturing	7.1
- Services	13.4
- Other	1.4
Minimum age for work:	14 in specified hazardous occupations
Compulsory education age:	Varies by province
Free public education:	No
Gross primary enrollment rate (%), 2005:	86
Net primary enrollment rate (%), 2005:	67
School attendance, children 10-14 years (%), 1999-2000:	64.9
Survival rate to grade 5 (%), 2004:	70
ILO-IPEC participating country.	Yes

### Incidence and Nature of Child Labor

The majority of Pakistan's working children work in agriculture, most of it family-based.<sup>2638</sup> Children also work in manufacturing, construction, transport, domestic service, and in small workshops and family businesses.<sup>2639</sup> The country's rapid population growth and high rate of urbanization have increased the number of street children in urban areas. Street children work scavenging garbage and vending various products, among other activities.<sup>2640</sup> In Balochistan and Northwest Frontier provinces, the children of Afghan refugees are particularly vulnerable to involvement in the worst forms of child labor.<sup>2641</sup> Children are employed in several hazardous activities across the country, including rag-picking, leather tanning, mining, deep-sea fishing, seafood processing, brick-making, and manufacturing of surgical instruments and glass bangles.<sup>2642</sup> Children working in carpet-weaving suffer injuries from sharp tools, eye disease and eye strain, respiratory disease due to wool dust, and skeletal deformation and pain due to cramped working conditions.<sup>2643</sup> Many working children are vulnerable to physical and sexual abuse, particularly those working far from their families such as child miners and child domestics working in private homes.<sup>2644</sup>

There are reports of children being kidnapped, maimed, and forced to work as beggars.<sup>2645</sup> Bonded child labor reportedly exists in Pakistan in the

brick, carpet, and textile industries, in rice mills, domestic servitude, and agricultural activities. In some cases, parents initiate their children's bondage by taking advance payments for their work.<sup>2646</sup> Some children working in mining, agriculture, and domestic service are from families who are bonded or indebted to their employers.<sup>2647</sup> Commercial sexual exploitation of children continues to be a problem,<sup>2648</sup> with some families selling their daughters into prostitution.<sup>2649</sup> Recent reports have also highlighted the increasing numbers of young boys exploited as prostitutes.<sup>2650</sup> Children are trafficked within Pakistan for begging and other activities, with young boys particularly at risk.<sup>2651</sup> The minimum voluntary recruitment age into the Pakistani military is 16 years, and the compulsory enlistment age is 18 years.

### **Child Labor Laws and Enforcement**

It is illegal to employ children under 14 years in mines or other hazardous occupations or processes.<sup>2652</sup> Among the four occupations and 34 processes considered illegal for children are mixing and manufacturing of pesticides and insecticides, as well as fumigation; work within railway stations or ports; carpet weaving, construction and manufacturing of cement, explosives, and other products that involve the use of toxic substances.<sup>2653</sup> Children 14 to 18 years may work under various restrictions. Such children may work in mines as long as they have a certificate of fitness granted by a medical practitioner and are allowed 12 hours rest per day, at least 7 of which must be between 7 a.m. and 7 p.m. They may work in shops and establishments for no more than 7 hours per day and 42 hours per week, and only between the hours of 9 a.m. and 7 p.m.<sup>2654</sup> Children of any age may also work in factories for up to 5 hours per day, provided they do not work between 7 p.m. and 6 a.m., have been granted a certificate of fitness, and are not involved in hazardous occupations and processes.<sup>2655</sup> Children of any age may work in non-hazardous occupations, provided they work no more than 7 hours per day and no more than 3 consecutive hours without rest, do not work between 7 p.m. and 8 a.m., and do not work overtime.<sup>2656</sup> Employers are also required by law to maintain minimum standards of health and safety in a child's working environment.<sup>2657</sup> Violations can result in a 1-year prison term, or up to 2 years for repeat violations. Children working for their

families or in Government schools are exempt from these provisions.<sup>2658</sup>

Forced labor is prohibited by law, and those found in violation face 2 to 5 years of imprisonment.<sup>2659</sup> Commercial sexual exploitation of children is a crime, with penalties that can extend up to life imprisonment. Such offenses are defined as selling, letting to hire, or otherwise disposing of a person for the purpose of prostitution, illicit intercourse, or any unlawful and immoral purpose; or buying, hiring, procuring, or otherwise obtaining possession of a person for the same purposes.<sup>2660</sup> Parents who cause, encourage, or abet the seduction or prostitution of a girl under 16 years are subject to imprisonment of up to 3 years, as is any person who allows a child under 16 years into a brothel. The law does not specifically prohibit child pornography, but outlaws the circulation of any obscene material, with violations subject to fines and up to 3 months of imprisonment.<sup>2661</sup> Importation of a girl for prostitution is punishable by 3 years of imprisonment.<sup>2662</sup> Obtaining, securing, selling, purchasing, recruiting, detaining, harboring, or receiving a person by coercion, kidnapping, or abduction for sexual exploitation, slavery, or forced labor is also outlawed, but this prohibition applies only to victims trafficked across the Pakistani border, and not to victims trafficked internally. Penalties for these crimes include from 7 to 14 years of imprisonment, as well as fines.<sup>2663</sup> Importing, exporting, trafficking, or dealing in slaves is punishable by life imprisonment.<sup>2664</sup> There is no forced conscription into the Pakistani military, and the minimum age for voluntary enlistment is 16 years.<sup>2665</sup>

Child labor and forced labor laws are enforced by provincial governments through the labor inspectorate system.<sup>2666</sup> USDOS reports that enforcement of these laws is weak because of an inadequate number of inspectors; lack of training and resources; corruption; and the exclusion of many small workplaces from the inspectorate's jurisdiction. While authorities do cite employers for child labor violations, the penalties imposed are generally too minor to act as a deterrent.<sup>2667</sup> The Government's National Labor Inspection Policy encourages the involvement of voluntary, industry-funded monitoring groups in labor inspection, such as the Independent Monitoring Association for

Child Labor (IMAC), which monitors child labor in the sporting goods industry.<sup>2668</sup>

The Anti-Trafficking Unit of the Federal Investigation Agency (FIA) has primary responsibility for enforcing trafficking-related laws, although there are reports of officials complicit in trafficking crimes.<sup>2669</sup> In 2007, the Government investigated over 6,000 cases of trafficking, resulting in over 5,000 convictions.<sup>2670</sup> A high-profile case in 2007 involving a 13-year old girl in the North-West Frontier Province (NWFP) sold into commercial sexual exploitation by her father resulted in the arrest and incarceration of the father and brothel owner.<sup>2671</sup>

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

The Government of Pakistan's National Action Plan for Children aims to harmonize federal and state child labor programs and works toward the progressive elimination of child labor.<sup>2672</sup> Since 2000, the national and provincial-level governments have been implementing a National Policy and Action Plan to Combat Child Labor (NPPA) that calls for immediate eradication of the worst forms of child labor; progressive elimination of child labor from all sectors; educational alternatives to keep children out of work; and rehabilitation of children withdrawn from work.<sup>2673</sup> However, the ILO Committee of Experts has noted that implementation of the NPPA has been slow.<sup>2674</sup> The Government's 2003 PRSP reiterates the Government's commitment to the NPPA and incorporates the reduction of child labor into its target-setting process.<sup>2675</sup> The Government's Poverty Alleviation Strategy provides increased access to micro-credit loans for the families of working children.<sup>2676</sup> The National Commission for Child Welfare and Development oversees the National Project on Rehabilitation of Child Labor, implemented by *Pakistan Bait-Ul-Mal*; an autonomous body established by the Ministry of Social Welfare and Special Education. The project withdraws children between 5 and 14 years from hazardous labor in the brick, carpet, mining, tannery, construction, glass bangle, and agricultural sectors, as well as from domestic work and begging. The project also provides them free nonformal education, as well as clothing, and provides stipends to the children and their families.

As of December 2007, 151 centers had been established under the project, serving 15,045 students. Over 9,000 children have completed the program and 7,688 have enrolled in Government schools.<sup>2677</sup>

The provincial labor departments of Punjab, Sindh, and the NWFP have established Child Labor Resource Centers, and the provincial government of Balochistan has established a Child Labor Vigilance Cell, which provide focal points for disseminating information and forging networks of social partners to combat child labor.<sup>2678</sup> The district government of Rawalpindi (Punjab) allocated 1 million rupees (USD 16,398) to combating child labor in its 2007-2008 budget.<sup>2679</sup>

With support from the ILO, the National Commission on Abolition of Bonded Labor and Rehabilitation of Freed Bonded Laborers oversees the implementation of the National Policy and Plan of Action for the Abolition of Bonded Labor and Rehabilitation of Freed Bonded Laborers.<sup>2680</sup> As part of implementation, the Government provided an initial allocation of 100 million rupees (approximately USD 1.6 million) to educate working children and freed bonded laborers.<sup>2681</sup>

USDOL and the Government of Denmark are funding an ILO-IPEC project through 2008 to support the Government of Pakistan's Timebound Program, designed to withdraw 10,100 children and prevent 1,700 children from work in the glass bangle, surgical instrument, tanning, coal mining, scavenging, and deep-sea fishing industries.<sup>2682</sup> With the support of the Government of Norway, the Government of Pakistan is participating in a USD 1.2 million ILO-IPEC project to engage the media in combating the worst forms of child labor, ending in July 2009. The FIFA international soccer federation is supporting the Government through a USD 0.5 million ILO-IPEC project targeting children in the soccer ball industry in Sialkot, ending in December 2008.<sup>2683</sup> USDOL provided USD 3.5 million, and the Pakistan Carpet Manufacturers' and Exporters' Association provided USD 0.9 million to jointly support an ILO-IPEC project to combat exploitive child labor in carpet weaving. The project, which ended in September 2007, withdrew 15,652 and prevented 3,663 children from work in the carpet industry.<sup>2684</sup>

Also in September 2007, Save the Children-UK completed a USDOL-supported, USD 5 million project to remove children from hazardous work in carpet weaving, leather tannery, shoe manufacturing, automobile workshops, brick kilns, and agriculture in the Sheikhpura and Kasur districts of Punjab.<sup>2685</sup> Save the Children-UK is also implementing a USDOL-funded USD 4.3 million project through September 2009 that aims to withdraw 7,300 children and prevent 8,420 children from hazardous work in the provinces of Balochistan, NWFP, and the Federally Administered Tribal Areas.<sup>2686</sup> USDOL is also working with the Government on a USD 1.5 million project to provide education and training programs for children in Balakot (NWFP); left vulnerable to hazardous child labor by the earthquake of October 8, 2005. The project targets 500 children for withdrawal and 2,000 children for prevention from hazardous work.<sup>2687</sup> In 2007, USDOL also funded a 3-year, USD 3.5 million research project to be carried out by Macro International Inc., on children working in the carpet industry in India, Nepal, and Pakistan.<sup>2688</sup>

The FIA partners with the IOM to provide training to government officials on trafficking.<sup>2689</sup> The Government operates 276 shelters that provide legal representation, vocational training, and medical care to Pakistani trafficking victims, including children.<sup>2690</sup>

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<sup>2637</sup> For statistical data not cited here, please see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, please see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Pakistan, *Employment of Children Act*, (June 4, 1991, as amended December 20, 2005), sections 2, 3, Schedule; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/22707/64834/E91PAK01.htm>. See also U.S. Embassy - Islamabad, *reporting*, December 13, 2007. See also UNESCO, *Education - National Legislation*, [online] [cited December 14, 2007]; available from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=12388&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=12388&URL_DO=DO_TOPIC&URL_SECTION=201.html). See also U.S. Department of State, "Pakistan," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100619.htm>.

<sup>2638</sup> U.S. Embassy - Islamabad, *reporting*, December 13,

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2007, para 7. See also UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007.

<sup>2639</sup> Government of Pakistan, *Information on Efforts to Eliminate the Worst Forms of Child Labour*, submitted in response to U.S. Department of Labor Federal Register Notice (July 25, 2005) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Islamabad, August 15, 2005, 3. See also U.S. Department of State, "Country Reports-2007: Pakistan," section 6d.

<sup>2640</sup> ECPAT International with Dr. Tufail Muhammad and Dr. Naeem Zafar, *Situational Analysis Report on Prostitution of Boys in Pakistan (Lahore & Peshawar)*, Bangkok, June 2006, xi; available from [http://www.ecpat.net/eng/publications/Boy\\_Prostitution/PDF/Pakistan.pdf](http://www.ecpat.net/eng/publications/Boy_Prostitution/PDF/Pakistan.pdf).

<sup>2641</sup> Save the Children - UK, *Mitigating Child Labour Through Education in Pakistan*, project document, London, October 2006, 3, 6, 7.

<sup>2642</sup> U.S. Department of State, "Country Reports- 2007: Pakistan," section 6d. See also ILO-IPEC, *Supporting the Time-Bound Programme on the Elimination of the Worst Forms of Child Labour in Pakistan*, project document, Geneva, September 17, 2003, 9-10 and 75-76.

<sup>2643</sup> ILO- Special Action Programme to Combat Forced Labour with Zafar Mueen Nasir, *A Rapid Assessment of Bonded Labour in the Carpet Industry of Pakistan*, Geneva, 2004, 9; available from [http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var\\_DocumentID=2725](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=2725).

<sup>2644</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Pakistan*, October 27, 2003, para 69; available from [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.15.Add.217.En?OpenDocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.15.Add.217.En?OpenDocument). See also ILO - Special Action Programme to Combat Forced Labour with Ahmad Saleem, *A Rapid Assessment of Bonded Labour in Pakistan's Mining Sector*, Geneva, March 2004, 15; available from [http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var\\_DocumentID=2583](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=2583).

<sup>2645</sup> ILO - Special Action Programme to Combat Forced Labour with Collective for Social Science Reserach Karachi, *A Rapid Assessment of Bonded Labour in Domestic Work and Begging in Pakistan*, Geneva, March 2004, 4, 22; available from [http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var\\_DocumentID=2622](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=2622).

<sup>2646</sup> ILO - Special Action Programme to Combat Forced Labour with Pakistan Institute of Labour Education and Research, *Unfree Labour in Pakistan: Work, Debt and Bondage in Brick Kilns*, Geneva, March 2004, xiv, 7;

available from [http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var\\_DocumentID=2724](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=2724). See also ILO - Special Action Programme to Combat Forced Labour with Zafar Mueen Nasir, *A Rapid Assessment of Bonded Labour in the Carpet Industry of Pakistan*, Geneva, 2004, 18-20; available from [http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var\\_DocumentID=2725](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=2725). See also U.S. Department of State, "Country Reports- 2007: Pakistan," section 5. See also U.S. Embassy- Islamabad, *reporting*, December 13, 2007, para 2b. See also U.S. Embassy -Islamabad, *reporting*, March 1, 2008.

<sup>2647</sup> ILO - Special Action Programme to Combat Forced Labour with Collective for Social Science Reserach Karachi, *Bonded Labour in Domestic Work and Begging*, 19. See also ILO - Special Action Programme to Combat Forced Labour with Maliha H. Hussein; Abdul Razzaq Saleemi; Saira Malik; and Shazreh Hussain, *Bonded Labour in Agriculture: A Rapid Assessment in Sindh and Balochistan, Pakistan*, Geneva, March 2004, 16, 28; available from [http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var\\_DocumentID=2727](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=2727). See also ILO - Special Action Programme to Combat Forced Labour with Ahmad Saleem, *Bonded Labour in Pakistan's Mining Sector*, 14.

<sup>2648</sup> U.S. Department of State, "Country Reports- 2007: Pakistan," section 5. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children: Pakistan*, Bangkok, 2006, 11-12; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/South\\_Asia/Global\\_Monitoring\\_Report-PAKISTAN.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/South_Asia/Global_Monitoring_Report-PAKISTAN.pdf).

<sup>2649</sup> U.S. Embassy- Islamabad, *reporting*, December 13, 2007, para 2b. See also U.S. Embassy -Islamabad, *reporting*, March 1, 2008.

<sup>2650</sup> ECPAT International with Dr. Tufail Muhammad and Dr. Naeem Zafar, *Prostitution of Boys in Pakistan*, xi, 21, and 39. See also U.S. Department of State, "Pakistan (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>2651</sup> U.S. Embassy -Islamabad, *reporting*, March 1, 2008.

<sup>2652</sup> United Nations Office High Commissioner for Human Rights, *Status of Ratifications of the Principal International Human Rights Treaties*, Geneva, June 9, 2004, article 11(3); available from <http://www.unhchr.ch/pdf/report.pdf>.

<sup>2653</sup> UN OHCHR, *Status of Ratification of the Principal International Human Rights Treaties*, Geneva, June 09, 2004, section 2, 3, Schedule; available from <http://www.unhchr.ch/pdf/report.pdf>. See also U.S. Embassy- Islamabad, *reporting*, December 18, 2006.

<sup>2654</sup> Networking Project on Hazardous Child Labour,

*Background Document: Policy and Legal Context in Asia Regarding Hazardous Child Labour*, June 16, 2005, 61.

<sup>2655</sup> Government of Pakistan, *The Factories Act, 1934 (as amended to 1997)*, (January 1, 1935), articles 2, 52, 54; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/35384/64903/E97PAK01.htm>.

<sup>2656</sup> Government of Pakistan, *Employment of Children Act*, (June 4, 1991), sections 6-7; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/22707/64834/E91PAK01.htm>.

<sup>2657</sup> Government of Pakistan, *Employment of Children Rules, 1995*; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/44242/65005/E95PAK01.htm>.

<sup>2658</sup> Government of Pakistan, *Employment of Children Act*, sections 3, 14.

<sup>2659</sup> United Nations Office High Commissioner for Human Rights, *reporting*, June 9, 2004, article 11 (2). See also ILO NATLEX National Labor Law Database, *Bonded Labour System (Abolition) Act of 1992 (abstract)*, accessed December 14, 2007; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_country=PAK&p\\_classification=03&p\\_origin=COUNTRY](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=PAK&p_classification=03&p_origin=COUNTRY).

<sup>2660</sup> Government of Pakistan, *The Offence of Zina (Enforcement of Hudood) Ordinance*, No. VII, (February 10, 1979), sections 11, 13, 14, 16; available from [http://www.punjabpolice.gov.pk/user\\_files/File/offence\\_of\\_zina\\_ordinance\\_1979.pdf](http://www.punjabpolice.gov.pk/user_files/File/offence_of_zina_ordinance_1979.pdf). See also Government of Pakistan, *Penal Code (1860)*, section 372-373, as cited in ILO- Regional Project on Combating Child Trafficking for Labour and Sexual Exploitation, *Anti-child Trafficking Legislation in Asia: A Six-country Review*, ILO, Bangkok, 2006, 38; available from [http://www.crin.org/docs/ilo\\_asia\\_traf\\_2006.pdf](http://www.crin.org/docs/ilo_asia_traf_2006.pdf).

<sup>2661</sup> Government of Pakistan, *Pakistan Suppression of Prostitution Ordinance (1961)*, sections 7, 10; and Pakistan Penal Code (1860), section 292; as cited in Interpol, "Pakistan," in *Legislation of Interpol Member States on Sexual Offences Against Children*, Islamabad; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaPakistan.pdf>.

<sup>2662</sup> Government of Pakistan, *Pakistan Suppression of Prostitution Ordinance (1961)*, as cited in *Ibid.*, section 9.

<sup>2663</sup> Government of Pakistan, *Prevention and Control of Human Trafficking and Smuggling Ordinance (2002)*, as cited in ILO - Regional Project on Combating Child Trafficking for Labour and Sexual Exploitation, *Anti-child Trafficking Legislation in Asia: A Six-country Review*, International Labour Office, Bangkok, 2006, 35, 36; available from [http://www.crin.org/docs/ilo\\_asia\\_traf\\_2006.pdf](http://www.crin.org/docs/ilo_asia_traf_2006.pdf). See also U.S. Embassy -Islamabad, *reporting*, March 1, 2008.

<sup>2664</sup> *Penal Code (1860)*, article 371, as cited in ILO -

Regional Project on Combating Child Trafficking for Labour and Sexual Exploitation, *Anti-child Trafficking Legislation in Asia*, 38.

<sup>2665</sup> U.S. Central Intelligence Agency, *World Factbook: Pakistan*, [online] December 6, 2007 [cited December 14, 2007]; available from <https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>. See also Coalition to Stop the Use of Child Soldiers, "Pakistan," in *Child Soldiers Global Report 2004*, London, November 17, 2004; available from <http://www.child-soldiers.org/resources/global-reports>.

<sup>2666</sup> Government of Pakistan, *Efforts to Eliminate the Worst Forms of Child Labour*, 1.

<sup>2667</sup> U.S. Department of State, "Country Reports- 2007: Pakistan," section 6d. See also U.S. Embassy - Islamabad, *reporting, December 13, 2007*, para 11.

<sup>2668</sup> U.S. Embassy- Islamabad, *reporting, December 13, 2007*, para 10.

<sup>2669</sup> U.S. Department of State, "Country Reports- 2007: Pakistan," section 5.

<sup>2670</sup> U.S. Embassy -Islamabad, *reporting, March 1, 2008*.

<sup>2671</sup> U.S. Department of State, "Country Reports- 2007: Pakistan," section 5.

<sup>2672</sup> Government of Pakistan - Ministry of Social Welfare and Special Education, *National Plan of Action for Children*, Islamabad, May 24, 2006; available from <http://www.nccwd.gov.pk/newsfiles/NPA%20for%20Children.pdf>.

<sup>2673</sup> Government of Pakistan, *National Policy and Action Plan to Combat Child Labour*, Government of Pakistan, Ministry of Labour, Manpower and Overseas Pakistanis, Islamabad, May 20, 2000, 11. See also Government of Pakistan, *Efforts to Eliminate the Worst Forms of Child Labour*, 2.

<sup>2674</sup> ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Pakistan (ratification: 2002)*, [online] 2006 [cited December 6, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>2675</sup> Government of Pakistan- Ministry of Finance, *Accelerating Economic Growth and Reducing Poverty: The Road Ahead (Poverty Reduction Strategy Paper)*, Islamabad, December 2003, 101, 119; available from [http://www.moe.gov.pk/prsp\\_03.pdf](http://www.moe.gov.pk/prsp_03.pdf).

<sup>2676</sup> U.S. Embassy- Islamabad, *reporting, December 13, 2007*, para 5.

<sup>2677</sup> Pakistan Bait-ul-Mal, *National Centre(s) for Rehabilitation of Child Labour*, [online] [cited December 10

and 14, 2007]; available from [http://www.pbm.gov.pk/new/Introduction\\_Links.html](http://www.pbm.gov.pk/new/Introduction_Links.html) and <http://www.pbm.gov.pk/new/Projects/Ongoing/NCRCL/Introduction.html>. See also ILO-IPEC, *National Legislation and Policies Against Child Labour in Pakistan*, [online] March 21, 2005 [cited December 14, 2007]; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ippec/responses/pakistan/national.htm>.

<sup>2678</sup> Government of Pakistan, *Efforts to Eliminate the Worst Forms of Child Labour*, Annex A, 3.

<sup>2679</sup> ILO-IPEC, *Supporting the Time-Bound Programme on the Elimination of the Worst Forms of Child Labour in Pakistan*, Technical Progress Report, Geneva, September 12, 2007, 6. For currency conversion, see OANDA, *FX Converter - Currency Converter for 164 Currencies*, [online] [cited December 14 2007]; available from <http://www.oanda.com/convert/classic>.

<sup>2680</sup> ILO, *A Global Alliance Against Forced Labour*, Geneva, 2005, 76; available from [http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD\\_BLOB?Var\\_DocumentID=5059](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=5059).

<sup>2681</sup> Government of Pakistan, *Efforts to Eliminate the Worst Forms of Child Labour*, Annex A, 4. For currency conversion, see OANDA, *FX Converter*.

<sup>2682</sup> ILO-IPEC, *Time-Bound Programme, project document*, 32, 75.

<sup>2683</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>2684</sup> ILO-IPEC, *Combating Child Labour in the Carpet Industry in Pakistan - Phase II*, Final Technical Progress Report, Geneva, November 16, 2007, 32.

<sup>2685</sup> U.S. Department of Labor, *Addressing Child Labor Through Quality Education for All: Technical Cooperation Project Summary*, 2007.

<sup>2686</sup> Save the Children - UK, *Mitigating Child Labour in Pakistan, project document*, 2, 6. See also U.S. Department of Labor, *Mitigating Child Labor Through Education in Pakistan: Technical Cooperation Project Summary*, 2007.

<sup>2687</sup> ILO-IPEC, *Pakistan Earthquake - Child Labour Response*, project document, Geneva, September 14, 2006, i, 27, 28.

<sup>2688</sup> U.S. Department of Labor, *Research on Children Working in the Carpet Industry of India, Nepal and Pakistan: Technical Cooperation Project Summary*, 2007.

<sup>2689</sup> U.S. Department of State, "Country Reports- 2007: Pakistan," section 5.

<sup>2690</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Pakistan."

# Panama

## *Selected Statistics and Indicators on Child Labor<sup>2691</sup>*

Working children, 10-14 years (%), 2003:	5.1
Working boys, 10-14 years (%), 2003:	7.7
Working girls, 10-14 years (%), 2003:	2.2
Working children by sector, 10-14 years (%), 2003:	
- Agriculture	57.6
- Manufacturing	3.1
- Services	38.1
- Other	1.2
Minimum age for work:	14
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	111
Net primary enrollment rate (%), 2005:	98
School attendance, children 6-14 years (%), 2003:	93.8
Survival rate to grade 5 (%), 2004:	85
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses.	

### **Incidence and Nature of Child Labor**

In urban areas of Panama, children work as street vendors, garbage collectors, packing bags at supermarkets, shining shoes, washing cars, and assisting bus drivers. Some girls work in personal services, such as stylists, cooks, and manicurists.<sup>2692</sup> Some children in rural areas, principally boys, work in agriculture.<sup>2693</sup> Many girls, most of whom are of indigenous or Afro-Panamanian groups, also work as domestic servants in third-party homes.<sup>2694</sup> Rates of work tend to be higher among indigenous than non-indigenous children in Panama.<sup>2695</sup> Some children, including children from indigenous communities in Panama, migrate with their families to other regions of the country in search of paid work, which interrupts their schooling.<sup>2696</sup>

The commercial sexual exploitation of children is a problem in Panama, and indigenous children are particularly vulnerable due in part to rising tourism activity.<sup>2697</sup> Panama is a source and

destination country for children trafficked for commercial sexual exploitation. Children are also trafficked from Colombia for sexual exploitation. In addition, some children from rural areas may be trafficked to urban areas for labor exploitation.<sup>2698</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 14 years.<sup>2699</sup> Children who have not completed primary school may not begin work until 15 years. The law permits children 12 to 14 years to perform light agricultural labor as long as the work does not interfere with schooling.<sup>2700</sup> However, the Constitution specifically prohibits children from engaging in domestic service before the age of 14.<sup>2701</sup> The ILO CEACR has noted that Panamanian law does not provide clear regulations for the conditions under which those 12 to 14 years may engage in light labor.<sup>2702</sup>

The law prohibits youth under 18 years from engaging in potentially hazardous work or work that would impede their school attendance. The law identifies a number of such hazardous forms of work, including work with electrical energy, explosives, flammables, and toxic or radioactive substances; work underground; work on railroads, airplanes, or boats; and work in nightclubs, bars, and casinos. Some of these types of work are allowed if the work is performed as part of a training program.<sup>2703</sup> Youth under 16 years may work no more than 6 hours a day or 36 hours per week, while those 16 and 17 years may work no more than 7 hours per day or 42 hours per week. Children under 18 years may not work between 6 p.m. and 8 a.m. Children under 18 years who work under contract must have parental or guardian approval and present documentation of their physical health. Those who employ minors must register them with the appropriate authorities.<sup>2704</sup> Whoever employs a minor in a prohibited form of work or work that endangers the minor's physical or mental health can face 1 to 6 years of imprisonment.<sup>2705</sup>

No law explicitly prohibits the general use of forced or compulsory labor, but the Constitution of

Panama states that no one may be deprived of his or her liberty without a written mandate from a competent authority, and prohibits imprisonment, detention, or arrest for debt or purely civil obligations.<sup>2706</sup> The Constitution also guarantees that all people are free to perform any profession or office, within the regulations established by law.<sup>2707</sup> Additionally, the Penal Code prohibits depriving a person of his or her freedom, and punishes the offense by 6 months to six years imprisonment.<sup>2708</sup>

Panama does not have armed forces, and therefore has no laws regulating age of conscription.<sup>2709</sup>

The law provides for a range of penalties for engaging in the prostitution of minors under 18 years.<sup>2710</sup> These include 4 to 8 years imprisonment and fines for soliciting and paying for prostitution with a minor; this increases to 6 to 10 years for those who maintain sexual relations with minors. The penalty for engaging in prostitution with a minor increases to 8 to 12 years and fines when the child is under 14 years. The penalty for being supported by an underage prostitute is 6 to 10 years of imprisonment and fines.<sup>2711</sup> The production, distribution, or promotion of child pornography is punishable by 4 to 6 years in prison and fines. Involvement in sex tourism in which children are victims may result in 5 to 8 years in prison and fines. Trafficking of minors for sexual purposes is punishable with 8 to 10 years in prison and fines.<sup>2712</sup> The law provides for indemnification of costs for treatment, housing, legal fees, and emotional suffering of trafficking victims.<sup>2713</sup>

The Government of Panama has a list of the worst forms of child labor, as stipulated in ILO Convention No. 182 on the Worst Forms of Child Labor. The law lists 17 classes of work that are considered hazardous by their nature and 12 considered hazardous by their conditions.<sup>2714</sup>

In 2007, the Ministry of Labor hired and trained 54 new inspectors, 11 of whom are specialized in child labor issues.<sup>2715</sup> Also during the year, the Ministry of Labor, through its Child Labor Unit, conducted 627 inspections of businesses and levied sanctions against 6 firms for child labor law-related violations.<sup>2716</sup> Children may file complaints about possible violations of their rights with the National Council for Children and Adolescent Rights; the

Children's Delegate in the Ombudsperson's Office; or the Ministry of Youth, Women, Children, and Family Affairs.<sup>2717</sup>

The Judicial Technical Police's Sex Crimes Unit is responsible for investigating trafficking cases.<sup>2718</sup> The Government of Panama has made some progress in the prosecution of sexual exploitation of children. The Attorney General's office has three prosecutors designated to handle trafficking in persons cases. The Government also works with Interpol and other governments, and extradited four alleged pedophiles to the United States.<sup>2719</sup>

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

Panama has a National Plan against Child Labor (2007-2011), which is comprised of seven strategic components. These components aim to raise awareness; harmonize national legislation with international conventions; improve the quality of life of the parents of working children; reintegrate former child workers into the educational system; assure equitable access to health services for children; generate recreation opportunities for children; and produce systems to monitor working children.<sup>2720</sup> The National Plan also targets indigenous children, aiming to improve access to health and educational services, and expand economic opportunities; and conducting child labor awareness campaigns directed towards indigenous communities.<sup>2721</sup>

The Government continues to participate in the second phase of a USDOL-funded USD 1.6 million program implemented by ILO-IPEC that aims to combat child labor in rural and urban areas. The project aims to withdraw 750 children and prevent an additional 750 from becoming engaged in exploitive labor.<sup>2722</sup> The Government also continues to participate in a USD 8.8 million regional project implemented by ILO-IPEC which seeks to combat commercial sexual exploitation through a variety of activities including capacity building and legal reform. In addition, the project aims to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region.<sup>2723</sup> The Government of Panama is also collaborating in a USD 3 million project funded by USDOL and implemented by Creative Associates International. The project aims to withdraw 2,420 children from

exploitive work in agriculture and prevent 675 children from becoming engaged in such activities.<sup>2724</sup> The Government of Panama also participated in an ILO-IPEC Phase II USD 2.6 million regional project, and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain.<sup>2725</sup>

The Ministry of Social Development (MIDES) supports and implements a number of programs that provide services to vulnerable children.<sup>2726</sup> MIDES has also provided 3,000 scholarships to working children to enable them to continue their studies and remove them from work.<sup>2727</sup>

The Institute for Human Resources, Capacity Building, and Vocational Training (IFARHU), an independent government agency with its own budget, overseen by the Executive Branch, implements a scholarship program for children who have been withdrawn or prevented from exploitive labor. Between January and October 2007, IFARHU provided 3,192 scholarships to former child workers.<sup>2728</sup>

The National Commission for the Prevention of Sexual Crimes (CONAPREDES), a consortium of governmental organizations, created the National Strategic Plan against the Commercial Sexual Exploitation of Children and Adolescents. The goals of the National Strategic Plan include the creation of a system to investigate and track crime, awareness raising campaigns, and the development of programs to assist victims of sexual exploitation.<sup>2729</sup> In 2007, CONAPREDES implemented an anti-trafficking media campaign, in conjunction with ILO-IPEC, and distributed brochures on trafficking. Also in 2007, the Government incorporated an anti-trafficking message into all lottery tickets nationwide.<sup>2730</sup>

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<http://pdba.georgetown.edu/Constitutions/Panama/constitucion2004.pdf>. See also ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Panama (ratification: 2000)* [online] 2007 [cited December 18, 2007]; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-displayAllComments.cfm?conv=C138&ctry=0460&hdroff=1&lang=EN>. See also UNESCO, *Education for All 2006 Assessment: Country Reports- Panama*, 2005; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>.

<sup>2692</sup> ILO-IPEC, Contraloría General de la República, and Ministerio de Trabajo y Desarrollo Laboral, *Informe Nacional de los Resultados de la Encuesta del Trabajo Infantil*, May 2003, 86; available from [http://white.oit.org.pe/ipecc/documentos/pa\\_situ\\_2003.pdf](http://white.oit.org.pe/ipecc/documentos/pa_situ_2003.pdf). See also ILO-IPEC, *Trabajo Infantil Urbano Peligroso en Panamá: Un Estudio de Línea de Base*, 2005; available from [http://www.oit.org.pe/ipecc/documentos/oit\\_linea\\_web.pdf](http://www.oit.org.pe/ipecc/documentos/oit_linea_web.pdf).

<sup>2693</sup> ILO-IPEC, Contraloría General de la República, and Ministerio de Trabajo y Desarrollo Laboral, *Informe Nacional de los Resultados*, 86.

<sup>2694</sup> ILO-IPEC, *El trabajo infantil doméstico en Panamá*, September 2002, 43; available from [http://white.oit.org.pe/ipecc/documentos/ras\\_cdl\\_panam.pdf](http://white.oit.org.pe/ipecc/documentos/ras_cdl_panam.pdf). See also ILO-IPEC, Contraloría General de la República, and Ministerio de Trabajo y Desarrollo Laboral, *Informe Nacional de los Resultados*, 86.

<sup>2695</sup> ILO-IPEC, *Trabajo Infantil y Pueblos Indígenas*, 2006, 37; available from <http://www.oit.org.pe/ipecc/documentos/panama.pdf>.

<sup>2696</sup> U.S. Department of State, "Panama," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/index.htm>.

<sup>2697</sup> U.S. Department of State, "Panama (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also ILO-IPEC, *Trabajo Infantil y Pueblos Indígenas*, 17.

<sup>2698</sup> U.S. Department of State, "Panama (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 13, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>2699</sup> Government of Panama, *Código de la Familia*, (1994), article 508; available from [http://www.legalinfo-panama.com/legislacion/familia/codfam\\_II.pdf](http://www.legalinfo-panama.com/legislacion/familia/codfam_II.pdf). See also Government of Panama, *Constitución*, article 70.

<sup>2700</sup> Government of Panama, *Código del Trabajo (annotated)*, (August 12, 1995), articles 117, 119; available from

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<sup>2691</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Panama, *Constitución Política con reformas hasta 1994*, (1972), article 91; available from

<http://www.cinterfor.org.uy/public/spanish/region/ampro/cinterfor/temas/youth/legisl/pan/v/in dex.htm>.

<sup>2701</sup> Government of Panama, *Constitución*, article 70. See also Government of Panama, *Código de la familia*, (1994), article 716.

<sup>2702</sup> ILO Committee of Experts, *Direct Request*.

<sup>2703</sup> Government of Panama, *Código del Trabajo (annotated)*, article 118. See also Government of Panama, *Código de la familia*, articles 510-511.

<sup>2704</sup> Government of Panama, *Código del Trabajo (annotated)*, articles 120-122,124. See also Government of Panama, *Código de la Familia*, article 713.

<sup>2705</sup> Government of Panama, *Código Penal de Panamá*, (March 31, 2004), article 215-C; available from <http://www.acnur.org/biblioteca/pdf/01036.pdf>.

<sup>2706</sup> Government of Panama, *Constitución*, article 21.

<sup>2707</sup> *Ibid.*, article 40.

<sup>2708</sup> Government of Panama, *Código Penal de Panamá*, articles 151-152.

<sup>2709</sup> Government of Panama, *Constitución*, article 310. See also Coalition to Stop the Use of Child Soldiers, "Panama," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=834](http://www.child-soldiers.org/document_get.php?id=834).

<sup>2710</sup> Government of Panama, *Código Penal de Panamá*, chapter III.

<sup>2711</sup> Government of Panama, *Código Penal de Panamá*, (March 31, 2004), articles 229, 229-A, 230; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaPanama.pdf>.

<sup>2712</sup> *Ibid.*, articles 231-D, 231-G, 231-A.

<sup>2713</sup> U.S. Department of State, "Country Reports- 2007: Panama," section 5.

<sup>2714</sup> 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*, 25,569, (June 12, 2006); available from [http://www.mides.gob.pa/index.php?option=com\\_content&task=view&id=268&Itemid=48](http://www.mides.gob.pa/index.php?option=com_content&task=view&id=268&Itemid=48).

<sup>2715</sup> U.S. Embassy- Panama, *reporting*, December 10, 2007. See also MITRADEL, written communication to U.S. Embassy - Panama, July 30, 2008.

<sup>2716</sup> U.S. Department of State, "Country Reports- 2007: Panama," section 6d. See also MITRADEL, written communication.

<sup>2717</sup> UN Committee on the Rights of the Child, *Concluding Observations: Panama*, CRC/C15/Add.233, Geneva, June 30, 2004, 3; available from <http://www1.umn.edu/humanrts/crc/panama2004.html>.

<sup>2718</sup> U.S. Department of State, "Country Reports- 2007: Panama," section 5.

<sup>2719</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Panama."

<sup>2720</sup> Committee for the Eradication of Child Labor and the Protection of the Adolescent Worker, *Plan Nacional de Erradicación del Trabajo Infantil y Protección de las Personas Adolescentes Trabajadoras 2007-2011*, June 2006; available from [http://www.oit.org.pe/ipecc/documentos/plan\\_nacional\\_cetippat\\_completo.pdf](http://www.oit.org.pe/ipecc/documentos/plan_nacional_cetippat_completo.pdf).

<sup>2721</sup> ILO-IPEC, *Trabajo Infantil y Pueblos Indígenas*, 49-50.

<sup>2722</sup> ILO-IPEC, *Prevention and Elimination of Child Labour and Hazardous Work in Panama, PHASE II*, Project Document, Geneva, September 15, 2006.

<sup>2723</sup> ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, Geneva, September 2005, 22.

<sup>2724</sup> Creative Associates International, *Destino: Combating Exploitive Child Labor through Education in Panama (El Destino hacia la Educación: Disminuyendo y Erradicando el Trabajo Infantil para Nuevas Oportunidades)*, Project Document, Washington, DC, August 16, 2004.

<sup>2725</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>2726</sup> U.S. Department of State, "Country Reports- 2007: Panama," section 5. See also Ministry of Social Development, *El Gobierno no sólo habla, está haciendo por la niñez*, [online] July 13, 2007 [cited December 6, 2007]; available from [http://www.mides.gob.pa/index.php?option=com\\_content&task=view&id=437&Itemid=121](http://www.mides.gob.pa/index.php?option=com_content&task=view&id=437&Itemid=121). See also ILO-IPEC, *IPEC Country Program PHASE II, Project Document*, 6.

<sup>2727</sup> Ministry of Social Development, *El Gobierno no sólo habla, está haciendo por la niñez*.

<sup>2728</sup> IFARHU, *Asistencia Económica*, [online] [cited March 1, 2008]; available from <http://www.ifarhu.gob.pa/verpag.php?sec=becas&pag=asistencia>. See also IFARHU, *Becas Concedidas por Subprograma*, [online] [cited March 1, 2008]; available from [http://www.ifarhu.gob.pa/estadisticas/docs/becas\\_subprograma.pdf](http://www.ifarhu.gob.pa/estadisticas/docs/becas_subprograma.pdf).

<sup>2729</sup> CONPREDES, *La Prevención de los Delitos de Explotación Sexual Comercial*, 2004; available from <http://www.oit.org.pe/ipecc/documentos/conapredes.pdf>.

<sup>2730</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Panama."

# Papua New Guinea

## Selected Statistics and Indicators on Child Labor<sup>2731</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	Not compulsory
Free public education:	No
Gross primary enrollment rate (%), 2003:	77
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2002:	68
ILO-IPEC participating country:	No

## Incidence and Nature of Child Labor

In rural areas, children work in subsistence and commercial agriculture, including tea and coffee farms, fisheries, and in grocery stores near isolated mine and logging camps.<sup>2732</sup> In urban areas, children sell food items on the streets and public places.<sup>2733</sup> A large number of children are engaged in domestic service. Some of these children are exploited, working long hours without rest or access to education. Additionally, children are held in indentured servitude as domestic servants to pay off familial debts.<sup>2734</sup> Children are involved in commercial sexual exploitation in Papua New Guinea, typically working in bars or nightclubs.<sup>2735</sup> Children are trafficked into Papua New Guinea for the purposes of commercial sexual exploitation, and are also trafficked internally for domestic service and commercial sexual exploitation.<sup>2736</sup>

## Child Labor Laws and Enforcement

The law sets the minimum age for employment at 16 years, and the minimum age for hazardous work at 18 years.<sup>2737</sup> Children 11 to 18 years, however, may work in family businesses by obtaining medical clearance, parental permission, and a work permit from the labor office.<sup>2738</sup> Work performed by children 11 to 16 years must not interfere with school attendance.<sup>2739</sup> Work by children under 11 years is prohibited.<sup>2740</sup> Children may not work between 6 p.m. and 6 a.m. unless they are 16 to 17 years old and a family member is also employed there. Penalties for child labor violations range from a fine to 2 years of imprisonment.<sup>2741</sup>

The law prohibits forced labor.<sup>2742</sup> The law also prohibits indecent treatment of boys younger than 14 years, indecent treatment and defilement of girls younger than 16 years, and the abduction, kidnapping, or procurement of girls below 18 years for sexual exploitation. Under the law, children below 18 years cannot be charged with prostitution.<sup>2743</sup> There is no compulsory military service in Papua New Guinea; the minimum age for voluntary military service is 18, or 16 years with parental approval.<sup>2744</sup>

The Department of Labor and Industrial Relations and the Department of Police are responsible for implementing and enforcing child labor laws. However, USDOS reports that enforcement by those departments has been poor and that inspectors do not have the resources to address child labor.<sup>2745</sup>

## Current Government Efforts to Eliminate the Worst Forms of Child Labor

The Government of Papua New Guinea is working with NGOs such as the Papua New Guinea Children's Foundation and People Against Child Exploitation to implement the National Action Plan against Commercial Sexual Exploitation of Children 2006-2011.<sup>2746</sup>

UNICEF, with the support of the Government, is also implementing a child protection program that

includes advocacy for the elimination of the worst forms of child labor.<sup>2747</sup>

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<sup>2731</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Papua New Guinea, *Report to ILO Committee of Experts on Convention 182*, September 2005. See also U.S. Embassy- Port Moresby, *reporting*, December 7, 2007. See also The Law Library of Congress, *Child Labor Papua New Guinea*, February 2008. See also U.S. Department of State, "Papua New Guinea," in *Country Reports on Human Rights Practices 2007* Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/>. See also

<sup>2732</sup> Department of Community Development official, Interview with USDOL consultant, June 20, 2006. See also Department of Labor and Industrial Relations officials, Interview with USDOL consultant, June 26 2006. See also U.S. Embassy- Port Moresby, *reporting*, December 7, 2007. See also Child Labor Information Bank, *Child Labor by Industry or Occupation: Papua New Guinea*, accessed November 21, 2007; available from [http://www.endchildlabor.org/db\\_infoBank.cfm](http://www.endchildlabor.org/db_infoBank.cfm).

<sup>2733</sup> Department of Community Development official, Interview, June 20, 2006.

<sup>2734</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted By States Parties Under Article 44 of the Convention, Concluding Observations: Papua New Guinea*, CRC/C/15/Add.229, February 26, 2004, para. 57. See also U.S. Department of State, "Country Reports on Human Rights Practices 2007: Papua New Guinea," Washington, DC, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/>. See also U.S. Embassy- Port Moresby, *reporting*, December 7, 2007. See also U.S. Department of State, "Papua New Guinea (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>2735</sup> UN Committee on the Rights of the Child, *Concluding Observations*, February 26, 2004, para. 59. See also U.S. Department of State, "Country Reports- 2007: Papua New Guinea," section 5 and 6d. See also Child Labor Information Bank, *Child Labor by Industry or Occupation: Papua New Guinea*. See also U.S. Embassy- Port

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Moresby, *reporting*, December 7, 2007. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labor Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000)*, [online] 2006; available from [www.ilo.org/ilolex/](http://www.ilo.org/ilolex/).

<sup>2736</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Papua New Guinea."

<sup>2737</sup> Government of Papua New Guinea, *Report to ILO Committee of Experts, September 2005, Article 3(d)*. article 3(d). See also U.S. Department of State, "Country Reports- 2007: Papua New Guinea," section 6d. See also The Law Library of Congress, *Child Labor Papua New Guinea*.

<sup>2738</sup> U.S. Department of State, "Country Reports- 2007: Papua New Guinea," section 6d. See also The Law Library of Congress, *Child Labor Papua New Guinea*.

<sup>2739</sup> U. S. Embassy- Port Moresby, *reporting*, September 14, 2005. See also The Law Library of Congress, *Child Labor Papua New Guinea*.

<sup>2740</sup> Department of Labor and Industrial Relations officials, Interview with USDOL consultant, June 26, 2006.

<sup>2741</sup> U.S. Embassy- Port Moresby, *reporting*, December 7, 2007.

<sup>2742</sup> Government of Papua New Guinea, *Constitution of the Independent State of Papua New Guinea*, (1975), 43. See also U.S. Department of State, "Country Reports- 2007: Papua New Guinea," section 6c."

<sup>2743</sup> The Protection Project, *Papua New Guinea*; available from <http://www.protectionproject.org/papua.doc>. See also CEACR, *Individual Direct Request concerning Worst Forms of Child Labour Convention*, 2006.

<sup>2744</sup> Coalition to Stop the Use of Child Soldiers, "Papua New Guinea," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/library/global-reports>. See also The Law Library of Congress, *Child Labor Papua New Guinea*, 3.

<sup>2745</sup> U.S. Embassy- Port Moresby, *reporting*, December 7, 2007.

<sup>2746</sup> PNG Children's Foundation Inc., PACE, and UNICEF, *The National Action Plan Against Commercial Sexual Exploitation of Children in Papua New Guinea (July 2006-June 2011)*, 2006, 5.

<sup>2747</sup> UNICEF, *Master Plan of Operations: Programme of Cooperation between Government of Papua New Guinea and UNICEF 2003-2007*, Attachment A, 1-2. See also UNICEF, *At a glance: Papua New Guinea*, [online] [cited December 12, 2007]; available from <http://www.unicef.org/infobycountry/papuang.html?q=printme>.

# Paraguay

## Selected Statistics and Indicators on Child Labor<sup>2748</sup>

Working children, 10-14 years (%), 2005:	15.3
Working boys, 10-14 years (%), 2005:	22.6
Working girls, 10-14 years (%), 2005:	7.7
Working children by sector, 10-14 years (%), 2005:	
- Agriculture	60.8
- Manufacturing	6.2
- Services	32.1
- Other	0.9
Minimum age for work:	12
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2004:	112
Net primary enrollment rate (%), 2004:	94
School attendance, children 5-14 years (%), 2005:	90.3
Survival rate to grade 5 (%), 2003:	81
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses.	

### Incidence and Nature of Child Labor

In Paraguay, many children, primarily boys, work in agriculture, the manufacturing sector, construction, hotels, restaurants, and transportation. Children also work bagging groceries for tips, selling newspapers and candy, and cleaning car windows.<sup>2749</sup> Children, primarily girls, work as *criadas*, or child domestic servants, and do not receive salaries but work in exchange for room, board, and financial support for schooling. These child domestic workers are sometimes subject to sexual exploitation and often lack access to education. According to a 2003 ILO study, there are approximately 60,000 children that work as *criadas* in Paraguay.<sup>2750</sup>

According to a 2004 ILO-IPEC report, the number of children in commercial sexual exploitation is estimated to be 3,700, and they are believed to be concentrated in three of the country's cities; Asunción, Ciudad del Este, and Encarnación.

Sexual exploitation and trafficking of girls occurs frequently in the tri-border region of Argentina, Paraguay, and Brazil. Paraguay is a source and transit country for children trafficked internationally for sexual exploitation and forced labor.<sup>2751</sup> Children are trafficked to Argentina, Spain, Brazil, and Bolivia.<sup>2752</sup> Border control is weak, especially to Brazil, facilitating traffickers' movement of victims. Poor rural children are trafficked internally to urban areas for forced domestic labor and commercial sexual exploitation.<sup>2753</sup>

### Child Labor Laws and Enforcement

Children older than 12 years may enter into work contracts with parental authorization.<sup>2754</sup> The minimum age for employment in industrial work is 15 years, with exceptions for children over 12 years working in authorized professional schools and family businesses where the work is not dangerous.<sup>2755</sup> The ILO CEACR, however, has noted that the Government of Paraguay has not described the nature of the work that is permitted for children 12 to 15 years working in family businesses.<sup>2756</sup> The laws on legal work hours for children are conflictive. According to the Child and Adolescent Code, children 14 to 16 years may not work more than 4 hours per day and 24 hours per week, and children 16 to 18 years may not work more than 6 hours per day and 36 hours per week. However, according to the Labor Code, children between 12 and 15 may not work more than four hours per day, or 24 hours per week, while children 15 to 18 may not work 6 hours a day or a maximum of 36 hours per week. According to the Child and Adolescent Code, the maximum daily work hours are reduced to 4 for adolescents that are attending school. However, according to the Labor Code, work hours for adolescents attending school are limited to 2 hours per day.<sup>2757</sup> Children between the ages of 15 to 18 years may not work between the hours of 10pm and 6am, while minors between the ages of 13 and 15 years may not work between the hours of 8pm and 8am.<sup>2758</sup> Employers are required to maintain a registry containing biographical information on adolescent employees and to register adolescent employees with the

Ministry of Justice and Labor and the Council for Children's Rights (CODENI).<sup>2759</sup> Fines are established for employing children under 18 for nighttime industrial work and for employing minors under 12 years.<sup>2760</sup>

Minors are to be paid at least 60 percent of the legal minimum salary for unspecified labor, and if a minor performs the same work as an adult, he or she must be paid the established legal minimum wage.<sup>2761</sup> As stated in the Child and Adolescent Code, employers of adolescent domestic workers must facilitate their school attendance, provide the adolescent with food and a separate bedroom, and register the adolescent with the social security system. Authorization from the adolescent's guardian is needed for domestic work, and the appropriate Municipal Council for Children and Adolescent's Rights must be notified if the adolescent is moved to another location.<sup>2762</sup>

Employing anyone under 18 years in work that may be harmful to his/her well-being is prohibited and punishable by fines.<sup>2763</sup> The List of Work Endangering Children decree prohibits minors under 18 years from working in 26 broad classifications of work, including crossing national borders; operating dangerous machinery; working with toxic substances; selling alcoholic beverages; working underground; carrying heavy loads; and working as a domestic servant (with exceptions for those 16 and older).<sup>2764</sup> In contrast to the Child and Adolescent Code, the decree prohibits work for adolescents under 18 years from 7 p.m. to 7 a.m. Although the system of *criadas* and child domestic labor are on this list, the Department of Legal Affairs states that the system is not completely prohibited for children 16 years and older as long as the provisions for domestic workers laid out in the Child and Adolescent Code are followed.<sup>2765</sup>

The commercial sexual exploitation of children and adolescents is prohibited, and penalties of up to 5 years of incarceration or fines are imposed for inducing the prostitution of someone under 18 years. If the perpetrator acts for profit, the penalty increases to 6 years, and if the victim is under 14 years, the penalty increases to 8 years in prison.<sup>2766</sup> The production of child pornography is punishable by 5 to 10 years of incarceration; the distribution of child pornographic material is punishable by 3 to 8

years in prison; and the exhibition of children in sexual acts is punishable by 5 to 10 years in prison. The penalty for using children in pornography increases to 15 years in prison if the minor is under 15 years of age or the perpetrator is the child's guardian.<sup>2767</sup> Slavery is prohibited.<sup>2768</sup> The Government prohibits trafficking with some exceptions, such as internal trafficking. The laws are unclear on penalties for trafficking because although the penalty is up to 10 years in prison for deceiving or threatening another into leaving the country under life-threatening circumstances, the maximum prison term is up to 6 years for trafficking a person into or out of the country for sexual exploitation.<sup>2769</sup> Although the law establishes 18 years as the minimum age for conscription into the military, boys 16 to 18 years may join the military in exceptional circumstances.<sup>2770</sup>

The Ministry of Justice and Work is responsible for inspecting workplaces that employ adolescent workers to ensure they are registered with the local Council for Children's Rights.<sup>2771</sup> According to USDOS, the Government generally does not enforce minimum age requirements for employment.<sup>2772</sup> The Secretariat for Women, the Public Ministry, the Foreign Ministry, the Secretariat for the Repatriated, and the Secretariat for Childhood and Adolescence are responsible for combating trafficking, but have had limited effectiveness because of budgetary constraints.<sup>2773</sup> The Government convicted 11 individuals for trafficking crimes and prosecuted trafficking cases involving nine minors. During the reporting period, the Government also instituted the first nationwide trafficking in persons database, which links multiple Government agencies with the National Police to coordinate case management.<sup>2774</sup> The Government coordinates its anti-trafficking in persons efforts through the Inter-Institutional Roundtable for the Prevention and Combat of Trafficking in Persons. According to USDOS, there were reports indicating that public officials were involved in or condoned trafficking in persons.<sup>2775</sup>

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

During the reporting period, the Government's Secretariat for Women (SNNA) worked to

implement the National Plan for the Eradication and Prevention of Child Labor (2003-2008). The Plan's objectives include improved data collection; increased awareness; improved legal protections and public policy; implementation of a monitoring system of child labor; and interventions to reduce child labor. The SNNA also worked to implement the National Plan for the Prevention and Eradication of Child Sexual Exploitation (2003-2008), which aims to diagnose the national situation; increase awareness; create policies to support prevention and detection; improve institutional capacity; support efforts to help prevent sexual exploitation and help victims; and monitor and evaluate progress. Along with the child labor plan, the National Plan for the Prevention and Eradication of Child Sexual Exploitation is part of the National Policy for Childhood and Adolescence (2003-2013).<sup>2776</sup> The Secretariat for Social Action implemented *Programa Abrazo*, which provides services to children who work on the streets.<sup>2777</sup>

The Government of Paraguay and other associate and member governments of MERCOSUR conducted the *Niño Sur* (Southern Child) initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in adjusting legal frameworks to international standards on those issues, and the exchange of best practices related to victim protection and assistance.<sup>2778</sup>

The Government of Paraguay participated in an ILO-IPEC USDOL-funded USD 5.5 million regional project to eliminate exploitive child labor in the domestic services and commercial sex sectors in four countries including Paraguay. The project closed in 2007, withdrawing 2,036 children from exploitive work and preventing 3,582 children from entering such activities.<sup>2779</sup> The Government of Paraguay also continued to participate in a Phase II USD 2.6 million and a Phase III USD 3 million regional projects to eradicate child labor in Latin America, funded by the Government of Spain.<sup>2780</sup> The Ministry of Education and Culture requires that all schools gather information on the working status of children.<sup>2781</sup>

Government secretariats participated in and implemented activities such as inter-institutional meetings on trafficking and awareness-raising campaigns on trafficking and child pornography.<sup>2782</sup> Itaipu Binational, a public utility jointly owned by the Paraguayan and Brazilian Governments and the Secretariat for Childhood and Adolescence, supported an NGO that operates a shelter for trafficking victims in Ciudad del Este.<sup>2783</sup> The Government worked to repatriate trafficking victims, usually through NGOs, and provides legal, medical, and psychological services to trafficking victims in Asuncion.<sup>2784</sup> The Government also collaborated with the Organization of American States in a USD 300,000 project funded by USDOS to build capacity and international cooperation across the foreign ministries of the nine participating governments to prevent trafficking in persons.<sup>2785</sup> In December 2007, the Government of Paraguay, with support from the United States, inaugurated Paraguay's first shelter for women and girl victims of trafficking.<sup>2786</sup> However, the Government's efforts to protect victims of trafficking remained modest, relying mostly on NGOs to provide services and shelter.<sup>2787</sup>

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<sup>2748</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Paraguay, *Que Modifica, Amplia y Deroga Artículos de la Ley 213/93, Código del Trabajo*, (August 22, 1994), articles 36, 389; available from <http://www.senado.gov.py/leyes/ups/leyes/2648Ley496.DOC>. See also Government of Paraguay, *Ley General de Educación*, Law No. 1.264, (May 26, 1998); available from <http://www.senado.gov.py>. See also U.S. Department of State, "Paraguay," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/index.htm>. See also UNESCO, *Education for All 2006 Assessment: Country Reports-Paraguay*, 2005; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>.

<sup>2749</sup> ILO-IPEC and Roberto Cespedes, *Infancia y adolescencia trabajadora de Paraguay*, 2006, 51, 83; available from [http://white.oit.org.pe/ippec/documentos/estadisticas\\_py\\_07.pdf](http://white.oit.org.pe/ippec/documentos/estadisticas_py_07.pdf). See also U.S. Department of State, "Country Reports- 2007: Paraguay," section 6d.

<sup>2750</sup> ILO-IPEC, *Por qué me van a pagar...? Soy una criada*,

Asunción, 2003, 12-13; available from [http://white.oit.org.pe/ipecc/boletin/documentos/libro\\_3\\_tid\\_legal\\_py.pdf](http://white.oit.org.pe/ipecc/boletin/documentos/libro_3_tid_legal_py.pdf). See also ILO-IPEC and Cespedes, *Infancia y adolescencia trabajadora de Paraguay*, 85.

<sup>2751</sup> U.S. Embassy- Asunción, *reporting*, March 5, 2008, para. 2a.

<sup>2752</sup> Martha Casal Cacharron, *Un Día te Dejan de Mirar y Te Perdés*, ILO, Lima, 2007, 76; available from [http://white.oit.org.pe/ipecc/documentos/verdades\\_de\\_safios\\_py.pdf](http://white.oit.org.pe/ipecc/documentos/verdades_de_safios_py.pdf). See also ILO and IOM, *La trata de Personas en el Paraguay*, Buenos Aires, 2005, 51-52, 54; available from <http://oimconosur.org/notas/buscador.php?tipo=unico&nota=253>.

<sup>2753</sup> U.S. Department of State, "Panama (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also Mike Kaye, *Contemporary Forms of Slavery in Paraguay*, Anti-Slavery International, 2006, 9-10; available from <http://www.antislavery.org/homepage/resources/PDF/PDFslavery.htm>.

<sup>2754</sup> Government of Paraguay, *Que Modifica, Amplia y Deroga Artículos de la Ley 213/93, Código del Trabajo*, Articles 36 and 389; available from <http://www.senado.gov.py/leyes/>.

<sup>2755</sup> *Ibid.*, article 119.

<sup>2756</sup> ILO Committee of Experts, *Direct Request, Non-Industrial Employment Convention, 1937 (No. 60) Paraguay (ratification: 1966)* [online] 2006 [cited March 10, 2008]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>2757</sup> Government of Paraguay, *Código de la Niñez y la Adolescencia*, 1680, (May 30, 2001), article 58; available from <http://www.senado.gov.py/leyes/>. See also Government of Paraguay, *Código de la Niñez y la Adolescencia*, articles 120-121.

<sup>2758</sup> Government of Paraguay, *Código del Trabajo, Modificado*, article 122.

<sup>2759</sup> Government of Paraguay, *Código de la Niñez y la Adolescencia*, articles 60 and 61. See also Government of Paraguay, *Código del Trabajo, Modificado*, article 124.

<sup>2760</sup> Government of Paraguay, *Código del Trabajo, Modificado*, article 389.

<sup>2761</sup> Government of Paraguay, *Código del Trabajo*, No. 213, (June 15, 1993), article 126; available from <http://www.senado.gov.py/leyes/>.

<sup>2762</sup> Government of Paraguay, *Código de la Niñez y la Adolescencia*, articles 63-66.

<sup>2763</sup> *Ibid.*, article 54. See also Government of Paraguay, *Código del Trabajo, Modificado 1995*, articles 352 and 389.

<sup>2764</sup> Government of Paraguay, *El Listado de Trabajo Infantil Peligroso*, Decree 4951, (March 22, 2005); available from <http://www.presidencia.gov.py/decretos/D4951.pdf>.

See also Government of Paraguay, *Código del Trabajo*, article 122.

<sup>2765</sup> Government of Paraguay, *El Listado de Trabajo Infantil Peligroso*. See also Government of Paraguay, *Código de la Niñez y la Adolescencia*, articles 63-66. See also Embassy of Paraguay, *reporting*, August 8, 2007.

<sup>2766</sup> Government of Paraguay, *Código de la Niñez y la Adolescencia*, article 31. Government of Paraguay, *Código Penal*, 1.160, (1997), article 139; available from <http://www.senado.gov.py/leyes/>.

<sup>2767</sup> Government of Paraguay, *Ley No 2861/2006*, 2861, (January 17, 2006), articles 1-4; available from <http://www.senado.gov.py/leyes/ups/leyes/42562861-2006.doc>.

<sup>2768</sup> Government of Paraguay, *Constitución Política de la República del Paraguay*, (June 20, 1992), articles 10, 54; available from <http://www.senado.gov.py/leyes/>.

<sup>2769</sup> Government of Paraguay, *Código Penal*, articles 125, 129. See also ILO-IPEC, *Law Enforcement in Argentina and Paraguay*, Paraguay, 2005, 32; available from [http://white.oit.org.pe/ipecc/documentos/legis\\_esci\\_arg\\_py\\_eng.pdf](http://white.oit.org.pe/ipecc/documentos/legis_esci_arg_py_eng.pdf).

<sup>2770</sup> Coalition to Stop the Use of Child Soldiers, "Paraguay," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=835](http://www.child-soldiers.org/document_get.php?id=835).

<sup>2771</sup> Government of Paraguay, "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor," *Federal Register* 72, no. 216 (January 18, 2008).

<sup>2772</sup> U.S. Department of State, "Country Reports- 2007: Paraguay," section 6d.

<sup>2773</sup> *Ibid.*, section 5.

<sup>2774</sup> *Ibid.* See also U.S. Embassy- Asunción, *reporting*, March 5, 2008, para. 2c.

<sup>2775</sup> U.S. Embassy- Asunción, *reporting*, March 5, 2008, paras. 2c, 3j.

<sup>2776</sup> Secretariat for Childhood and Adolescence, National Committee for Children and Adolescents, *el Desarme y la Libertad Movimiento por la Paz*, and ILO-IPEC, *Construir otro Paraguay para los niños, niñas y adolescentes*, Asunción, 2005, 17, 89-100, 119-120; available from [http://white.oit.org.pe/ipecc/documentos/planes\\_grales\\_py.pdf](http://white.oit.org.pe/ipecc/documentos/planes_grales_py.pdf).

<sup>2777</sup> Secretariat of Social Action, *Abrazo: Programa para la disminución progresiva del trabajo infantil en las calles*, [online] 2007 [cited December 6, 2007]; available from [www.sas.gov.py/html/abrazo.html](http://www.sas.gov.py/html/abrazo.html).

<sup>2778</sup> Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited March 16, 2008]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>. See also Child Rights Information Network, *MERCOSUR*, [online] 2007 [cited December 26, 2007]; available from

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<http://www.crin.org/espanol/RM/mercosur.asp>.

<sup>2779</sup> ILO-IPEC, *Prevention and Elimination of Child Domestic Labour (CDL) and of Commercial Sexual Exploitation of Children (CSEC) in Chile, Colombia, Paraguay and Peru*, Project Document, Geneva, September 30, 2004.

<sup>2780</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>2781</sup> U.S. Embassy- Asunción, *reporting*, August 25,, 2005.

<sup>2782</sup> ILO-IPEC, *Prevention and Elimination of Child Domestic Labour (CDL) and of Commercial Sexual Exploitation of Children (CSEC) in Colombia, Chile, Paraguay, and Peru*, Technical Progress Report, Geneva, September 30, 2007. See also U.S. Department of State, "Country Reports-2007: Paraguay," section 5. See also U.S. Embassy-Asuncion, *reporting*, April 26, 2006.

<sup>2783</sup> U.S. Department of State, "Country Reports- 2007: Paraguay," section 5.

<sup>2784</sup> U.S. Department of State, "Paraguay (Tier 2)," in

*Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also Mike Kaye, *Contemporary Forms of Slavery in Paraguay*, 14.

<sup>2785</sup> U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, [online] February 2008 [cited March 10, 2008]; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>2786</sup> U.S. Embassy- Asunción, *reporting*, December 14, 2007.

<sup>2787</sup> U.S. Department of State, "Paraguay (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 13, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

## Peru

### **Incidence and Nature of Child Labor**

Many children in rural areas of Peru work on family farms, in mining, or as domestic servants. In urban areas, many children work as street vendors, begging, shining shoes, or scavenging in garbage dumps.<sup>2788</sup> Children are also found working in the brick making industry in Lima and outlying areas.<sup>2789</sup>

According to a recent ILO study, girls in the stone crushing industry are frequently sexually exploited.<sup>2790</sup> Children in domestic service are also vulnerable to sexual abuse.<sup>2791</sup> Some Peruvian children, especially girls, are trafficked from rural to urban areas or from city to city to work in domestic service and for sexual exploitation.<sup>2792</sup> Children are trafficked internally for the purpose of forced labor in the mining, logging, and brick making sectors. Most victims of trafficking are girls from the poorest areas of Peru, including the Amazonian jungle and mountains.<sup>2793</sup> According to USDOS, narcotics traffickers and Shining Path terrorists force children to work in remote areas,

cultivating coca and food crops. Child sex tourism is prevalent in the tourist cities of Cusco and Iquitos.<sup>2794</sup> In 2006, the UN Committee on the Rights of the Child reported that there are 500,000 child victims of sexual exploitation and violence in the country.<sup>2795</sup>

### **Child Labor Laws and Enforcement**

Although the general minimum age for employment in Peru is 14 years, the following provisions place restrictions on ability of children 14 years and above to work legally. The minimum age for employment in non-industrial agricultural work is 15 years; for work in the industrial, commercial, and surface mining sectors it is 16 years; and for work in the industrial fishing sector it is 17 years.<sup>2796</sup> Children under 18 years may perform certain jobs, subject to restrictions, only if they obtain legal permission from the corresponding government authorities, can certify that the minor is physically and emotionally capable of performing the job, and if it does not limit their ability to attend school or training.<sup>2797</sup>

*Selected Statistics and Indicators  
on Child Labor*<sup>2798</sup>

Working children, 6-14 years (%), 2000:	22.3
Working boys, 6-14 years (%), 2000:	24
Working girls, 6-14 years (%), 2000:	20.5
Working children by sector, 6-14 years (%), 2000:	
- Agriculture	73.2
- Manufacturing	2.7
- Services	23.9
- Other	0.2
Minimum age for work:	14
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	116
Net primary enrollment rate (%), 2005:	96
School attendance, children 5-14 years (%), 2000:	96.6
Survival rate to grade 5 (%), 2004:	90
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses.	

All children must register their work with the authorities; the Ministry of Labor's Office of Labor Protection for Minors issues permits for children between 12 and 17 years to work legally. During 2007, there were 703 permits granted for children 12 to 17 years, most of which were issued for children between 16 and 17 years.<sup>2799</sup> Children 12 to 14 years are prohibited from working more than 4 hours a day, or more than 24 hours a week; adolescents 15 to 17 years may not work more than 6 hours a day, or more than 36 hours a week. Children working non-paid jobs for family members or in domestic service are entitled to a 12-hour rest period and must attend school.<sup>2800</sup> Regulations require that adolescents working in paid or unpaid domestic service must have access to education. Night work is prohibited for children under 18 years, but a special permit can be issued for adolescents between 15 to 17 years for a maximum of 4 hours of work a night.<sup>2801</sup> Underground work or work that involves heavy lifting, toxic substances, or responsibility for the safety of themselves and other workers is prohibited for children under 18 years.<sup>2802</sup> The

Government has established a list of dangerous work for children, which includes work underground; using machinery or electrical equipment; work with toxic chemicals; in brick production; at sea; selling alcohol; in sexually exploitive situations; with garbage; with animal remains; or lifting heavy weights.<sup>2803</sup>

Peruvian law prohibits forced and slave labor.<sup>2804</sup> The law prohibits promoting child prostitution, with a penalty of 5 to 12 years in prison if the victim is under 18 years of age.<sup>2805</sup> Peru's Penal Code also prohibits delivering a child to a third party for the purpose of prostitution; the penalty for this offense is 6 to 12 years. The penalty for profiting economically from the prostitution of a minor between the ages of 14 to 18 years is 6 to 10 years in prison, and increases to 8 to 12 years in prison if the victim is under 14 years of age.<sup>2806</sup> Statutes prohibit trafficking in persons and provide penalties of 12 to 20 years of imprisonment for those who move a person between 14 and 18 years, either within the country or to an area outside the country, for sexual exploitation or forced labor. The penalty increases to at least 25 years in prison if the victim is under 14 years.<sup>2807</sup> A new law gives the Administrative Authority of Work the authority to levy fines against employers who are guilty of trafficking minors.<sup>2808</sup> The penalty for promoting sexual tourism that exploits adolescents ages 14 to 18 years is 2 to 6 years in prison. The penalty is 6 to 8 years if the victim is under 14 years, and in cases of involvement by a public official or a child's guardian, the penalty is 8 to 10 years in prison.<sup>2809</sup> The penalty for possessing, promoting, producing, or selling child pornography is 4 to 6 years imprisonment and fines. If the victim is under 14 years, the penalty increases to 6 to 8 years in prison.<sup>2810</sup> Military service is voluntary and prohibited for children under 18 years.<sup>2811</sup>

The Ministry of Labor's Office of Labor Protection for Minors and the Public Ministry have authority to investigate reports of illegal child labor practices by conducting onsite inspections of worksites. During 2007, the Office of the Ombudsman for Children and Adolescents worked in conjunction with the Ministry of Labor to document violations of child labor laws, and operated a decentralized child labor reporting and tracking system.<sup>2812</sup>

The Peruvian National Police is responsible for preventing, investigating, and fighting trafficking in persons and child sexual exploitation.<sup>2813</sup> The Government has a database to track trafficking trends. Over 100 trafficking cases were filed in 2007, and 51 trafficked minors were reported.<sup>2814</sup>

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

Through the National Committee to Prevent and Eradicate Child Labor, the Government of Peru works with NGOs, labor unions, and employer organizations within the country to implement the National Plan for the Prevention and Eradication of Child Labor. The Plan, established in accordance with the National Plan of Action for Children (2002-2010), focuses on three strategic goals: preventing and eradicating child labor under 14 years, preventing and eradicating the worst forms of child labor among children under 18 years of age, such as child trafficking and commercial sexual exploitation of children, and protecting the wellbeing of adolescent workers between the ages of 14 and 18 years.<sup>2815</sup>

The Ministry of Women and Social Development (MIMDES) implemented a program in 2007 that provides children and adolescents who work and live in the street with educational services.<sup>2816</sup> The Ministry of the Interior has implemented a program called *Colibrí* which integrates children who work as vendors in the street or in markets into educational programs.<sup>2817</sup>

MIMDES has a National Plan against Commercial Sexual Exploitation of Boys, Girls and Adolescents (2006-2010). The Plan has four strategic components: create and strengthen institutions; increase awareness about commercial sexual exploitation of children; establish a system to monitor and penalize perpetrators; and develop a system to support victims.<sup>2818</sup>

The Government of Peru participated in an ILO-IPEC USD 5.5 million USDOL-funded regional project to eliminate exploitive child labor in domestic service and the commercial sex sectors in four countries including Peru.<sup>2819</sup> The project closed in 2007, withdrawing 2,036 children from exploitive work and preventing 3,582 children from entering such activities.<sup>2820</sup> The Government of Peru

continued to participate in a USD 5 million USDOL-funded project to combat child labor through education. This project targets 5,250 children for withdrawal and 5,250 children for prevention from exploitive work in the urban informal sector in the poorest districts of Lima, Callao, Trujillo, and Iquitos.<sup>2821</sup> During the reporting period, the Government of Peru participated in an ILO-IPEC Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain.<sup>2822</sup> The Government also collaborated with the Organization of American States in a USD 300,000 project funded by USDOS to prevent trafficking in persons by building capacity and international cooperation across the foreign ministries of the nine participating governments.<sup>2823</sup>

The Government of Peru lacks resources to assist trafficking victims, but focuses efforts on detection, prosecution, and prevention. The Government supported an NGO in a radio campaign on trafficking and cooperated with another NGO in raising awareness about trafficking among local government officials, student groups, and school leaders. MIMDES worked with the Belgian Government to combat trafficking in four regions of Peru.<sup>2824</sup> The Ministry of Interior operates a toll-free number to report trafficking crimes, which received an average of 1,000 calls per month, 15 percent of which were related to trafficking crimes.<sup>2825</sup> The Ministry of Foreign Affairs conducted an information campaign on trafficking both domestically and internationally. The Ministry of Tourism began a campaign for hotels to sign a code of conduct to prevent child sex tourism.<sup>2826</sup>

The Government of Peru and other associate and member governments of MERCOSUR conducted the *Niño Sur* ("Southern Child") initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in adjusting legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.<sup>2827</sup>

<sup>2788</sup> U.S. Department of State, "Peru," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/index.htm>. See also International Youth Foundation, *Prepárate para la Vida*, Project Document, Washington, DC, March 28, 2007, 7.

<sup>2789</sup> U.S. Department of State, "Country Reports- 2007: Peru," section 6d. See also UN Committee on the Rights of the Child, *Periodic Reports of States Parties due in 2006: Peru*, prepared by Government of Peru, pursuant to Article 44 of the Convention on the Rights of the Child, March 2006, para 62; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/408/87/PDF/G0640887.pdf?OpenElement>.

<sup>2790</sup> ILO-IPEC, *Girls in Mining, research findings from Ghana, Niger, Peru and United Republic of Tanzania*, Geneva, 2007, 5-6; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=5304>.

<sup>2791</sup> ILO-IPEC, *Invertir en la Familia, Estudio sobre factores preventivos y de vulnerabilidad al trabajo infantil doméstico en familias rurales y urbanas: el caso de Perú*, Lima, 2007; available from [http://white.oit.org.pe/ipcec/documentos/invertir\\_familia\\_tid\\_pe.pdf](http://white.oit.org.pe/ipcec/documentos/invertir_familia_tid_pe.pdf).

<sup>2792</sup> U.S. Embassy- Lima, *reporting*, March 5, 2008, para 2a. Ibid.

<sup>2794</sup> U.S. Department of State, "Peru (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also U.S. Department of State, "Country Reports- 2007: Peru," section 6d.

<sup>2795</sup> UN Committee on the Rights of the Child, *Periodic Reports of States Parties due in 2006: Peru*.

<sup>2796</sup> Government of Peru, *Ley que Modifica el Artículo 51 de la Ley No. 27337*.

<sup>2797</sup> Government of Peru, *Ley que Aprueba el Nuevo Código de los Niños y Adolescentes*, 27337, (August 2, 2000), article 54; available from <http://www.acnur.org/biblioteca/pdf/01163.pdf>.

<sup>2798</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Peru, *Ley que Modifica el Artículo 51 de la Ley No. 27337, Código de los Niños y Adolescentes*, (2001); available from <http://www.cajpe.org.pe/rij/bases/legisla/peru/27571.htm>. See also Government of Peru, *Ley General de Educación*, (July 17, 2003), article 4, 12; available from [http://www.minedu.gob.pe/normatividad/leyes/ley\\_general\\_de\\_educacion2003.doc](http://www.minedu.gob.pe/normatividad/leyes/ley_general_de_educacion2003.doc). See also UNESCO,

*Education for All 2008 Assessment: Country Reports-Peru*, 2007; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>. See also UNESCO, *Education for All 2006 Assessment: Country Reports-Peru*, 2005; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>.

<sup>2799</sup> Ibid., article 53. See also U.S. Department of State, "Country Reports- 2007: Peru," section 6d.

<sup>2800</sup> Government of Peru, *Ley que Aprueba el Nuevo Código de los Niños y Adolescentes*, articles 56, 63.

<sup>2801</sup> Ibid., articles 61, 57.

<sup>2802</sup> Ibid., article 58.

<sup>2803</sup> Government of Peru, *Aprueban la "Relación de Trabajos y Actividades Peligrosas o Nocivas para la Salud Física o Moral de las y los Adolescentes"*, (July 25, 2006); available from [http://white.oit.org.pe/ipcec/documentos/decreto\\_tip\\_pe.pdf](http://white.oit.org.pe/ipcec/documentos/decreto_tip_pe.pdf).

<sup>2804</sup> Government of Peru, *Constitución Política del Perú 1993 con las reformas de 1995, 2000, 2002, 2004 y 2005 (hasta octubre)*, (1993), article 24(b); available from <http://pdba.georgetown.edu/Constitutions/Peru/per93reforms05.html>. See also Government of Peru, *Ley que Aprueba el Nuevo Código de los Niños y Adolescentes*, article 4.

<sup>2805</sup> Government of Peru, *Modificación del Código Penal 28251*, (February 14, 1994), article 179; available from [http://www.oit.org.pe/ipcec/documentos/ley\\_28251\\_es\\_ci\\_pe.pdf](http://www.oit.org.pe/ipcec/documentos/ley_28251_es_ci_pe.pdf).

<sup>2806</sup> Ibid., articles 180, 181.

<sup>2807</sup> Government of Peru, *Ley contra la Trata de Personas y el Tráfico Ilícito de Migrantes*, (2007), articles 153, 153-A; available from [http://white.oit.org.pe/ipcec/documentos/ley\\_trata\\_peru\\_06.pdf](http://white.oit.org.pe/ipcec/documentos/ley_trata_peru_06.pdf). See also U.S. Embassy- Lima, *reporting*, December 13, 2007, para 4.

<sup>2808</sup> Embassy of Peru official, Fax communication to USDOL official, December 6, 2007, para 16.

<sup>2809</sup> Government of Peru, *Código Penal*, article 181-A.

<sup>2810</sup> Ibid., article 183-A.

<sup>2811</sup> Government of Peru, *Ley del Servicio Militar*, (September 28, 1999); available from <http://www.resdal.org/Archivo/d0000281.htm>. See also Coalition to Stop the Use of Child Soldiers, "Peru," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=836](http://www.child-soldiers.org/document_get.php?id=836).

<sup>2812</sup> U.S. Department of State, "Country Reports- 2007: Peru."

<sup>2813</sup> ILO-IPEC, *Situación de la Aplicación de la Ley No 28251, para el Combate a la Explotación Sexual Comercial de Niños, Niñas y Adolescentes*, Lima, 2006, 9-13; available from [http://white.oit.org.pe/ipcec/documentos/estudio\\_situ](http://white.oit.org.pe/ipcec/documentos/estudio_situ)

acion\_ley\_28251.pdf.

<sup>2814</sup> U.S. Embassy- Lima, *reporting, March 5, 2008*, paras 1, 2a.

<sup>2815</sup> Government of Peru, *Plan Nacional de Prevención y Erradicación del Trabajo Infantil*, 2005, 58, 63, 66; available from [http://www.mimdes.gob.pe/dgna/dna/cpeti/Plan\\_CPETI.pdf](http://www.mimdes.gob.pe/dgna/dna/cpeti/Plan_CPETI.pdf). See also Embassy of Peru official, Fax communication, December 6, 2007, para 7.

<sup>2816</sup> U.S. Department of State, "Country Reports- 2007: Peru."

<sup>2817</sup> Government of Peru, *Aprueban Plan Nacional de Prevención y Erradicación del Trabajo Infantil*, 008-2005-TR, (September 30, 2005), 45-46; available from [http://www.mimdes.gob.pe/dgna/dna/cpeti/Plan\\_CPETI.pdf](http://www.mimdes.gob.pe/dgna/dna/cpeti/Plan_CPETI.pdf).

<sup>2818</sup> Government of Peru, *Plan Nacional contra la Explotación Sexual Comercial de Niños, Niñas y Adolescentes*, 2006; available from [http://www.mimdes.gob.pe/dgna/escna/presentacion\\_plan.pdf](http://www.mimdes.gob.pe/dgna/escna/presentacion_plan.pdf).

<sup>2819</sup> ILO-IPEC and Roberto Cespedes, *Infancia y adolescencia trabajadora de Paraguay*, 2006; available from [http://white.oit.org.pe/ippec/documentos/estadisticas\\_py\\_07.pdf](http://white.oit.org.pe/ippec/documentos/estadisticas_py_07.pdf).

<sup>2820</sup> ILO-IPEC, *Prevention and Elimination of Child Domestic Labor (CDL) and of Commercial Sexual Exploitation of Children (CSEC) in Chile, Colombia, Paraguay and Peru*, Technical Progress Report, September 30, 2007, 34-35, 54-55.

<sup>2821</sup> International Youth Foundation, *Prepárate para la Vida, Project Document*.

<sup>2822</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>2823</sup> U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, [online] February 2008 [cited March 10, 2008]; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>2824</sup> U.S. Embassy- Lima, *reporting, March 5, 2008*, para 4k. See also Ministry of Women and Social Development, *MIMDES y Gobierno Belga ejecutarán proyecto para prevenir la violencia, el abuso y la explotación sexual comercial infantil*, [online] May 15, 2006 [cited March 8, 2008]; available from [http://www.mimdes.gob.pe/noticias/2006/not15may\\_1.htm](http://www.mimdes.gob.pe/noticias/2006/not15may_1.htm).

<sup>2825</sup> U.S. Department of State, "Country Reports- 2007: Peru," section 5.

<sup>2826</sup> *Ibid.*

<sup>2827</sup> Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited March 16, 2008]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>. See also Child Rights Information Network, *MERCOSUR*, [online] 2007 [cited December 26, 2007]; available from <http://www.crin.org/espanol/RM/mercosur.asp>.

## Philippines

### **Incidence and Nature of Child Labor**

Children work on sugarcane,<sup>2828</sup> tobacco,<sup>2829</sup> banana, coconut, corn flower, and rice plantations. They also engage in scavenging in garbage dumps,<sup>2830</sup> pyrotechnics production, deep-sea fishing, mining, and quarrying.<sup>2831</sup> Children living on the streets often engage in informal labor activities such as begging and scavenging.<sup>2832</sup> Children, primarily girls, are engaged in domestic service.<sup>2833</sup> Children are also involved in the commercial sex industry. They are engaged in prostitution, used in the production of pornography, and exploited by sex tourists.<sup>2834</sup> Children living on the streets in urban

centers are particularly vulnerable to prostitution and pornography.<sup>2835</sup> Children are also involved in the production and trafficking of drugs within the country.<sup>2836</sup>

Reportedly children are trafficked internally from rural areas to major cities, as well as abroad to work in factories, in prostitution, drug trafficking, domestic service, and other activities in the informal sector.<sup>2837</sup> There are no reports of child soldiers in the Government's Armed Forces, but children under 18 years are recruited into terrorist organizations, including the Abu Sayyaf Group and the New People's Army.<sup>2838</sup>

**Selected Statistics and Indicators  
on Child Labor<sup>2839</sup>**

Working children, 5-14 years (%), 2001:	11
Working boys, 5-14 years (%), 2001:	13.4
Working girls, 5-14 years (%), 2001:	8.4
Working children by sector, 5-14 years (%), 2001:	
- Agriculture	65.4
- Manufacturing	4.2
- Services	29.4
- Other	1.1
Minimum age for work:	15
Compulsory education age:	11
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	111
Net primary enrollment rate (%), 2005:	93
School attendance, children 5-14 years (%), 2001:	87.6
Survival rate to grade 5 (%), 2004:	75
ILO-IPEC participating country:	Yes

### Child Labor Laws and Enforcement

The law prohibits the employment of children under 15 years except when working directly with a parent, when working in public entertainment is “essential”, and when the work does not endanger the child’s life, safety, health or morals or does not interfere with schooling. The law requires that any child under 15 years employed under these guidelines receive a special permit from the Department of Labor and Employment (DOLE), but it does not define any absolute minimum age for these children to begin work.<sup>2840</sup> A child is permitted to work as an apprentice at age 14.<sup>2841</sup> The law sets limits on children’s working hours; it prohibits night work for children under 15 years from 8 p.m. to 6 a.m., and forbids children 15 to 18 years from working after 10 p.m.<sup>2842</sup> Penalties for violations include fines and prison terms up to 20 years. The law also requires formal administration of working children’s income, initiates trust funds for working children, and guarantees their access to education and training.<sup>2843</sup>

Philippine law defines the worst forms of child labor as all forms of slavery or practices similar to

slavery; use, procurement, offering, or exposing a child for prostitution, pornography, or pornographic performances; use, procuring or offering a child for illegal or illicit activities; and work that is hazardous or likely to be harmful to the safety, health, or morals of children, including 9 hazardous categories. Criteria for categorizing work as hazardous includes work that degrades the worth and dignity of a child; exposes the child to physical danger; is performed underground; is performed under difficult conditions; and that involves handling of explosives or pyrotechnics; among others.<sup>2844</sup> There are various Philippine laws that further describe, prohibit and provide penalties for the identified worst forms of child labor. The law specifically prohibits the handling of dangerous machinery or heavy loads; exposure to extremes of cold, heat, noise, or pressure; and exposure to physical, psychological, or sexual abuse.<sup>2845</sup> The law criminalizes trafficking of children for exploitation, including trafficking for sex tourism, prostitution, pornography, and the recruitment of children into armed conflict. The law establishes the penalty of life imprisonment for trafficking violations involving children and provides for the confiscation of any proceeds derived from trafficking crimes.<sup>2846</sup> Government employees face additional penalties for breaking the law, which also mandates immediate deportation of foreign offenders following the completion of their prison sentence.<sup>2847</sup> The law prohibits the involvement of minors in the manufacture, delivery, or purchase of dangerous drugs.<sup>2848</sup> Slavery and forced labor are prohibited.<sup>2849</sup> The law prohibits child prostitution, including engaging in, profiting from, or soliciting prostitution from children.<sup>2850</sup> The law also prohibits the use of children in the production of pornographic materials.<sup>2851</sup> The minimum age for voluntary recruitment into military service is 18 years or 17 years for training purposes.<sup>2852</sup>

DOLE is responsible for enforcing child labor laws through the labor standards enforcement offices.<sup>2853</sup> However, USDOS reports that child labor enforcement is weak because of a lack of awareness, lack of resources, and an inadequate judicial infrastructure.<sup>2854</sup> The National Bureau of Investigation (NBI), the Bureau of Immigration, and the Philippine National Police Criminal Investigation and Detection Group are tasked with

counter-trafficking activities,<sup>2855</sup> and are members of the national Inter-Agency Council Against Trafficking headed by the Department of Justice.<sup>2856</sup> In addition, local, regional and provincial Inter-Agency Councils Against Trafficking addresses child labor and human trafficking issues throughout the country.<sup>2857</sup>

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

The Philippine National Strategic Framework for Plan Development for Children, 2000-2025, also known as “Child 21,” and the National Program Against Child Labor (NPACL) framework continue to serve as the primary Government policy instruments for the development, implementation, monitoring, and evaluation of programs designed to prevent and eliminate child labor in the Philippines.<sup>2858</sup> In the summer of 2007, the first phase of the NPACL underwent a performance assessment on the outcomes and impacts of the program in preparation for a second phase. As a result, in August 2007, the NPACL was renamed the Philippine Program Against Child Labor (PPACL) Strategic Framework 2007-2015, and new strategic goals were developed.<sup>2859</sup> The National Plan of Action for Decent Work 2005-2007 prioritized the elimination of the worst forms of child labor.<sup>2860</sup> The Medium Term Philippine Development Plan 2004-2010 also includes measures for reducing the incidence of child labor, especially in hazardous occupations. In the plan, the Philippine Government pledges to strengthen mechanisms to monitor the implementation of child protection laws; develop “social technologies” to respond to child trafficking and pornography; and implement an enhanced program for children in armed conflict.<sup>2861</sup> In addition, several local government units have incorporated child labor into their development plans.<sup>2862</sup>

Several governmental agencies in the Philippines have ongoing programs to address the needs of children vulnerable to exploitive labor.<sup>2863</sup> DOLE continues to implement the Rescue the Child Workers Program to monitor suspected cases of child labor and intervene on behalf of children in confirmed cases.<sup>2864</sup> From January to December 2007, DOLE rescued 144 minors in 57 different operations from exploitive labor.<sup>2865</sup> DOLE

continues to regularly carry out child labor training for its approximately 200 labor inspectors.<sup>2866</sup> In addition, DOLE has a number of social welfare programs targeting working children, including the Working Youth Center and the Bureau of Women and Young Workers’ Family Welfare Program.<sup>2867</sup> DOLE also implements the Project Angel Tree, which grants wishes to child laborers such as providing food, clothing, and education assistance.<sup>2868</sup> The Cebu Chamber of Commerce, in collaboration with the Employers Confederation of the Philippines and ILO, maintains an awards program for Child Labor-Free and Child-Friendly Firms. A staff person from DOLE sits on the screening committee for administering the awards.<sup>2869</sup> In recognition of the World Day Against Child Labor on June 12, the Government participated in a series of week-long child labor awareness raising activities.<sup>2870</sup> The Philippine’s National Statistics Office gathers information on child labor by including children 5 years and above in its quarterly Labor Force Survey when measuring the economically active population in the Philippines.<sup>2871</sup>

The Department of Social Welfare and Development (DSWD) is the lead Government agency that provides support, primarily through 42 temporary shelters, for victims of trafficking,<sup>2872</sup> children in armed conflict, and children who have been exploited, abused, or rescued from living on the streets.<sup>2873</sup> From January to September 2007, DSWD provided social services and temporary shelter to 217 juvenile trafficking victims.<sup>2874</sup> In 2007, the Interagency Council Against Trafficking established an anti-trafficking task force at Manila’s airport.<sup>2875</sup> The Philippines is one of several countries in South East Asia participating in a campaign by MTV Europe to raise awareness on human trafficking.<sup>2876</sup>

The Government of the Philippines, through DOLE, is participating in a Timebound Program to implement the NPACL and PPACL. Phase I of the program targeted children involved in commercial sexual exploitation, mining and quarrying, pyrotechnics, deep-sea fishing, domestic service, and work on commercial sugar cane farms. ILO-IPEC and World Vision (in partnership with Plan, Christian Children’s Fund, and Educational Research and Development Assistance Foundation)

implemented USDOL-funded projects to support efforts to eliminate child labor in the specified worst forms.<sup>2877</sup> The USD 5.2 million ILO-IPEC portion of the program ended in August 2007, withdrawing a total of 19,125 children, and preventing a total of 11,963 more from exploitive work.<sup>2878</sup> The World Vision project was implemented during the reporting period.<sup>2879</sup> USDOL also funded two additional projects in support of the Timebound Program; a USD 7 million ILO-IPEC project that withdrew 4,335 and prevented 4,560 children from becoming involved in armed conflict in seven countries, including the Philippines,<sup>2880</sup> as well as an additional inter-regional project allocating USD 500,000 in the Philippines to substantially reduce the engagement of children in the worst forms of child labor. Both projects ended in 2007.<sup>2881</sup>

In September 2007, USDOL awarded an additional USD 5.5 million to World Vision to support the Government's efforts under Phase II of the Timebound Program and the PPACL. The project targets 18,063 children for withdrawal and 11,937 children for prevention from work in the following sectors: sugarcane plantations, other commercial agriculture, child domestic work, commercial sexual exploitation, mining/quarrying, garbage scavenging, and pyrotechnics.<sup>2882</sup>

Additional government projects contributing to the goals of the Timebound Program include a 2-year USD 469,000 project, in collaboration with the Eliminating Child Labor in the Tobacco Industry Foundation, to combat child labor in tobacco production in Region I (Ilocos Region).<sup>2883</sup> UNICEF also works actively with the Government to promote children's rights, protect children from trafficking, and support educational improvements.<sup>2884</sup> The UN Trust Fund for Human Security is implementing a USD 1.9 million program in the Philippines and Thailand to empower returned child trafficking victims economically and socially.<sup>2885</sup> USDOS and USAID provide support to a number of anti-trafficking projects in the Philippines, including a shelter that collaborates with local police and social workers to provide emergency shelter and counseling to exploited children and child trafficking victims, as well as an awareness-raising program to combat child trafficking.<sup>2886</sup>

The Philippines Education for All National Plan of Action includes child laborers as beneficiaries of education services.<sup>2887</sup> The Department of Education (DepEd) is implementing functional education and literacy programs that provide working children with basic education and skills training.<sup>2888</sup> DepEd's Bureau of Alternative Learning System<sup>2889</sup> is tasked with promoting, improving, and monitoring alternative learning interventions for out-of-school youth and groups with special educational needs,<sup>2890</sup> and has developed learning modules for parents of working children in areas with a high incidence of child labor.<sup>2891</sup> DepEd *Bulletin No.4 Series 2003* instructs education officials at the national, regional, and local levels to intervene to reduce or eliminate child labor.<sup>2892</sup> Additionally, *DepEd Order No. 31 S. 2006* provides policy guidance for reporting children involved in armed conflict in order to ensure that they receive any necessary assistance.<sup>2893</sup>

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<sup>2828</sup> Terre des Hommes, *Sweet Hazards: Child Labor on Sugarcane Plantations in the Philippines*, Netherlands, June 2005, 8. See also ILO-IPEC, *Safety and Health Fact Sheet: Hazardous Child Labour in Agriculture-Sugarcane*, Geneva, March 2004.

<sup>2829</sup> Partners International Incorporated, *Rapid Appraisal of Child Labor in the Tobacco Industry: Case Studies in Two Ilocos Provinces*, 2002, 16. See also ECLT Foundation, *Eliminating Child Labour in the Tobacco Industry Project, Phase 2*, [online] May 29, 2007 [cited December 3, 2007]; available from <http://www.eclt.org/filestore/DOLE2Programme.pdf>.

<sup>2830</sup> U.S. Embassy- Manila, *reporting*, December 6, 2007, 23. See also National Child Labor Committee official, Meeting with USDOL official, May 21, 2007, 3. See also Charita Castro, *Child Sakadas in Philippine Agriculture: Researching Injury Hazards for Working Children in the Context of International Labor Standards and United States Foreign Policy*, May 20, 2007, 81.

<sup>2831</sup> U.S. Embassy- Manila, *reporting*, December 6, 2007. See also Godelia E.S. Ricalde, Nonita Adan-Perez, and Mark Anthony P. Nucum, *Annotated Bibliography of Child Labor Studies in the Philippines*, 2002. See also ILO-IPEC, *Supporting the TimeBound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines*, Project Document, Geneva, September 25, 2002, 5.

<sup>2832</sup> U.S. Department of State, "Philippines," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100535.ht>

m. See also Castro, *Child Sakadas in Philippine Agriculture*, 81. See also Consortium for Street Children, *A Civil Society Forum for East and South East Asia on Promoting and Protecting the Rights of Street Children*, Bangkok, March 12-14, 2003, 18-20; available from <http://www.streetchildren.org.uk/reports/southeastasi a.pdf>.

<sup>2833</sup> Visayan Forum Foundation Inc., *Trafficked into Forced Labor: Selected Case Studies of Domestic Workers in the Philippines*, Manila, 2006, Introductory notes. See also Ayaka Matsuno and Jonathan Blagbrough, *Child Domestic Labour in South-East and East Asia: Emerging Good Practices to Combat It*, Bangkok, 2006, xv. See also Ricalde, *An Annotated Bibliography of Child Labor Studies in the Philippines*. See also U.S. Department of State, "Country Reports- 2007: Philippines," section 6c.

<sup>2834</sup> U.S. Department of State, "Country Reports- 2007: Philippines," section 5. See also ECPAT International CSEC Database, *Philippines*, accessed November 21, 2007; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/index.asp](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp). See also Arnie Trinidad, *Child Pornography in the Philippines*, Manila, 2005. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children: Philippines*, Bangkok, 2006, 11-12.

<sup>2835</sup> Castro, *Child Sakadas in Philippine Agriculture*, 79.

<sup>2836</sup> Emma Porio and Christine Crisol, *The Use of Children in the Production, Sales and Trafficking of Drugs*, Manila, 2004, 1, 2. See also Magdalena Lepiten, *Children's Involvement in the Production, Sale and Trafficking of Drugs in Cebu City: A Rapid Assessment*, ILO-IPEC, Geneva, February 2002.

<sup>2837</sup> U.S. Department of State, "Philippines (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82804.htm>. See also U.S. Embassy- Manila, *reporting*, December 6, 2007. See also U.S. Department of State, "Country Reports- 2007: Philippines," section 5, 6c. See also Visayan Forum Foundation Inc., *Trafficked into Forced Labor*. See also UNICEF, *Factsheet: Child Trafficking in the Philippines*, [online] [cited December 10, 2007]; available from <http://www.unicef.org/protection/files/ipulocaltrafficking.pdf#search=%22philippines%20child%20trafficking%22>. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children: Philippines*, 12.

<sup>2838</sup> U.S. Department of State, "Country Reports- 2007: Philippines," section 1g. See also Rufa Cagoco-Guiam, *Child Soldiers in Central and Western Mindanao: A Rapid Assessment*, ILO-IPEC, Geneva, February 2002, xiv.

<sup>2839</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For

minimum age for admission to work, age to which education is compulsory, and free public education, see Government of the Philippines, *Labour Code* (1993), article 139; available from <http://natlex.ilo.org/txt/E98PHL01.htm>. See also Government of the Philippines, *An Act Prohibiting the Employment of Children Below 15 Years of Age in Public and Private Undertakings* Republic Act No. 7658 (November 9, 1993); available from <http://www.pctc.gov.ph/initiatv/RA7658.htm>. See also Government of the Philippines, *An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child*, Republic Act No. 9231, (December 19, 2003). See also Government of the Philippines, *Constitution*, (1987), XIV Section 2(2). See also U.S. Embassy- Manila, *reporting*, December 6, 2007.

<sup>2840</sup> Government of the Philippines, *Labour Code*, article 139. See also Government of the Philippines, *Republic Act No. 7658*, section 12. See also Government of the Philippines, *Republic Act No. 9231*, section 2.

<sup>2841</sup> Government of the Philippines, *Labour Code*, article 59.

<sup>2842</sup> Government of the Philippines, *Policy Instruction No. 23*, (May 30, 1977), section 1 a, b. See also Government of the Philippines, *Republic Act No. 9231*, section 3.

<sup>2843</sup> Government of the Philippines, *Republic Act No. 9231*, sections 2-4, 6. See also U.S. Embassy- Manila, *reporting*, February 27, 2004.

<sup>2844</sup> Government of the Philippines, *Republic Act No. 9231*, section 3.

<sup>2845</sup> Department of Labor and Employment, *Hazardous Work and Activities to Persons Below 18 Years of Age*, Department Order No. 4, (1999), section 3. See also Ayaka Matsuno and Jonathan Blagbrough, *Child Domestic Labour in South-East and East Asia: Emerging Good Practices to Combat It*, Bangkok, 2006, 36.

<sup>2846</sup> Government of the Philippines, *Anti-Trafficking in Persons Act*, Republic Act 9208, (2003), sections 6, 10, 14.

<sup>2847</sup> *Ibid.*, section 5, 6, 10. See also U.S. Embassy-Manila, *reporting*, March 1, 2005.

<sup>2848</sup> Government of the Philippines, *Comprehensive Dangerous Drugs Act*, Republic Act No. 9165, (2002), article II, section 5, 6.

<sup>2849</sup> Government of the Philippines, *Revised Penal Code*, No. 3815, (December 8, 1930), article 272-274.

<sup>2850</sup> Government of the Philippines, *Special Protection of Children against Abuse, Exploitation and Discrimination Act*, Republic Act No. 7610 (1992). See also Government of the Philippines, *Revised Penal Code*, articles 202, 340-341.

<sup>2851</sup> Government of the Philippines, *Special Protection of Children Act*, article V. See also Government of the Philippines, *Anti-Trafficking in Persons Act*, Section 4.

<sup>2852</sup> Coalition to Stop the Use of Child Soldiers, "Philippines," in *Child Soldiers Global Report 2004*,

London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=875](http://www.child-soldiers.org/document_get.php?id=875).

<sup>2853</sup> Government of the Philippines, *Philippine Government's Efforts to Eliminate the Worst Forms of Child Labor*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", December 5, 2007. See also U.S. Embassy- Manila, *reporting*, August 29, 2003. See also U.S. Embassy- Manila, *reporting*, December 6, 2007.

<sup>2854</sup> U.S. Embassy- Manila, *reporting*, December 6, 2007.

<sup>2855</sup> U.S. Department of State, "Country Reports- 2007: Philippines," section 5.

<sup>2856</sup> U.S. Embassy-Manila official, email communication to USDOL official, August 14, 2006. See also Government of the Philippines, *Philippine Government's Efforts to Eliminate the Worst Forms of Child Labor*.

<sup>2857</sup> The Philippines Department of Foreign Affairs, *DFA RCO Iloilo, and NGOs Work to Activate Regional Inter-agency Council Against Trafficking*, Press Release, August 31, 2006. See also U.S. Embassy- Manila official, E-mail communication to USDOL official, July 24, 2008.

<sup>2858</sup> Council for the Welfare of Children, *Philippine National Strategic Framework for Plan Development for Children, 2000-2025*, Makati City, Philippines, 2000. See also Department of Labor and Employment, *National Program Against Child Labor Framework 2000-2004*. See also ILO-IPEC, *Supporting the Timebound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines*, technical progress report, September 2005, 30-31. See also World Vision, *Combating Child Labor through Education in the Philippines: The ABK Initiative*, Technical Progress Report, March 2006. See also Government of the Philippines, *Philippine Government's Efforts to Eliminate the Worst Forms of Child Labor*.

<sup>2859</sup> ILO-IPEC, *Supporting the Timebound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines*, Final Technical Progress Report, Geneva, September 2007, 5-6. See also U.S. Embassy-Manila, *reporting*, December 6, 2007, 16.

<sup>2860</sup> Department of Labor and Employment, *Employers, Labor Agree to Promote Decent Work*, [online] May 13, 2005 [cited March 19, 2008]; available from <http://www.gov.ph/news/default.asp?i=9290>. See also ILO-IPEC, *Supporting the Timebound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines*, Status Report, Geneva, June 2005, 3.

<sup>2861</sup> Republic of the Philippines, *Medium Term Philippine Development Plan 2004-2010*, 2004, 113, 168-169.

<sup>2862</sup> World Vision, *Combating Child Labor through Education in the Philippines: The ABK Initiative*, Technical Progress Report, Manila, August 15, 2007, 22-23.

<sup>2863</sup> U.S. Department of State, "Country Reports- 2007:

Philippines," section 6d. See also Government of the Philippines, *Philippine Government's Efforts to Eliminate the Worst Forms of Child Labor*.

<sup>2864</sup> U.S. Embassy- Manila, *reporting*, December 6, 2007, 12. See also Government of the Philippines, *Philippine Government's Efforts to Eliminate the Worst Forms of Child Labor*.

<sup>2865</sup> U.S. Embassy official, E-mail communication to USDOL official, July 24, 2008.

<sup>2866</sup> U.S. Embassy- Manila, *reporting*, December 6, 2007, 14.

<sup>2867</sup> U.S. Embassy- Manila, *reporting* August 29, 2003. See also Bureau of Women and Young Workers, *Bureau of Women and Young Workers Homepage*, [online] [cited March 19, 2008]; available from <http://www.chanrobles.com/legal3bwyw.html>.

<sup>2868</sup> Government of the Philippines, *Philippine Government's Efforts to Eliminate the Worst Forms of Child Labor*.

<sup>2869</sup> Cebu Chamber of Commerce and Industry Inc., *Search for CCCI's Child Friendly Firm is On*, Press Release, October 8, 2006; available from [http://www.cebubusinesswebportal.com/index.php?option=com\\_content&task=view&id=63&Itemid=129](http://www.cebubusinesswebportal.com/index.php?option=com_content&task=view&id=63&Itemid=129).

<sup>2870</sup> ILO-IPEC, *World Day Against Child Labour Harvest for the Future: Agriculture without Child Labour Country Activities: Philippines*, June 12, 2007.

<sup>2871</sup> U.S. Embassy- Manila, *reporting*, December 6, 2007, 22. See also ILO-IPEC, *Supporting the Timebound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines*, Technical Progress Report, March 2004, 7. See also National Statistics Office, *NSO and ILO-IPEC Set to Present Final Results of the Latest Survey on Children*, Press Release, October 10, 2002; available from <http://www.census.gov.ph/data/pressrelease/2002/pr02177tx.html>.

<sup>2872</sup> U.S. Department of State, "Country Reports- 2007: Philippines," section 5. See also U.S. Department of State, "Philippines (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82804.htm>.

<sup>2873</sup> U.S. Embassy- Manila, *reporting* August 29, 2003. See also Department of Social Welfare and Development, *Retained Programs/Services for Children* [online] [cited March 19, 2008]; available from <http://www.dswd.gov.ph/ProgProj.php?id=32>.

<sup>2874</sup> U.S. Department of State, "Country Reports- 2007: Philippines," section 5.

<sup>2875</sup> U.S. Department of State, "Trafficking in Persons Report 2007: Philippines."

<sup>2876</sup> U.S. Embassy Manila, *reporting*, June 27, 2007.

<sup>2877</sup> ILO-IPEC, *Supporting the Time-Bound Program, Project Document*. See also World Vision, *Combating Child Labor*

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through Education in the Philippines: The ABK Initiative, Project Document, Washington, 2003. See also Government of the Philippines, Memorandum Order No. 71, September 2, 2002.

<sup>2878</sup> ILO-IPEC, *Time-Bound Program to Combat Child Labor, Final Technical Progress Report September 2007*, 61.

<sup>2879</sup> U. S. Department of Labor, *Combating Child Labor through Education in the Philippines: The ABK Initiative, ILAB Technical Cooperation Project Summary*, 2007.

<sup>2880</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Program*, Project Document, Geneva, September 2003. See also U.S. Department of Labor, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Program*, ILAB Technical Cooperation Project Summary, Washington, D.C., 2007. See also USDOL official, E-mail communication USDOL official, March 14 2008.

<sup>2881</sup> Winrock International, *Reducing Child Labor through Education*, [online] [cited June 11, 2008]. See also U.S. Embassy- Manila, *U.S. Government Projects in the Philippines: Human Rights, Democracy and Labor*, [online] February 13, 2007 [cited April 1, 2008]; available from <http://manila.usembassy.gov/wwwfps24.pdf>.

<sup>2882</sup> U.S. Department of Labor, *Combating Child Labor through Education in the Philippines: The ABK Initiative Phase II* ILAB Technical Cooperation Project Summary, 2007.

<sup>2883</sup> ECLT Foundation, *Eliminating Child Labour in the Tobacco Industry Project, Phase 2*. See also U.S. Embassy- Manila, *reporting, December 6, 2007*, 19.

<sup>2884</sup> UNICEF, *Philippines: Child Protection* [online] [cited November 21, 2007]; available from [http://www.unicef.org/philippines/activities/act\\_4.html](http://www.unicef.org/philippines/activities/act_4.html). See also UNICEF, *Revised Country Programme Document: Philippines*, November 1, 2004. See also UNICEF Philippines, *UNICEF Inks Agreement with Philippine Government to Reduce Disparities in the Well-*

*Being of Children*, [online] May 4, 2005 [cited June 11, 2008]; available from <http://www.unicef.org/philippines/archives/news/050503.html>.

<sup>2885</sup> ILO-IPEC official, E-mail communication USDOL official, December 12, 2007.

<sup>2886</sup> U.S. Embassy- Manila, *reporting, December 14, 2006*. See also U. S. Embassy official, E-mail communication to USDOL official, November 27, 2007.

<sup>2887</sup> Government of the Philippines, *National Action Plan to Achieve Education for All by Year 2015*, 2005, 51; available from [http://www.unescobkk.org/fileadmin/user\\_upload/ef/a/EFA\\_Plans/Phil\\_EFA2015\\_Final\\_Plan.pdf](http://www.unescobkk.org/fileadmin/user_upload/ef/a/EFA_Plans/Phil_EFA2015_Final_Plan.pdf). See also ILO-IPEC, *Supporting the Timebound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines*, Technical Progress Report, March 2006, 2.

<sup>2888</sup> Government of the Philippines, *National Action Plan to Achieve Education for All by Year 2015*, 51.

<sup>2889</sup> Government of the Philippines, *Renaming the Bureau of Nonformal Education to Bureau of Alternative Learning System*, Executive Order No. 356, (September 13, 2004). See also U.S. Embassy- Manila, *reporting, December 6, 2007*.

<sup>2890</sup> Government of the Philippines, *National Action Plan to Achieve Education for All by Year 2015*, 26. See also U.S. Embassy- Manila, *reporting August 29, 2003*.

<sup>2891</sup> U.S. Embassy- Manila, *reporting, December 6, 2007*, 21.

<sup>2892</sup> Department of Education, *DepED Bulletin No. 4 S. 2003, Philippines Timebound Program (PTBP) for the Elimination of the Worst Forms of Child Labor (WFCL)*, 2003.

<sup>2893</sup> Department of Education, *DepEd Order No. 31 S. 2006, Implementation of Policy Instruments in Reporting Cases of Children Involved in Armed Conflict*, July 28, 2006.

## Russia

### Incidence and Nature of Child Labor

In urban areas, children can be found working primarily in the informal sector in retail services, selling goods on the street, washing cars, repairing automobiles, making deliveries, collecting trash, and begging.<sup>2894</sup> In rural areas children work primarily in agriculture.<sup>2895</sup> Children from neighboring countries, in addition to Russian

children, are engaged in exploitive work in Russia.<sup>2896</sup>

Among street children, boys are usually involved in hard physical labor, while girls are more likely to be engaged in prostitution.<sup>2897</sup> However, child prostitution involving boys does take place, particularly involving homeless and orphaned children.<sup>2898</sup> Homeless and orphaned children are also at risk of other forms of exploitation or

becoming engaged in criminal activities.<sup>2899</sup> Some children involved in prostitution also work in shops, cafes, and filling stations.<sup>2900</sup> Child sex tourism remains a concern.<sup>2901</sup> St. Petersburg and Moscow are both destination sites for child sex tourism,<sup>2902</sup> and the northwestern border areas of Russia are popular destinations for sex tourists from wealthier Western European nations.<sup>2903</sup> Russian children, primarily girls, are trafficked both internationally and domestically for commercial sexual exploitation.<sup>2904</sup> Domestic trafficking of children from rural areas to urban centers and from one region to another occurs.<sup>2905</sup> Moscow and St. Petersburg are reported as destination cities for children trafficked internally, and for children trafficked from Moldova and Ukraine for sexual exploitation and forced begging.<sup>2906</sup> Russia is a major producer and distributor of internet pornography.<sup>2907</sup> There has been a ten-fold increase in prosecutions for child pornography in the past 5 years, but it remains a significant problem.<sup>2908</sup>

## Child Labor Laws and Enforcement

The law sets the minimum age of employment at 16 years, with some exceptions.<sup>2910</sup> Children who have either completed their basic general education or have left the general educational system may work at age 15. With parental consent, children at least 14 years may perform light work that is not harmful to their health or education, and children younger than 14 may participate in the creation and/or performance of art works that are not harmful to their health and moral development.<sup>2911</sup> The working time for employees younger than 16 years should not exceed 24 hours per week, or exceed 36 hours per week for employees between 16 and 18 years.<sup>2912</sup> Workers younger than 16 years may not work longer than 5 hours per shift, and for workers between 16 and 18 years, a shift may not exceed 7 hours.<sup>2913</sup> Children under 18 years are prohibited from engaging in night work, unhealthy or dangerous work, underground work, or work that may be harmful to their moral development.<sup>2914</sup> Employers must medically screen any prospective employees younger than 18 years. Once hired, these employees must also pass annual medical surveys provided at the expense of the employer.<sup>2915</sup>

Forced child labor is punishable by imprisonment from 3 to 5 years. Acts directed towards organizing prostitution that involve minors are punishable by imprisonment of up to 6 years with no minimum sentence. If the minor is under 14 years, the term of imprisonment is 3 to 10 years.<sup>2916</sup> Involving a minor in prostitution, or compelling a minor to continue to engage in prostitution is punishable by 3 to 8 years of imprisonment.<sup>2917</sup> Sexual intercourse, sodomy, or lesbian acts committed with a person less than 16 years is punishable by up to 4 years of imprisonment.<sup>2918</sup> In addition, the creation and circulation of pornography that knowingly depicts minors is punishable by a term of imprisonment of up to 6 years. The term of imprisonment is 3 to 8 years if the minor is under 14.<sup>2919</sup> Trafficking of a known minor is punishable by a sentence of 3 to 10 years of imprisonment if committed by a single individual. The sentence for an organized group that engages in any form of trafficking is 8 to 15 years.<sup>2920</sup> The minimum age for both voluntary and compulsory military recruitment is 18 years.<sup>2921</sup>

### Selected Statistics and Indicators on Child Labor<sup>2909</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	15 or 16
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	129
Net primary enrollment rate (%), 2005:	92
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated

The Federal Labor and Employment Service (FLES) is responsible for monitoring child labor violations.<sup>2922</sup> Between 2006 and the first half of 2007, there were 8,529 child labor violations found by the FLES in 3,584 inspections. Approximately USD 15,400 in administrative fines were issued to employers.<sup>2923</sup> According to USDOS, however, the Government failed to enforce child labor laws effectively.<sup>2924</sup> There have been reports that Government officials have been complicit in trafficking.<sup>2925</sup> Russia does not track the number of trafficking prosecutions, convictions, and sentences.<sup>2926</sup>

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

In 2007, the Ministry of the Interior created a Federal-level Counter Human Trafficking Unit to increase coordination of enforcement on anti-trafficking efforts.<sup>2927</sup> The Duma Working Group on Trafficking developed a series of action plans, including a plan in 2007 that called for greater attention to child trafficking and child pornography legislation.<sup>2928</sup> The Public Chamber, a consultative Government body tasked with reviewing draft legislation and monitoring Federal bodies, provided grants to 3 NGOs in early 2007 to provide rehabilitation assistance to trafficking victims.<sup>2929</sup> The St. Petersburg government has formed a working group that meets regularly to address trafficking and child sexual exploitation, and has established shelters for minors in each city district.<sup>2930</sup> The Government of Finland is supporting a USD 450,000 project to assist working street children in St. Petersburg.<sup>2931</sup> UNICEF is working with the Government to assist children living and working in the streets.<sup>2932</sup>

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<sup>2894</sup> ILO-IPEC, *In-depth Analysis of the Situation of Working Street Children in Moscow 2001*, Moscow, 2002, 36; available from [http://www.ilo.ru/publications/childlabour/Moscow\\_Report\\_Eng\\_1.pdf](http://www.ilo.ru/publications/childlabour/Moscow_Report_Eng_1.pdf). ILO, *Child Labour in Europe and Central Asia: Problem and Response*, Geneva, 2003, 10-11.

<sup>2895</sup> U.S. Embassy- Moscow official, E-mail communication to USDOL official, August 3, 2007.

<sup>2896</sup> Ibid. See also U.S. Embassy- Moscow, *reporting*, November 30, 2007.

<sup>2897</sup> ILO, *Child Labour in Europe and Central Asia: Problem and Response*, 10-11. See also ILO-IPEC, *Analysis of the Situation of Working Street Children in Moscow*, 22.

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<sup>2898</sup> U.S. Embassy- Moscow official, E-mail communication, August 3, 2007.

<sup>2899</sup> U.S. Department of State, "Country Reports- 2007: Russia," section 6d. See also U.S. Embassy- Moscow official, E-mail communication, August 3, 2007. See also U.S. Embassy- Moscow, *reporting*, November 30, 2007. See also ILO Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention- Concluding Observations: Russian Federation* November 23, 2005, 16-17; available from <http://www.crin.org/docs/Russian%20Federation%20COs.doc>.

<sup>2900</sup> ILO-IPEC, *Analysis of the Situation of Working Street Children in Moscow*, 37.

<sup>2901</sup> U.S. Embassy- Moscow, *reporting*, November 30, 2007. See also U.S. Department of State, "Country Reports- 2007: Russia," section 5, 6d. See also Donna M. Hughes, *Trafficking for Sexual Exploitation: The Case of the Russian Federation*, No. 7, IOM, Geneva, June 2002, 24; available from [http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published\\_docs/serial\\_publications/mrs7.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/serial_publications/mrs7.pdf).

<sup>2902</sup> U.S. Embassy- Moscow, *reporting*, November 30, 2007.

<sup>2903</sup> Hughes, *Trafficking for Sexual Exploitation*, 17. See also ECPAT International CSEC Database, *Russia*, accessed November 21, 2007; available from <http://www.ecpat.net>.

<sup>2904</sup> U.S. Department of State, "Country Reports- 2007: Russia," section 5. See also ECPAT International CSEC Database, *Russia*. See also U.S. Department of State, "Russia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82804.htm>.

<sup>2905</sup> Hughes, *Trafficking for Sexual Exploitation*, 17. See also U.S. Embassy- Moscow, *reporting*, March 1, 2005.

<sup>2906</sup> U.S. Department of State, "Trafficking in Person Report- 2007: Russia."

<sup>2907</sup> Hughes, *Trafficking for Sexual Exploitation*, 23. See also U.S. Department of State, "Country Reports- 2007: Russia," section 5.

<sup>2908</sup> U.S. Embassy- Moscow official, E-mail communication, August 3, 2007.

<sup>2909</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Russia, *Labor Code*, (February 1, 2002), article 63; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/60535/65252/E01RUS01.htm>. See also U.S. Department of State, "Russia," in *Country Reports on Human Rights*

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*Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Russian Federation (ratification: 1979)*, [online] 2006 [cited March 17, 2008]; available from <http://www.ilo.org/ilolex/>.

<sup>2910</sup> Government of Russia, *Labor Code* article 63.

<sup>2911</sup> *Ibid.*

<sup>2912</sup> *Ibid.*, articles 91 and 92.

<sup>2913</sup> *Ibid.*, article 94.

<sup>2914</sup> *Ibid.*, articles 96 and 265.

<sup>2915</sup> *Ibid.*, article 266.

<sup>2916</sup> Government of Russia, *The Criminal Code of the Russian Federation*, (January 1, 1997), articles 127 and 241; available from <http://www.legislationline.org/upload/legislations/d1/a1/0cc1acff8241216090943e97d5b4.htm>. See also Government of Russia, *Constitution of the Russian Federation*, (December 25, 1993), article 37; available from <http://www.legislationline.org/upload/legislations/68/7c/40e7c5194d7db79b900b350d2a20.htm>.

<sup>2917</sup> Government of Russia, *Criminal Code*, articles 131, 151, 240.

<sup>2918</sup> *Ibid.*, article 134.

<sup>2919</sup> *Ibid.*, article 242.1.

<sup>2920</sup> *Ibid.*, article 127.1.

<sup>2921</sup> Coalition to Stop the Use of Child Soldiers, "Russian Federation," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=924](http://www.child-soldiers.org/document_get.php?id=924).

<sup>2922</sup> Government of Russia, *Labor Code* article 353. See also U.S. Embassy- Moscow, *reporting, November 30, 2007*.

<sup>2923</sup> U.S. Embassy- Moscow, *reporting, November 30, 2007*.

<sup>2924</sup> U.S. Department of State, "Country Reports- 2007: Russia," section 6d.

<sup>2925</sup> *Ibid.*, section 5. See also U.S. Embassy- Moscow, *reporting June 9, 2004*. See also U. S. Embassy-Moscow, *reporting, March 3, 2008*.

<sup>2926</sup> U. S. Embassy-Moscow, *reporting, March 3, 2008*.

<sup>2927</sup> U.S. Department of State, "Trafficking in Person Report- 2007: Russia."

<sup>2928</sup> U. S. Embassy-Moscow, *reporting, March 3, 2008*.

<sup>2929</sup> U.S. Department of State, "Trafficking in Person Report- 2007: Russia."

<sup>2930</sup> U.S. Consulate- St. Petersburg, *reporting, October 17, 2007*. See also U. S. Embassy-Moscow, *reporting, March 3, 2008*.

<sup>2931</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>2932</sup> UNICEF, *For homeless children, hope and help to get off the streets*, [online] November 26, 2007 [cited December 11, 2007]; available from [http://www.unicef.org/infobycountry/russia\\_41947.html](http://www.unicef.org/infobycountry/russia_41947.html).

## Rwanda

### Incidence and Nature of Child Labor

In Rwanda, children primarily work in subsistence agriculture. Children also work on tea, sugar cane, and rice plantations; in sand extraction quarries, brickyards, and stone crushing; and engage in domestic service for third-party households and prostitution.<sup>2933</sup> Children also work in coffee harvesting; charcoal burning and carrying;<sup>2934</sup> and microenterprises.<sup>2935</sup> They are found working at waste disposal sites.<sup>2936</sup> In urban areas, children live on the streets and work as porters, car guards, garbage collectors, and vendors, selling items such as cigarettes and candy. Street children, particularly girls, are at high risk of sexual exploitation.<sup>2937</sup> The problem of child labor has been attributed partly to the high incidence of

children who have been orphaned and are now heading households as a result of Rwanda's civil war, 1994 genocide,<sup>2938</sup> and the high incidence of HIV/AIDS.<sup>2939</sup>

Children are engaged in commercial sexual exploitation, including forced prostitution. A small number of girls also engage in prostitution to survive—most are between 14 and 18 years and head their own households. Children are trafficked within Rwanda for commercial sexual exploitation and domestic service.<sup>2940</sup>

There continued to be reports in 2007 of an armed group from the Democratic Republic of the Congo (DRC) recruiting Congolese refugee children living in Rwanda and trafficking them for forced labor and soldiering.<sup>2941</sup>

***Selected Statistics and Indicators  
on Child Labor***<sup>2942</sup>

Working children, 5-14 years (%), 2000:	27.3
Working boys, 5-14 years (%), 2000:	29.9
Working girls, 5-14 years (%), 2000:	24.8
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	13
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	119
Net primary enrollment rate (%), 2005:	73
School attendance, children 5-14 years (%), 2000:	55.3
Survival rate to grade 5 (%), 2003:	46
ILO-IPEC participating country:	Associated
* Must pay for miscellaneous school expenses	

### **Child Labor Laws and Enforcement**

The law sets the minimum age of employment at 16 years,<sup>2943</sup> but this does not apply to children working in subsistence agriculture.<sup>2944</sup> Subject to certain provisions and restrictions, children can be employed at 14 years with parental consent.<sup>2945</sup> The Ministry of Labor can also make exceptions to allow children 14 to 16 years to work in a company or in apprenticeships. By law, however, the Ministry of Labor will only grant exceptions for light work that will not harm children's health or education. Children under the age of 16 years are prohibited from working between the hours of 7 p.m. and 5 a.m. or from performing any work deemed hazardous or difficult as determined by the Ministry of Labor, and must have at least 12 hours of rest between work shifts.<sup>2946</sup>

The law prohibits forced labor.<sup>2947</sup> All sexual relations with children under the age of 18 are considered rape under Rwandan law. The law also prohibits prostitution and compelling another person to engage in prostitution. Violations are

punishable by 10 years of imprisonment and a fine if the crime is committed against a minor under the age of 18 years.<sup>2948</sup> If the child is between 14 and 18 years and the crime is committed by a person in a position of authority over the child, it is punishable by a fine and life imprisonment. If the child is under 14 years, the crime is punishable by life imprisonment. Using or exploiting children in pornographic publications is prohibited and is punishable by a fine and between 5 and 12 years imprisonment.<sup>2949</sup> Laws against slavery, child prostitution, forced prostitution, and kidnapping can be used to prosecute traffickers.<sup>2950</sup> The law also prohibits the use of children in drug trafficking.<sup>2951</sup> The law sets the minimum age for military service at 18 years.<sup>2952</sup> However, this law does not apply to the Local Defense Forces, a paramilitary government militia,<sup>2953</sup> and there are no legal penalties for recruiting children under 18 years for military service.<sup>2954</sup>

The Ministry of Public Service, Skills Development, and Labor's labor inspectors continue their efforts to enforce child labor laws by issuing warnings and levying fines against employers who employed children illegally.<sup>2955</sup> The Government's 12 regional offices employed 30 child labor inspectors; however, these offices were not given adequate resources to identify or prevent child labor. According to USDOS, the Government lacks the staff and capacity to effectively enforce child labor laws.<sup>2956</sup>

Rwanda was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children in West and Central African Regions.<sup>2957</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>2958</sup>

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

The Government is implementing its National Plan of Action against Child Labor, which was developed with assistance from ILO-IPEC under

the USDOL-funded Global Child Soldiers Project.<sup>2959</sup> This 5-year plan includes activities such as the development and implementation of a national child labor survey and the development of a child labor monitoring system. The elimination of child labor is also specifically mentioned as a government priority in Rwanda's Economic Development and Poverty Reduction Strategy (EDPRS), which was adopted in November 2007.<sup>2960</sup> The USDOL-funded KURET project provided technical assistance to the Government in incorporating child labor into the EDPRS.<sup>2961</sup> In 2007, labor inspectors were trained by the USDOL-funded KURET project and UNICEF on child labor issues.<sup>2962</sup> Additionally, targets to reduce child labor have been included in district officials' performance contracts, which are signed personally by President Kagame.<sup>2963</sup>

In July 2007, the Government of Rwanda adopted a strategic plan to implement its National Policy for Orphans and Other Vulnerable Children (OVC).<sup>2964</sup> This targets working children, children living in child-headed households, children affected by armed conflict, children exploited in prostitution and sexual abuse, children affected by HIV/AIDS, and street children. The National Policy on OVC includes specific strategies to address child labor, such as improving children's working conditions, better enforcement of labor laws, supporting income-generating activities for families, strengthening a "catch up" education system, and conducting child labor studies and sensitization campaigns.<sup>2965</sup>

The Ministry of Education continued to provide education to children who missed out on primary school as a result of working.<sup>2966</sup> Rehabilitation and training programs were also provided to help children who had been working in plantations, mines, and quarries to return to school.<sup>2967</sup>

The Government of Rwanda continues to participate in the 4-year, Kenya, Uganda, Rwanda, and Ethiopia Together (KURET) project, funded by USDOL at USD 14.5 million and by World Vision at USD 5.8 million. Implemented by World Vision, the International Rescue Committee, and the Academy for Educational Development, the KURET Project aims to withdraw or prevent a total of 30,600 children from exploitive labor in

HIV/AIDS-affected areas of these four countries through the provision of educational services.<sup>2968</sup>

The Government also participated in a global USD 7 million USDOL-funded project implemented by ILO-IPEC through May 2007, to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers.<sup>2969</sup> The project withdrew a total of 4,335 children and prevented a total of 4,560 children from involvement with armed groups in 7 countries, including Rwanda.<sup>2970</sup> Throughout 2007, Rwandan children who had been soldiers in the DRC received assistance, education, and reintegration services from the Rwanda Demobilization and Reintegration Commission's (RDRC) Muhazi child demobilization center near Kigali.<sup>2971</sup> The National Poverty Reduction Program, the Local Development Program through Labor-Intensive Public Works, and other local initiatives also provide opportunities for former child soldiers.<sup>2972</sup> The RDRC continued to broadcast radio messages in Eastern DRC and Rwanda, encouraging combatants in the DRC to disarm and return home.<sup>2973</sup> The Government continued to raise awareness among refugees living in Rwandan camps on the dangers of child soldiering.<sup>2974</sup>

The Government continued to closely monitor security checkpoints and vehicle cargo for signs of human trafficking.<sup>2975</sup> Police officers received training for identifying trafficking victims, including children, in 2007.<sup>2976</sup>

The Government continues to work with NGOs to assist child-headed households and sensitize local officials to their needs. Local authorities continue to place street children in foster homes or government-run facilities. The Government supports 12 centers throughout the country that provide street children with shelter and help meet their basic needs.<sup>2977</sup>

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<sup>2933</sup> U.S. Department of State, "Country Reports- 2007: Rwanda," section 6d.

<sup>2934</sup> World Vision, *KURET (Kenya, Uganda, Rwanda, and Ethiopia Together) Initiative*, Project Document, July 18, 2005, 7.

<sup>2935</sup> U.S. Department of State, "Country Reports- 2007:

Rwanda," section 6d.

<sup>2936</sup> Republic of Rwanda, *National Policy for Orphans and Other Vulnerable Children*, Kigali, 2003, 33.

<sup>2937</sup> Human Rights Watch, *Lasting Wounds: Consequences of Genocide and War on Rwanda's Children*, New York, March 2003, 61-63; available from <http://hrw.org/reports/2003/rwanda0403>.

<sup>2938</sup> U.S. Embassy- Kigali, reporting, February 27, 2006.

<sup>2939</sup> U.S. Department of State, "Country Reports- 2007: Rwanda," section 5.

<sup>2940</sup> *Ibid.*, section 5 and 6d. See also U.S. Department of State, "Rwanda (Tier 2)," in *Trafficking in Persons Report-2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>2941</sup> U.S. Department of State, "Country Reports- 2007: Rwanda," sections 2d, 5, 6c, and 6d. See also U.S. Department of State, reporting, February 27, 2008, para 27A.

<sup>2942</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Rwanda, *Law No. 51/2001 of 30/12/2001 Establishing the Labour Code*, (December 30, 2001), article 11; available from <http://www.rwandainvest.gov.rw/lawlab.htm>. See also U.S. Department of State, "Rwanda," in *Country Reports on Human Rights Practices-2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007>. See also UNESCO Institute for Statistics, *National Education Systems*, [online] [cited March 19, 2008]; available from [http://www.uis.unesco.org/staten/statistics/yearbook/tables/Table3\\_1.html](http://www.uis.unesco.org/staten/statistics/yearbook/tables/Table3_1.html). See also Government of Rwanda, *Constitution of Rwanda*, (May 30, 1991), article 27 available from [http://www.oefre.unibe.ch/law/icl/rw00000\\_.html](http://www.oefre.unibe.ch/law/icl/rw00000_.html).

<sup>2943</sup> Government of Rwanda, *Labour Code*, article 11.

<sup>2944</sup> U.S. Department of State, "Country Reports- 2007: Rwanda," section 6d.

<sup>2945</sup> Government of Rwanda, *Labour Code*, article 11.

<sup>2946</sup> *Ibid.*, articles 60-61, 63, and 65.

<sup>2947</sup> *Ibid.*, article 4.

<sup>2948</sup> Government of Rwanda, "Rwanda," in *Legislation of Interpol Member States on Sexual Offences against Children*; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws>. See also Government of Rwanda, *Criminal Code*, 363-365, 374; available from [www.protectionproject.org](http://www.protectionproject.org) [hard copy on file]. See also U.S. Department of State, reporting, February 27, 2008, para 28A.

<sup>2949</sup> Government of Rwanda, "Interpol: Rwanda." See also

U.S. Department of State, reporting, February 27, 2008, para 28A.

<sup>2950</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Rwanda."

<sup>2951</sup> U.S. Department of State, reporting, February 27, 2008, para 28A.

<sup>2952</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Programme*, Project Document, Geneva, September 17, 2003, 23. See also Coalition to Stop the Use of Child Soldiers, "Rwanda," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=791](http://www.child-soldiers.org/document_get.php?id=791). See also U.S. Embassy- Kigali, reporting, March 1, 2007, para 29 A.

<sup>2953</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No.182) Rwanda (ratification: 2000) 2006*, [online] [cited December 11, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>. See also Human Rights Watch, *Lasting Wounds: Consequences of Genocide and War on Rwanda's Children*, 16. See also Coalition to Stop the Use of Child Soldiers, "Global Report 2004: Rwanda."

<sup>2954</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No.182) Rwanda (ratification: 2000)*, [online] 2006 [cited September 24, 2006]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>2955</sup> U.S. Embassy-Kigali, reporting, November 30, 2007, para B.

<sup>2956</sup> U.S. Department of State, "Country Reports- 2007: Rwanda," section 6d.

<sup>2957</sup> See also ILO-IPEC Geneva official, E-mail communication to USDOL official, November 16, 2006.

<sup>2958</sup> See also ILO-IPEC, *Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (LUTRENA)*, technical progress report, Geneva, September 1, 2007. See also Emmanuel Goujon, *African States Sign up to Fight Human Trafficking*, Press Release, Agence France Presse, Abuja, July 7, 2006.

<sup>2959</sup> ILO-IPEC, *Prevention of Child Recruitment and Reintegration of Children Associated with Armed Forces and Groups: Strategic Framework for Addressing the Economic Gap*, Geneva, 2007, 21.

<sup>2960</sup> U.S. Embassy-Kigali, reporting, November 30, 2007, para D.

<sup>2961</sup> World Vision, *KURET (Kenya, Uganda, Rwanda, and Ethiopia Together) Initiative Technical Progress Report*, March 30, 2007, 1.

<sup>2962</sup> U.S. Embassy-Kigali, reporting, November 30, 2007, para B.

<sup>2963</sup> *Ibid.*, para A.

<sup>2964</sup> Ibid.

<sup>2965</sup> Republic of Rwanda, *National Policy for Orphans and Other Vulnerable Children*. See also ILO Committee of Experts, *Direct Request, WFCL: Rwanda*. See also UNICEF, *Rwanda- Background*, [online] [cited December 11, 2007]; available from [http://www.unicef.org/infobycountry/rwanda\\_1717.html?q=printme](http://www.unicef.org/infobycountry/rwanda_1717.html?q=printme).

<sup>2966</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Rwanda."

<sup>2967</sup> ILO Committee of Experts, *Direct Request, WFCL: Rwanda*.

<sup>2968</sup> World Vision, *KURET, Project Document*.

<sup>2969</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict, Project Document*. See also ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Programme, Project Document Annex*, Geneva, September 17, 2006.

See also U.S. Department of Labor, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-regional Program Project Summary*, 2007.

<sup>2970</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, March 14, 2008.

<sup>2971</sup> U.S. Embassy-Kigali, *reporting, November 30, 2007*, para C.

<sup>2972</sup> ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict, Project Document Annex*

<sup>2973</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Rwanda."

<sup>2974</sup> U.S. Embassy-Kigali, *reporting, November 30, 2007*, para C.

<sup>2975</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Rwanda."

<sup>2976</sup> U.S. Department of State, "Country Reports- 2007: Rwanda," section 5.

<sup>2977</sup> Ibid.

## Saint Kitts and Nevis

### *Selected Statistics and Indicators on Child Labor*<sup>2978</sup>

Gross primary enrollment rate (%), 2005:	99
Net primary enrollment rate (%), 2005:	93
Survival rate to grade 5 (%), 2000:	87

### **Incidence and Nature of Child Labor**

No changes have been recorded since the last reporting period regarding the incidence and nature of child labor in Saint Kitts and Nevis.\*

### **Child Labor Laws and Enforcement**

No changes have been recorded since the last reporting period regarding child labor laws and enforcement in Saint Kitts and Nevis.\*

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

Research has not identified any policies or programs by the Government of Saint Kitts and Nevis to address exploitive child labor.

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

<sup>2978</sup> For statistical data not cited here, see the Data Sources and Definitions section.

## Saint Lucia

### *Selected Statistics and Indicators on Child Labor<sup>2979</sup>*

Gross primary enrollment rate (%), 2006:	118
Net primary enrollment rate (%), 2006:	98
Survival rate to grade 5 (%), 2004:	96

#### **Incidence and Nature of Child Labor**

No changes have been recorded since the last reporting period regarding the incidence and nature of child labor in Saint Lucia.\*

#### **Child Labor Laws and Enforcement**

No changes have been recorded since the last reporting period regarding child labor laws and enforcement in Saint Lucia.\*

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

Research has not identified any policies or programs by the Government of Saint Lucia to address exploitive child labor.

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

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<sup>2979</sup> For statistical data not cited here, see the Data Sources and Definitions section.

## Saint Vincent and the Grenadines

### *Selected Statistics and Indicators on Child Labor<sup>2980</sup>*

Gross primary enrollment rate (%), 2005:	111
Net primary enrollment rate (%), 2005:	90
Free public education:	Yes*
* Must pay for miscellaneous school expenses	

#### **Incidence and Nature of Child Labor**

No changes have been recorded since the last reporting period regarding the incidence and nature of child labor in Saint Vincent and the Grenadines.\*

#### **Child Labor Laws and Enforcement**

No changes have been recorded since the last reporting period regarding child labor laws and enforcement in Saint Vincent and the Grenadines.\*

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

Although the Government of Saint Vincent and the Grenadines has ratified ILO Convention 182, according to the ILO's CEACR, it has not taken further steps to prohibit or eliminate the worst forms of child labor. In 2007, the ILO CEACR urged the Government of Saint Vincent and the Grenadines to take appropriate measures to determine if child labor exists and to ensure children are protected. They also note that there is

a growing number of children reportedly involved in prostitution.<sup>2981</sup>

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

<sup>2980</sup> For statistical data not cited here, see the Data Sources and Definitions section. For free public education, see U.S. Department of State, "Saint Vincent and the Grenadines," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100653.htm>.

<sup>2981</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Saint Vincent and the Grenadines (ratification: 2001)*, [online] 2007 [cited December 13, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

## Samoa

<i>Selected Statistics and Indicators on Child Labor</i> <sup>2982</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	14
Free public education:	No
Gross primary enrollment rate (%), 2005:	100
Net primary enrollment rate (%), 2004:	90
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2000:	94
ILO-IPEC participating country:	No

### Incidence and Nature of Child Labor

Children work as street vendors in Apia, Samoa's capital, and in other outlying areas.<sup>2983</sup> Children in rural areas work on village farms, and those who

do not work willingly may be compelled to do so by village chiefs (*matai*).<sup>2984</sup> Children also work as domestics in private homes and may work long hours that prevent them from attending school.<sup>2985</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age of employment at 15 years, except for safe and light work suited to the capacity of the child, as determined by the Commissioner of Labor. Children under 15 years may not work with dangerous machinery, in any occupation or place where working conditions are likely to be harmful to their physical or moral health, or on any vessel not under the personal charge of a parent or guardian.<sup>2986</sup> The law does not state an absolute minimum age for light work, nor does the law include employment restrictions on children between the ages of 15 to 18 years.<sup>2987</sup> Since Samoan labor laws cover only employees with a fixed place of employment, the Government has not determined whether street vending and other outdoor work by children is illegal.<sup>2988</sup> Violations of child labor laws are punishable by fines.<sup>2989</sup>

Samoa law prohibits forced or compulsory labor, but this provision does not cover work or service required by Samoan custom.<sup>2990</sup> The crime of inducing a female of any age into sexual relations with any male through fraudulent means is

punishable by up to 5 years of imprisonment.<sup>2991</sup> Soliciting or procuring a female of any age for prostitution or benefiting from the earnings thereof are crimes punishable by 3 years of imprisonment.<sup>2992</sup> The abduction of any child under 16 years, or transporting or detaining a woman or girl with intent to cause her to have sexual relations with anyone, is punishable by up to 7 years of imprisonment.<sup>2993</sup> Kidnapping any person with the intent to transport the individual out of the country or hold the individual for service is a crime punishable by up to 10 years of imprisonment.<sup>2994</sup> There is no minimum age of conscription as there are no armed forces maintained by the Government of Samoa.<sup>2995</sup>

The Ministry of Labor sends complaints of illegal child labor to the Attorney General for enforcement. No cases of child labor were prosecuted during 2007.<sup>2996</sup>

### **Current Government Efforts to Eliminate the Worst Forms of Child Labor**

The Ministry of Women, Community, and Social Development has implemented a program called "Protection of Children" to educate villagers on issues related to child protection, including child labor and the Convention on the Rights of the Child.<sup>2997</sup>

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<sup>2982</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Samoa, *Labour and Employment Act*, (1972), article 32; available from [http://www.pacii.org/ws/legis/consol\\_act/laea1972228/](http://www.pacii.org/ws/legis/consol_act/laea1972228/). See also U.S. Department of State, "Samoa," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100536.htm>.

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<sup>2983</sup> U.S. Embassy- Apia, *reporting*, December 2, 2007, para B.

<sup>2984</sup> Ibid.

<sup>2985</sup> Ibid. See also UN Committee on the Rights of the Child, *Initial Reports of State Parties due in 1996: Samoa*, February 16, 2006, 90; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/7a53d58f695d3bf1c125715c0037ae04/\\$FILE/G0640507.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/7a53d58f695d3bf1c125715c0037ae04/$FILE/G0640507.pdf). See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Samoa*, October 16, 2006, para 54-55; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/446/08/PDF/G0644608.pdf?OpenElement>.

<sup>2986</sup> Government of Samoa, *Labour and Employment Act*, article 32.

<sup>2987</sup> Ibid.

<sup>2988</sup> U.S. Department of State, "Country Reports- 2007: Samoa," section 6d.

<sup>2989</sup> Government of Samoa, *Labour and Employment Act*, article 41.

<sup>2990</sup> Government of Samoa, *Constitution of the Independent State of Western Samoa 1960*, (January 1, 1962), article 8; available from [http://www.pacii.org/ws/legis/consol\\_act/cotisows1960535/](http://www.pacii.org/ws/legis/consol_act/cotisows1960535/).

<sup>2991</sup> Government of Samoa, *Crimes Ordinance 1961*, (December 16, 1961), article 55 and 58; available from [http://www.pacii.org/ws/legis/consol\\_act/co1961135/](http://www.pacii.org/ws/legis/consol_act/co1961135/).

<sup>2992</sup> Ibid., article 58L-M.

<sup>2993</sup> Ibid., article 83B.

<sup>2994</sup> Ibid., article 83A.

<sup>2995</sup> Coalition to Stop the Use of Child Soldiers, "Samoa," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/library/global-reports?root\\_id=159&directory\\_id=165](http://www.child-soldiers.org/library/global-reports?root_id=159&directory_id=165).

<sup>2996</sup> U.S. Embassy- Apia, *reporting*, December 2, 2007, para B. See also U.S. Department of State, "Country Reports- 2007: Samoa," section 6d.

<sup>2997</sup> U.S. Embassy- Apia, *reporting*, December 2, 2007, para C.

## São Tomé and Príncipe

### Selected Statistics and Indicators on Child Labor

Working children, 5-14 years (%), 2000:	15.4
Working boys, 5-14 years (%), 2000:	17.2
Working girls, 5-14 years (%), 2000:	13.5
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	13
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	128
Net primary enrollment rate (%), 2005:	96
School attendance, children 5-14 years (%), 2000:	68.8
Survival rate to grade 5 (%), 2004:	76
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	

### Incidence and Nature of Child Labor

Children in São Tomé and Príncipe work on plantations and in subsistence agriculture, informal commerce, and domestic service.<sup>2998</sup> Children also work in auto mechanic shops.<sup>2999</sup>

### Child Labor Laws and Enforcement

The minimum age for work in São Tomé and Príncipe is 14 years, and the law calls for the imposition of fines on persons employing underage workers.<sup>3000</sup> The law prohibits children under the age of 18 years from working in unhealthy or dangerous conditions, as well as from working underground.<sup>3001</sup> Children under 18 years may not work more than 7 hours a day and 35 hours per week.<sup>3002</sup> The law prohibits forced or compulsory labor.<sup>3003</sup> Military service is compulsory at 18 years; 17-year-olds may volunteer with parental consent.<sup>3004</sup> The law also prohibits trafficking in persons.<sup>3005</sup> Despite the Government's increasing

inspections at work sites, during the reporting period no cases of child labor law violations were prosecuted.<sup>3006</sup>

São Tomé and Príncipe was one of 24 countries to adopt the Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>3007</sup> As part of the Multilateral Cooperative Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>3008</sup>

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

Research has not identified any policies or programs by the Government of São Tomé and Príncipe to address exploitive child labor.

<sup>2998</sup> U.S. Department of State, "Country Reports- 2007: Sao Tome and Principe," section 6d. See also Ambrósio Quaresma, *UNICEF quer conhecer a realidade de mão de obra infantil em S. Tomé e Príncipe*, [online] [cited December 7, 2007]; available from <http://www.unicef.org/saotome/trabalho.htm>. See also U.S. Embassy- Libreville, *reporting*, October 4, 2007, para 4b.

<sup>2999</sup> Ambrósio Quaresma, *Unicef quer conhecer a realidade de mão de obra infantil*.

<sup>3000</sup> Government of São Tomé and Príncipe, *Regime Jurídico das Condições*, articles 128 and 147. See also U.S. Department of State, "Country Reports- 2007: Sao Tome and Principe," section 6d.

<sup>3001</sup> Government of São Tomé and Príncipe, *Regime Jurídico das Condições*, article 129. See also UN Committee on the Rights of the Child, *Consideration of Reports: Initial Reports Sao Tome and Principe*, section 84.

<sup>3002</sup> Government of São Tomé and Príncipe, *Regime Jurídico das Condições*, article 136. See also U.S. Embassy- Libreville, *reporting*, October 4, 2007, para 4a.

<sup>3003</sup> U.S. Embassy- Libreville, *reporting*, October 4, 2007, para 4a. See also U.S. Department of State, "Country Reports- 2007: Sao Tome and Principe," section 6c.

<sup>3004</sup> Coalition to Stop the Use of Child Soldiers, in *Child Soldiers Global Report 2004*, London, 2004; available from

[http://www.child-soldiers.org/document\\_get.php?id=792](http://www.child-soldiers.org/document_get.php?id=792). See also UN Committee on the Rights of the Child, *Consideration of Reports: Initial Reports Sao Tome and Principe*, sections 97-98.

<sup>3005</sup> U.S. Department of State, "Country Reports- 2007: Sao Tome and Principe," section 5. See also U.S. Embassy- Libreville, *reporting, October 4, 2007*, para 4a.

<sup>3006</sup> U.S. Department of State, "Country Reports- 2007: Sao Tome and Principe," section 6d.

<sup>3007</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially*

*Women and Children, in West and Central Africa*, Abuja, July 7, 2006. See also ILO-IPEC Geneva official, E-mail communication to USDOL official, November 16, 2006.

<sup>3008</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa*. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, technical progress report, Washington, DC, September 1, 2007. See also Emmanuel Goujon, "African States Sign up to Fight Human Trafficking," *Agence France-Presse*, July 7, 2006.

## Senegal

### *Selected Statistics and Indicators on Child Labor*<sup>3009</sup>

Working children, 5-14 years (%), 2005:	30
Working boys, 5-14 years (%), 2005:	33.4
Working girls, 5-14 years (%), 2005:	26.7
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	80
Net primary enrollment rate (%), 2005:	70
School attendance, children 5-14 years (%), 2005:	47.9
Survival rate to grade 5 (%), 2004:	73
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

Children in Senegal work in agriculture, hunting, fishing, domestic service, transportation, construction, manufacturing, as well as in automobile repair shops, restaurants, and hotels.<sup>3010</sup> Children engage in rock quarrying and mining, which involves hazardous conditions and health-

damaging works.<sup>3011</sup> They are likewise exposed to hazardous conditions in workshops, garbage dumps, and slaughter-houses, through such things as the use of dangerous chemical products, long hours, and work which is too physically demanding for the age of the child.<sup>3012</sup> UNICEF estimates that there are 10,000 street children, some of whom are displaced children from the conflict in Casamance.<sup>3013</sup> Children are exploited in such activities as begging, prostitution, drug trafficking and other illicit activities.<sup>3014</sup> Child prostitution occurs on beaches, in bars, at hotels and other tourist areas.<sup>3015</sup>

Senegal is a source, transit, and destination country for child trafficking.<sup>3016</sup> There are reports of young girls trafficked from rural villages in Fatick, Louga, Kaolack, Kolda, Ziguichor, Saint Louis, and Djourbel to urban centers for domestic service.<sup>3017</sup> Senegalese girls are also trafficked to Gambia and Mauritania for domestic service.<sup>3018</sup> An NGO in Gambia reported that some of these children were forced into commercial sexual exploitation by their employers.<sup>3019</sup>

Boys are trafficked from rural areas to major cities within the country and to Senegal from Gambia, Guinea-Bissau, Mali, and Guinea for forced begging for Koranic teachers.<sup>3020</sup> The practice of sending boys, known as *talibé*, to Koranic teachers to receive education is a tradition in various countries, including Senegal.<sup>3021</sup> While some *talibé* receive lessons, many are forced by their teachers

to beg or work in agriculture and surrender the money that they have earned.<sup>3022</sup> There are also numerous reports of physical abuse of *talibé* by their teachers.<sup>3023</sup> A UCW study of child beggars in Dakar found that 90 percent were *talibé* and that half of these children were from other countries.<sup>3024</sup> Official statistics put the total number of these boys at over 100,000.<sup>3025</sup> Boys from Senegal are also trafficked to Mauritania to work in forced begging for Koranic teachers.<sup>3026</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment, including apprenticeships, is 15 years of age.<sup>3027</sup> With permission from the Minister of Labor, children 12 years and older may perform light work within a family setting, provided that it does not jeopardize their health, morals, or schooling.<sup>3028</sup> However, the law underlines that hazardous work is prohibited to those under 18 years. The law also identifies businesses in which children under 18 years are forbidden from working or can work only under certain conditions, such as workshops where there are toxic or harmful fumes, fishing boats, and in mines or quarries.<sup>3029</sup> Additionally, children are prohibited from working at night and cannot work more than 8 hours a day.<sup>3030</sup>

Activities considered to be worst forms of child labor are prohibited by law.<sup>3031</sup> The Government has identified the worst forms of child labor as forced labor, slavery, prostitution, drug trafficking, begging for a third party, scavenging garbage, slaughtering animals, and work that imperils the health, safety, or morality of children. Specific examples of such work include work underwater, work with toxic chemicals, or with complex tools and machinery.<sup>3032</sup> Under the law, any person who leads anyone to prostitution or acts as an intermediary for such purposes, faces punishment of 1 to 5 years of imprisonment and a fine.<sup>3033</sup> If the crime involves a minor of less than 13 years, sentences are increased to 3 to 7 years of imprisonment and the fine is doubled.<sup>3034</sup> Traffickers are subject to sentences of imprisonment of 5 to 10 years.<sup>3035</sup> The minimum age for voluntary recruitment into the military is 18 years.<sup>3036</sup>

The Ministry of Labor and its Social Security Inspectors are responsible for investigating child

labor cases and enforcing child labor laws.<sup>3037</sup> Because of a lack of resources, inspectors do not initiate workplace visits and instead depend on violations to be reported. According to USDOS, the Ministry of Labor monitors and enforces minimum age laws within the formal sector, including in State-owned corporations, large private enterprises, and cooperatives.<sup>3038</sup>

Police from a special Criminal Analysis Unit are responsible for monitoring trafficking, and specialized police squads are posted at the border. Although lack of financial and human resources hampered efforts to combat trafficking, at least two trafficking rings were broken up by government forces over the past year.<sup>3039</sup>

Senegal was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>3040</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>3041</sup>

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

The Government of Senegal has raised awareness of the dangers of child labor and exploitive begging through seminars with local officials, NGOs, and civil society.<sup>3042</sup> To reduce the incidence of exploitive begging, the Ministry of Women, Family, Social Development, and Women's Entrepreneurship is implementing a program to help support 48 Koranic schools whose teachers do not force their students to engage in the practice.<sup>3043</sup>

Senegalese officials attended events aimed at raising awareness on child protection and trafficking.<sup>3044</sup> The Ministry of Women, Family, Social Development and Women's Entrepreneurship coordinated efforts to combat trafficking. The Department of Child Protection, part of the Ministry of Women, Family, Social Development and Women's Entrepreneurship, trained policemen, *gendarmes*, social workers,

judges, lawyers, hospital workers, and NGOs on actions to take to stop the trafficking of children.<sup>3045</sup>

This Ministry also operates the "Ginddi Center" in Dakar to receive and care for street children, including trafficking victims. The Center also operates a 24-hour toll-free child protection hotline. Children from Gambia, Guinea-Bissau, Guinea, and Mali are among the children who receive assistance at the center.<sup>3046</sup> Senegalese authorities also worked with officials from Mali and Guinea-Bissau to repatriate trafficked children.<sup>3047</sup>

The Government of Senegal participated in the USDOL-funded USD 2 million ILO-IPEC Timebound Program that ended in December, 2007. The project withdrew 2,523 children and prevented 6,886 children from exploitive child labor in agriculture, fishing, and domestic service by providing educational alternatives.<sup>3048</sup>

In 2007, the Government of Senegal also participated in a USD 3.6 million regional ILO-IPEC project, funded by France, to combat child labor in Francophone, Africa that ended in December 2007. Additionally, Senegal continues to participate in a USD 4.9 million regional ILO-IPEC project, funded by France, which runs until December 31, 2009.<sup>3049</sup> Both of these projects include support to the Senegalese Timebound Program, as well as targeting measures for vocational training, apprenticeships, and capacity building.<sup>3050</sup>

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<sup>3009</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Senegal, *Code du travail 1997*, Loi No. 97-17, (December 1, 1997), article 145; available from <http://www.gouv.sn/textes/TRAVAIL.cfm>. See also U.S. Department of State, "Senegal," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100501.htm>.

<sup>3010</sup> U.S. Department of State, "Country Reports- 2007: Senegal," section 6d. See also U.S. Embassy - Dakar, *reporting*, October 16, 2007. See also ILO-IPEC, *Support to the Timebound Programme Elimination of the Worst Forms of Child Labour*, Project Document, Geneva, September 12,

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2003, v. See also CONAFE, *Rapport complementaire elabore par la CONAFE-SENEGAL au Comite des Nations Unies pour les Droits de l'Enfant*, report, Dakar, February, 2006, 19-21.

<sup>3011</sup> ILO-IPEC, *Eliminating Child Labor in Mining and Quarrying*, Background Document, Geneva, June 12, 2005. See also The Global Fund for Children, *The Global Fund for Children: Annual Report 2005-2006*, Washington, DC, 2006, 53; available from [http://www.globalfundforchildren.org/pdfs/GFC\\_AnnualReport\\_2005-06.pdf](http://www.globalfundforchildren.org/pdfs/GFC_AnnualReport_2005-06.pdf). See also U.S. Department of State, "Country Reports- 2007: Senegal," section 6d.

<sup>3012</sup> ILO-IPEC, *Support to the Timebound Programme Elimination of the Worst Forms of Child Labour: Amélioration des conditions et contenus de l'apprentissage dans l'artisanat au Sénégal, Bonnes Pratiques*, Annex to Technical Progress Report, Geneva, September, 2006, 1.

<sup>3013</sup> U.S. Department of State, "Country Reports- 2007: Senegal," section 5.

<sup>3014</sup> United Nations Committee on the Rights of the Child, *Committee on the Rights of the Child: Consideration of Reports Submitted by State Parties Under Article 44 of the Convention, Concluding Observations: Senegal*, CRC/C/SEN/CO/2, Forty-third Session, October 20, 2006, 13. See also ILO-IPEC, *Senegal Timebound Project, Project Document*, v-vi and 24. See also ILO-IPEC, *Support to the Timebound Programme Elimination of the Worst Forms of Child Labour: Projet d'amélioration des conditions d'apprentissage dans le secteur informel et lutte contre la pauvreté, Bonnes Pratiques*, Annex to Technical Progress Report, Geneva, September, 2006, 2.

<sup>3015</sup> The Global Fund for Children, *The Global Fund for Children: Annual Report 2005-2006*, 23 and 61. See also U.S. Department of State, "Country Reports- 2007: Senegal," section 5.

<sup>3016</sup> U.S. Department of State, "Senegal," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Embassy - Dakar, *reporting*, March 04, 2008.

<sup>3017</sup> U.S. Department of State, "Country Reports- 2007: Senegal," section 5. See also U.S. Embassy - Dakar, *reporting*, March 04, 2008.

<sup>3018</sup> U.S. Department of State, "Mauritania," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Gambia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100483.htm>.

<sup>3019</sup> U.S. Department of State, "Country Reports- 2007: Gambia." U.S. Department of State, "Country Reports- 2007: Senegal," section 5.

<sup>3020</sup> U.S. Department of State, "Country Reports- 2007: Senegal," section 5 and 6d. See also Integrated Regional Information Networks, "Guinea-Bissau - Senegal: On the child trafficking route", Irinnews.org, [online], November 23, 2007 [cited November 23, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=75485>. See also Integrated Regional Information Networks, "Guinea-Bissau - Senegal: coming home from the street", Irinnews.org, [online], November 30, 2007 [cited November 30, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=75615>.

<sup>3021</sup> Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

<sup>3022</sup> Integrated Regional Information Networks, "Senegal: Kids beg for hours to fund Muslim teachers", Irinnews.org, [online], May 24, 2004 [cited December 9, 2007]; available from [http://www.irinnews.org/report.asp?ReportID=41241&SelectRegion=West\\_Africa&SelectCountry=SENEGAL](http://www.irinnews.org/report.asp?ReportID=41241&SelectRegion=West_Africa&SelectCountry=SENEGAL). See also U.S. Department of State, "Country Reports- 2007: Senegal," section 5.

<sup>3023</sup> Integrated Regional Information Networks, "Senegal: Kids beg for hours to fund Muslim teachers". See also U.S. Department of State, "Country Reports- 2007: Senegal," section 5 and 6d. See also United Nations Committee on the Rights of the Child, *CRC Report* 13.

<sup>3024</sup> UCW, *enfants mendiants dans la région de Dakar*, UCW Survey Report, December 2007.

<sup>3025</sup> U.S. Department of State, "Country Reports- 2007: Senegal," section 5. See also Integrated Regional Information Networks, "Senegal: Kids beg for hours to fund Muslim teachers".

<sup>3026</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Senegal."

<sup>3027</sup> Government of Senegal, *Code du travail* 1997, article L. 145. See also Government of Senegal, *Arrêté ministériel n° 3748 MFPTEOP-DTSS en date du 6 juin 2003, relatif au travail des enfants*, (June 6, 2003), article premier; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64609/64950/F1520394879/SEN64609.pdf>.

<sup>3028</sup> Government of Senegal, *Arrêté ministériel n° 3748 MFPTEOP-DTSS*, article 1. See also 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*, (June 6, 2003), article 1; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64611/64953/F1229124862/SEN64611.pdf>.

<sup>3029</sup> Government of Senegal, *Arrêté ministériel n° 3751 MFPTEOP-DTSS en date du 6 juin 2003, fixant les catégories d'entreprises et travaux interdits aux enfants et jeunes gens ainsi que l'âge limite auquel s'applique l'interdiction*, (June 6, 2003), article 2; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64612/64952/F364251671/SEN64612.pdf>.

<sup>3030</sup> Government of Senegal, *Arrêté ministériel n° 3748 MFPTEOP-DTSS*, article 3.

<sup>3031</sup> Ibid.

<sup>3032</sup> Government of Senegal, *Arrêté ministériel n° 3749 MFPTEOP-DTSS en date du 6 juin 2003, fixant et interdisant les pires formes du travail des enfants*, (June 6, 2003), article 2; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64610/64951/F2020269921/SEN64610.pdf>.

<sup>3033</sup> Government of Senegal, *Code penal* 1965, Loi No. 65-60, (July 21, 1965), article 323 and 324; available from <http://www.justice.gouv.sn/droitp/CODE%20PENAL.PDF>.

<sup>3034</sup> Ibid., article 320 ter.

<sup>3035</sup> U.S. Embassy - Dakar, *reporting*, October 16, 2007, para 29.

<sup>3036</sup> Coalition to Stop the Use of Child Soldiers, "Senegal," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=793](http://www.child-soldiers.org/document_get.php?id=793).

<sup>3037</sup> Government of Senegal, *Arrêté ministériel n° 3748 MFPTEOP-DTSS*, article 1. See also Government of Senegal, *Arrêté Ministériel n° 3749 MFPTEOP-DTSS*, article 6. See also Government of Senegal, *Arrêté ministériel n° 3750 MFPTEOP-DTSS*, article 27, Government of Senegal, *Arrêté ministériel n° 3751 MFPTEOP-DTSS*, article 6.

<sup>3038</sup> U.S. Department of State, "Country Reports- 2007: Senegal," section 6d.

<sup>3039</sup> U.S. Embassy - Dakar, *reporting*, March 04, 2008, para 27c.

<sup>3040</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>3041</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *LUTRENA Technical Progress Report*, 10-11.

<sup>3042</sup> U.S. Department of State, "Country Reports- 2007: Senegal," section 6d.

<sup>3043</sup> Ibid. See also U.S. Embassy - Dakar, *reporting*, March 04, 2008, para 27c.

<sup>3044</sup> U.S. Embassy - Dakar, *reporting*, March 04, 2008, para 28g.

<sup>3045</sup> Ibid.

<sup>3046</sup> U.S. Department of State, "Country Reports- 2007: Senegal," section 5.

<sup>3047</sup> U.S. Embassy - Dakar, *reporting, March 04, 2008*, para 28h.

<sup>3048</sup> ILO-IPEC, *Support to the Timebound Programme Elimination of the Worst Forms of Child Labour*, Technical Progress Report, Geneva, September 13, 2007, page 7.

<sup>3049</sup> ILO-IPEC official, E-mail communication to USDOL official, December 13, 2007. See also LO-IPEC official, E-mail communication to USDOL official, February 27, 2008.

<sup>3050</sup> ILO-IPEC official, E-mail communication to USDOL official, February 27, 2008.

## The Republic of Serbia

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3051</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No

### Incidence and Nature of Child Labor

Children in the Republic of Serbia can be found working in rural areas, on family farms or other family businesses. Children also work in the informal sector, selling small items or washing car windows. Children from poor, rural communities, Roma children, and children living with foster

families are at the highest risk for entering exploitive child labor, including begging, prostitution, dealing narcotics, and hard physical labor, according to a study released in March 2006 by the Ministry of Labor, Employment and Social Policy and the NGO Children’s Rights Center.<sup>3052</sup> Internal sex trafficking of girls has been a problem. Children have also been trafficked for purposes of forced labor or street begging.<sup>3053</sup> Trafficking of children for sexual exploitation has reportedly continued to increase, although this may be attributed to increased monitoring and an improvement in victim identification.<sup>3054</sup>

### Child Labor Laws and Enforcement

The minimum age for employment is 15 years, and youth under the age of 18 years must have written permission from a parent or guardian to work.<sup>3055</sup> However, it is not clear if the minimum age for employment applies to self-employed children.<sup>3056</sup> Children under 18 years are prohibited from hazardous work or from working under conditions that might “jeopardize their health, morals and education,”<sup>3057</sup> including work that involves strenuous physical activity; work underground, underwater, or at dangerous heights; or exposure to toxic or carcinogenic substances, extreme temperatures, noise, or vibrations.<sup>3058</sup> Further, children under 18 years are not allowed to work overtime hours or at night, and are allowed to work no more than 35 hours per week.<sup>3059</sup> The law provides for monetary penalties for violation of

these provisions.<sup>3060</sup> According to USDOS, the Government is effectively enforcing child labor laws.<sup>3061</sup>

Procurement of a minor for the purpose of prostitution is punishable by up to 3 years imprisonment.<sup>3062</sup> Inducement of a minor into prostitution is punishable by 1 to 10 years imprisonment.<sup>3063</sup> The production or distribution of pornographic materials portraying a minor is punishable by 1 to 5 years imprisonment; if the minor is under 14 years old the punishment is a minimum of 3 years imprisonment.<sup>3064</sup> Forced labor is prohibited.<sup>3065</sup> Males are eligible for conscription into the Armed Forces at 18 years, but can be recruited for voluntary service in the year of their 17<sup>th</sup> birthday.<sup>3066</sup> The trafficking of minors involving force or coercion is punishable by at least 5 years imprisonment.<sup>3067</sup> In 2007, the Government filed 26 criminal charges against 62 persons for trafficking and reported 23 trafficking convictions.<sup>3068</sup> The Government has a full-time trafficking unit in the organized crime police force and a full-time trafficking office in the border police. According to USDOS, there were reports of corruption among some police complicit in a prostitution ring in Novi Pazar.<sup>3069</sup>

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

The Ministry of Labor, Employment and Social Issues includes child labor prevention in its standard protection programs for children and families. A new department within the Ministry was created to address the social problems in the Roma community that lead to forced labor. The department also focuses on improving education and health services.<sup>3070</sup> The National Council submitted an anti-trafficking strategy for 2006 through 2009 to the Serbian Government for approval, and the Government is implementing elements of the plan.<sup>3071</sup>

The Government of Serbia and NGOs continued to raise public awareness of trafficking by holding conferences, broadcasting public service announcements, and sponsoring school outreach programs. The Government partially funded a 13-episode television series entitled "Modern Slavery," a program designed to generate awareness of human trafficking.<sup>3072</sup>

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<sup>3051</sup> For statistical data not cited here, please see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Serbia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100583.htm>. See also Organisation for Economic Co-operation and Development, *Thematic Review of National Policies for Education: Serbia*, CCNM/DEELSA/ED(2001)11, June 22, 2001, 6; available from [http://www.oecd.org/olis/2001DOC.NSF/LINKTO/CCNM-DEELSA-ED\(2001\)11](http://www.oecd.org/olis/2001DOC.NSF/LINKTO/CCNM-DEELSA-ED(2001)11). See also ILO, *Report of the Committee of Experts on the Application of Conventions and Recommendations (CEACR): Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Serbia and Montenegro (ratification: 2000) Submitted: 2006 092006SCG138*, Geneva, 2006, article 2, para 3; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>3052</sup> U.S. Department of State, "Country Reports- 2007: Serbia," section 5. See also U.S. Embassy- Belgrade, *reporting*, December 7, 2007.

<sup>3053</sup> U.S. Department of State, "Serbia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>. See also U.S. Embassy- Belgrade, *reporting*, December 7, 2007.

<sup>3054</sup> U.S. Department of State, "Country Reports- 2007: Serbia," section 5.

<sup>3055</sup> *Ibid.*, section 6d.

<sup>3056</sup> ILO, *Report of the Committee of Experts*, article 2, para 1.

<sup>3057</sup> *Ibid.*, article 3, para 1.

<sup>3058</sup> *Ibid.*, article 2, para 3.

<sup>3059</sup> *Ibid.*, article 3, para. 2. See also U.S. Department of State, "Country Reports- 2007: Serbia," section 6d.

<sup>3060</sup> ILO, *Report of the Committee of Experts*, article 9, para 1.

<sup>3061</sup> U.S. Department of State, "Country Reports- 2007: Serbia," section 6d.

<sup>3062</sup> Government of the Republic of Serbia, *Criminal Code of the Republic of Serbia (excerpts)*, [online] 2005 [cited February 7, 2008], article 183; available from <http://www.legislationline.org/?tid=197&jid=44&less=false>.

<sup>3063</sup> *Ibid.*, article 184. See also U.S. Embassy- Belgrade, *reporting*, December 7, 2007.

<sup>3064</sup> Government of the Republic of Serbia, *Amending Law to the Criminal Code of the Republic of Serbia*, (May 17, 2003), article 111a; available from [http://www.osce.org/documents/fry/2003/04/136\\_en.pdf](http://www.osce.org/documents/fry/2003/04/136_en.pdf).

<sup>3065</sup> U.S. Department of State, "Country Reports- 2007: Serbia," section 6c.

<sup>3066</sup> Coalition to Stop the Use of Child Soldiers, "Serbia and Montenegro," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=926](http://www.child-soldiers.org/document_get.php?id=926).

<sup>3067</sup> Government of the Republic of Serbia, *Amending Law to the Criminal Code*, article 111b.

<sup>3068</sup> U.S. Department of State, "Country Reports- 2007:

Serbia," section 5. See also U.S. Embassy- Belgrade, Email communication to USDOL official, July 25, 2008.

<sup>3069</sup> ILO, *Report of the Committee of Experts*. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Serbia."

<sup>3070</sup> U.S. Embassy- Belgrade, *reporting, December 7, 2007*.

<sup>3071</sup> Ibid.

<sup>3072</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Serbia."

## Seychelles

### *Selected Statistics and Indicators on Child Labor*<sup>3073</sup>

Gross primary enrollment rate (%), 2005:	116
Net primary enrollment rate (%), 2004:	99

#### **Incidence and Nature of Child Labor**

No changes have been recorded since the last reporting period regarding the incidence and nature of child labor in Seychelles.\*

#### **Child Labor Laws and Enforcement**

No changes have been recorded since the last reporting period regarding child labor laws and enforcement in Seychelles.\*

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

Research has not identified any policies or programs by the Government of the Seychelles to address exploitive child labor.

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

<sup>3073</sup> For statistical data not cited here, see the Data Sources and Definitions section.

## Sierra Leone

### *Selected Statistics and Indicators on Child Labor*<sup>3074</sup>

Working children, 5-14 years (%), 2005:	58.5
Working boys, 5-14 years (%), 2005:	59.0
Working girls, 5-14 years (%), 2005:	58.0
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2001:	79
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2000:	42.7
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Must pay miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

Working children in Sierra Leone are found mostly in the informal sector, in family businesses and on family subsistence farms. Children also engage in petty vending and domestic work.<sup>3075</sup> Street children are used by adults to sell various items, steal, and beg.<sup>3076</sup>

Children also work in alluvial diamond mining areas.<sup>3077</sup> The majority of children that work in the diamond mining areas engage in petty trade and perform supportive roles; are boys generally between the ages of 10 to 17; and work in the Koidu and Kono districts.<sup>3078</sup> Some children report being forced to work in diamond mining areas 6 to 7 days a week without pay, and report injury and illness due to the activities they perform.<sup>3079</sup>

Sierra Leone is a source, transit, and destination country for trafficking in children. Within Sierra Leone, children are trafficked to urban areas, where they work in domestic service or engage in

prostitution. Children are also trafficked to work in the diamond mines.<sup>3080</sup> There are also reports that children are trafficked internally for forced labor in agriculture and fishing. Children from Sierra Leone are also trafficked internationally, but there is insufficient evidence to identify specific destination countries.<sup>3081</sup>

### **Child Labor Laws and Enforcement**

The Child Right Act of 2007 sets the minimum age for employment at 15 years, although at 13 years children may perform “light” work, defined as work that is likely not to be harmful to a child or interfere with schooling. The Act also increased the age to which schooling is compulsory to 15 years, to equal the required age for entry into full-time employment.<sup>3082</sup> In addition, children must be 15 years or have completed basic education (whichever is later) before entering into an apprenticeship, including apprenticeships in the informal sector. Children are also prohibited from performing night work, defined as work between the hours of 8 PM to 6 AM.<sup>3083</sup> The minimum age for a child to engage in hazardous work is 18 years. Hazardous work is defined as work that is dangerous to a child’s health, safety, or morals, and includes activities such as going to sea; mining and quarrying; carrying heavy loads; manufacturing industries where chemicals are produced or used; work in places where machines are used; and work in places such as bars.<sup>3084</sup>

Forced or compulsory labor by children is prohibited by law.<sup>3085</sup> The law also prohibits commercial sexual exploitation of children under 18 years. Procuring or attempting to procure a girl for prostitution is punishable by up to 2 years in prison.<sup>3086</sup> The law also criminalizes all forms of human trafficking.<sup>3087</sup> The penalty for trafficking a person for labor or prostitution is up to 10 years in prison and restitution to the victim.<sup>3088</sup> The age for voluntary recruitment or conscription into the armed forces is 18 years.<sup>3089</sup>

Sierra Leone was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action

against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>3090</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>3091</sup>

The Ministry of Labor, Social Security and Industrial Relations is charged with administering labor laws and preventing the worst forms of child labor.<sup>3092</sup> In addition, the Ministry of Mineral Resources is charged with enforcing regulations against the use of child labor in mining activities. According to USDOS, the Government did not effectively enforce laws against child labor, including child labor in diamond mines. During 2007, the Special Court for Sierra Leone prosecuted a number of people for war crimes committed during the 11-year conflict that ended in 2002, including the forced recruitment of children for military service, and other acts.<sup>3093</sup>

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

On June 6, 2007, Parliament passed the Child Right Act, which strengthened provisions against child labor.<sup>3094</sup> Also in 2007, UNICEF, with Government participation created a street children's protection network.<sup>3095</sup> During the same year, the IOM provided shelter, medical care, and counseling to over 60 trafficking victims.<sup>3096</sup>

In partnership with the Government of Sierra Leone and with funding from USDOL, the International Rescue Committee is implementing a USD 6 million Child Labor Education Initiative project in Sierra Leone and Liberia. The project aims to withdraw a total of 8,243 children and prevent a total of 21,647 children from exploitive child labor by improving access to and quality of education.<sup>3097</sup> The Government of Sierra Leone also participates in the Community Based Innovations to Reduce Child Labor through Education (CIRCLE) global project funded by USDOL at USD 8.1 million and USAID at USD 500,000 and implemented by Winrock International and various community-based organizations.<sup>3098</sup>

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<sup>3074</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Sierra Leone, *Child Rights Act 2007*, (June 7, 2007), section 125; available from <http://www.sierra-leone.org/Laws/2007-7p.pdf>. See also U.S. Department of State, "Sierra Leone," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/c25283.htm>.

<sup>3075</sup> International Confederation of Free Trade Unions, *Internationally Recognized Core Labour Standards in Sierra Leone: Report for the WTO General Council Review of the Trade Policies of Sierra Leone*, Geneva, 2005, sections III and IV; available from <http://www.icftu.org/www/pdf/clssierraleone2005.pdf>. See also UN, *Committee on the Rights of the Child: Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Sierra Leone second report*, CRC/C/SLE/2, Geneva, September 8, 2006, sections 88, 320, and 322; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/0d28ce8b8d49b955c12572610029584b/\\$FILE/G0644130.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/0d28ce8b8d49b955c12572610029584b/$FILE/G0644130.pdf).

<sup>3076</sup> U.S. Department of State, "Country Reports- 2007: Sierra Leone," section 6d. See also UN, *Committee on the Rights of the Child: Consideration of Report: Sierra Leone*, sections 88, 320, and 322. See also International Rescue Committee, *Countering Youth and Child Labour through Education (CYCLE)*, Project Document, New York, August 2007, 8.

<sup>3077</sup> U.S. Department of State, "Country Reports- 2007: Sierra Leone," section 6d. See also A. Hatløy M. Bøås, *Living in a material world*, Fafo Institute for Applied Social Science, Oslo, 2006, 49; available from <http://www.faf.no/pub/rapp/515/515.pdf>. See also L. Gberie, *War and Peace in Sierra Leone: Diamonds, Corruption and the Lebanese Connection*, Partnership Africa Canada, Ottawa, November 2002, 20; available from [http://action.web.ca/home/pac/attach/sierraleone2002\\_e.pdf](http://action.web.ca/home/pac/attach/sierraleone2002_e.pdf). See also UN, *Committee on the Rights of the Child: Consideration of Report: Sierra Leone*, articles 88, 320, and 322.

<sup>3078</sup> M. Bøås, *Living in a material world*, 50, 63. See also Office of the UN Secretary General, *Children and Armed Conflict: Report of the Secretary-General*, A/58/546, Geneva, October 30, 2003, section 40; available from [http://www.essex.ac.uk/armedcon/story\\_id/000161.pdf](http://www.essex.ac.uk/armedcon/story_id/000161.pdf).

<sup>3079</sup> M. Bøås, *Living in a material world*, 56-59, 61-63, 65. See also International Rescue Committee, *Child Labor and Education in Sierra Leone: Needs and Resource Assessment in Targeted Communities*, New York, June 2006, 12. See also

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UN, *Economic and Social Council: Advisory Services and Technical Cooperation in the Field of Human Rights*, E/CN.4/2006/106, February 15, 2006, section 10; available from [hard copy on file].

<sup>3080</sup> U.S. Department of State, "Country Reports- 2007: Sierra Leone," section 5. See also U.S. Embassy-Freetown, *reporting*, January 5, 2007, para 2.

<sup>3081</sup> U.S. Department of State, "Sierra Leone (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>.

<sup>3082</sup> Government of Sierra Leone, *Child Rights Act 2007*, sections 125-127, 128, 134-135.

<sup>3083</sup> *Ibid.*

<sup>3084</sup> *Ibid.*

<sup>3085</sup> U.S. Department of State, "Country Reports- 2007: Sierra Leone," section 6c.

<sup>3086</sup> Government of Sierra Leone, *Child Rights Act 2007*, section 2. See also Government of Sierra Leone, *Prevention of Cruelty to Children Ordinance*, (1926), part I (article 2) and part II (articles 6-13); available from <http://www.sierra-leone.org/Laws/preventionofcrueltytochildren.html>.

<sup>3087</sup> Government of Sierra Leone, *The Anti-Human Trafficking Act*, Vol CXXXVI, No 44, (August 18, 2005), Part II 2.1.

<sup>3088</sup> U.S. Embassy- Freetown, *reporting*, March 7, 2008, para 5b and 5c.

<sup>3089</sup> Government of Sierra Leone, *Child Rights Act 2007*, section 28.

<sup>3090</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2006, 2.

<sup>3091</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *LUTRENA, Technical Progress Report*, 10-11.

<sup>3092</sup> Government of Sierra Leone, *MLIRSS State of the*

*Nation Report*, Freetown, 2002; available from [http://www.daco-sl.org/encyclopedia/1\\_gov/1\\_2/MLIRSS/MLIRSS\\_state\\_of\\_nation.pdf](http://www.daco-sl.org/encyclopedia/1_gov/1_2/MLIRSS/MLIRSS_state_of_nation.pdf).

<sup>3093</sup> U.S. Department of State, "Country Reports- 2007: Sierra Leone," section 4, 6c, 6d. See also Special Court for Sierra Leone, *Guilty Verdicts in the Trial of the AFRC Accused*, Press release, Press and Public Affairs Office, Freetown, June 30, 2007; available from [http://www.child-soldiers.org/document\\_get.php?id=1214](http://www.child-soldiers.org/document_get.php?id=1214).

See also Human Rights Watch, *Sierra Leone: Landmark Convictions for Use of Child Soldiers*, [2007] [cited December 5, 2007]; available from <http://hrw.org/english/docs/2007/06/20/sierra16214.htm>.

<sup>3094</sup> U.S. Department of State, "Country Reports- 2007: Sierra Leone," section 6d. See also International Rescue Committee official, E-mail communication to USDOL official, June 14, 2007. See also International Rescue Committee, *Countering Youth and Child Labour through Education (CYCLE)*, Technical Progress Report, New York, September 2007, 4, 22. See also U.S. Embassy-Freetown official, E-mail communication to USDOL official, November 16, 2008.

<sup>3095</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Sierra Leone".

<sup>3096</sup> U.S. Department of State, "Country Reports- 2007: Sierra Leone," section 5.

<sup>3097</sup> International Rescue Committee, *CYCLE, Project Document*, 1-2, 23.

<sup>3098</sup> Winrock International, *Project Fact Sheet: Reducing Child labor through Education (CIRCLE 1)*; available from <http://www.winrock.org/fact/facts.asp?CC=5411&bu=.> See also Winrock International, *Project Fact Sheet: Reducing Child Labor through Education (CIRCLE 2)*, [online] [cited March 18, 2008]; available from <http://www.winrock.org/fact/facts.asp?CC=5519&bu=.> See also U.S. Department of Labor, *Community Based Innovations to Combat Child Labor through Education I and II (CIRCLE I and II)*, Project Summary, Washington, DC, 2008.

## Solomon Islands

### Incidence and Nature of Child Labor

Anecdotal evidence suggests that children, both boys and girls, are engaged in commercial sexual

exploitation in the logging, tourism, and fishing industries near logging camps; fishing ports; and in Honiara, the capital city.<sup>3099</sup> Anecdotal evidence also suggests that children work in logging camps

as cooks and in other tasks, and are involved in the sale and production of *kwaso* (homebrewed alcohol).<sup>3100</sup>

<b>Selected Statistics and Indicators on Child Labor<sup>3101</sup></b>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	12
Compulsory education age:	Not compulsory
Free public education:	No
Gross primary enrollment rate (%), 2005:	97
Net primary enrollment rate (%), 2003:	63
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No

### **Child Labor Laws and Enforcement**

The law prohibits the employment of children under 12 years of age. Children under 12, however, may participate in light agricultural or domestic labor if they are employed by or in the company of their parents.<sup>3102</sup> Children under 15 years are prohibited from working in industry or on ships, except on approved training ships. Children between 16 and 18 years are prohibited to work during the night in any industrial undertaking.<sup>3103</sup> Children under 16 years are completely prohibited from working in mines; however, male children between 16 and 17 years are allowed to work in mines and on certain types of ships, but must first obtain a medical certificate to do so.<sup>3104</sup> In extreme cases, the Commissioner of Labor may provide written permission for a male child of at least 16 years to begin work on a ship without medical clearance, provided that the male

child is examined and certified at the first place of call where a medical practitioner is available.<sup>3105</sup>

Forced or compulsory labor is prohibited, as is the procurement of girls less than 15 years for the purpose of prostitution.<sup>3106</sup> There are no armed forces in the Solomon Islands; however, the minimum age for recruitment into the border police force is 18 years.<sup>3107</sup> Several general provisions in the penal code could be applied to prosecute acts of trafficking.<sup>3108</sup>

The Commissioner of Labor is responsible for enforcing child labor laws.<sup>3109</sup> However, the Labor Department over which the Commissioner of Labor presides does not have labor officers to investigate reports of child labor violations.<sup>3110</sup> The Government devotes few resources to investigating child labor cases.<sup>3111</sup>

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

The Government of the Solomon Islands has a taskforce against commercial sexual exploitation of children.<sup>3112</sup>

<sup>3099</sup> Rory Callinan, "Sold and Abused," *Time* 167, no. 13 (March 27, 2006), 8. See also U.S. Department of State, "Country Reports- 2007: Solomon Islands," section 5. See also Solomon Islands Department of Home Affairs official, Interview with USDOL official, June 20, 2006. See also Solomon Islands National Council of Women official, Interview with USDOL consultant, June 23, 2006. See also Solomon Islands Port Authority official, Interview with USDOL consultant, June 28, 2006. See also UNICEF official, Interview with USDOL consultant, June 26, 2006.

<sup>3100</sup> Solomon Islands Police official, Interview with USDOL consultant, September 3, 2006. See also Central Magistrate's Court official, Interview with USDOL consultant, June 23, 2006. See also Ministry of Labor official, Interview, June 12, 2006. See also Solomon Islands Department of Home Affairs official, Interview, June 20, 2006. See also ECPAT International CSEC Database, *Solomon Islands*, accessed February 7, 2007; available from <http://www.ecpat.net>.

<sup>3101</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which

education is compulsory, and free public education, see Pacific Islands Legal Information Institute, *Laws of Solomon Islands: Labour Act, 1996 (Chapter 73)*, accessed November 9, 2006; available from <http://www.pacii.org>. See also U.S. Department of State, "Solomon Islands," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100538.htm>. See also Ministry of Labor official, Interview with USDOL consultant, June 12, 2006.

<sup>3102</sup> Pacific Islands Legal Information Institute, *Laws of Solomon Islands: Labour Act, 1996 (Chapter 73)*, article 46.

<sup>3103</sup> *Ibid.*, article 47.

<sup>3104</sup> *Ibid.*, article 48, 49.

<sup>3105</sup> *Ibid.*, article 49.

<sup>3106</sup> U.S. Department of State, "Country Reports- 2007: Solomon Islands," section 6c. See also Pacific Islands

Legal Information Institute, *Laws of Solomon Islands: Penal Code, 1996 (Chapter 26)*, accessed April 29, 2008, articles 149-150; available from <http://www.pacii.org>.

<sup>3107</sup> Coalition to Stop the Use of Child Soldiers, "Solomon Islands," in *Child Soldiers Global Report- 2004*, London, 2004; available from [www.child-soldiers.org/document\\_get.php?id=877](http://www.child-soldiers.org/document_get.php?id=877).

<sup>3108</sup> U.S. Department of State, "Country Reports- 2007: Solomon Islands," section 5. See also ECPAT International CSEC Database, *Solomon Islands*.

<sup>3109</sup> U.S. Department of State, "Country Reports- 2007: Solomon Islands," section 6d.

<sup>3110</sup> Ministry of Labor official, Interview, June 12, 2006.

<sup>3111</sup> U.S. Department of State, "Country Reports- 2007: Solomon Islands," section 6d.

<sup>3112</sup> UNICEF official, E-mail communication to USDOL official, December 07, 2007.

## Somalia

### *Selected Statistics and Indicators on Child Labor*<sup>3113</sup>

Working children, 5-14 years (%), 2006:	39.8
Working boys, 5-14 years (%), 2006:	41.2
Working girls, 5-14 years (%), 2006:	38.4
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	Not Applicable
Compulsory education age:	Not Applicable
Free public education:	No
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2006:	48.9
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No

### **Incidence and Nature of Child Labor**

Children in rural areas of Somalia are more likely to work than those in urban areas. Such children perform domestic work, unpaid farm work, and herding starting at a young age, and are rarely employed in the formal sector.<sup>3114</sup> Internally displaced children affected by continuing civil conflict are likely to work in the informal sector.<sup>3115</sup> Children work in markets and on the streets selling water, cigarettes, and *khat*, a leaf chewed for its stimulant effect.<sup>3116</sup> Children also work breaking rocks into gravel.<sup>3117</sup>

Child prostitution is known to take place in the country; however, there is little data available on the extent of the problem.<sup>3118</sup> Somalia is a source country for child trafficking.<sup>3119</sup> Somali children are reportedly trafficked for forced labor and sexual exploitation by armed militias.<sup>3120</sup> Other organized groups are reported to traffic children to South Africa for sexual exploitation.<sup>3121</sup> There have also been reports that children are sent out of the country to relatives and friends living in Western countries where they worked or collected public assistance to send money to family members in Somalia.<sup>3122</sup>

There have been reports of the use of children in armed conflict in Somalia.<sup>3123</sup> Many children are members of armed gangs and militias.<sup>3124</sup> The recruitment of children into militias and other armed groups has been increasing.<sup>3125</sup> It has been reported that the Supreme Council of Islamic Courts, one of the competing armed groups, forcibly recruited children, targeting schoolchildren for conscription.<sup>3126</sup> There are no reports of minors serving in the Somaliland Republic's Armed Forces, another armed group, though it is difficult to determine the age of recruits due to a lack of birth records.<sup>3127</sup>

### Child Labor Laws and Enforcement

Somalia has been without a functioning central government since 1991. During the reporting period, control was exerted by four different entities: the Transitional Federal Parliament based in Baidoa, the Transitional Federal Government (TFG) based in Mogadishu, the self-appointed Independent Republic of Somaliland in the northwest, and the semi-autonomous region of Puntland in the northeast.<sup>3128</sup> Although pre-1991 national laws prohibited child labor and trafficking, existing civil entities have no means for enforcing labor laws.

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

The lack of a functional central government precludes the existence of policies and programs to eliminate the worst forms of child labor. However during the reporting period, the TFG began to work with UNICEF to release child soldiers from the TFG Armed Forces.<sup>3129</sup>

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[cited December 12, 2007]; available from [http://www.unicef.org/somalia/children\\_87.html](http://www.unicef.org/somalia/children_87.html).

<sup>3114</sup> World Bank and United Nations Development Program, *Socio-Economic Survey 2002*, 2003, 9; available from [http://siteresources.worldbank.org/INTSOMALIA/Resources/swb\\_complete\\_report.pdf](http://siteresources.worldbank.org/INTSOMALIA/Resources/swb_complete_report.pdf).

See also U.S. Department of State, "Somalia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100504.htm>.

<sup>3115</sup> United Nations Office for the Coordination and Humanitarian Affairs Somalia, *Protection*, May 2006; available from <http://www.somali-jna.org/downloads/PROTECTION.pdf>. See also Integrated Regional Information Networks, "Amina Alaman: 'I want to go to school'", IRINnews.org, [online], May 30, 2007 [cited December 12, 2007]; available from <http://www.irinnews.org/HovPrintReport.aspx?ReportId=72449>.

<sup>3116</sup> U.S. Department of State, "Country Reports- 2007: Somalia," section 6d. See also Integrated Regional Information Networks, "Amina Alaman".

<sup>3117</sup> U.S. Department of State, "Country Reports- 2007: Somalia," section 6d.

<sup>3118</sup> *Ibid.*, section 5. See also U.S. Department of State, "Somalia (Special Cases)," in *Trafficking in Persons Report- 2007*, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/86204.htm>.

<sup>3119</sup> Integrated Regional Information Networks, "Tragic Cargo- Part One", IRINnews.org, [online], June 8, 2006; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=59251>. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Somalia."

<sup>3120</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Somalia." See also U.S. Department of State, "Country Reports- 2007: Somalia," section 5.

<sup>3121</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Somalia."

<sup>3122</sup> U.S. Department of State, "Country Reports- 2007: Somalia," section 5.

<sup>3123</sup> United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in Somalia*, May 7, 2007, 1; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/29/8/52/PDF/N0729852.pdf?OpenElement>. See also Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Developments in Somalia*, [online] 2006 [cited November 5, 2007]; available from <http://www.un.org/children/conflict/english/somalia.html>. See also U.S. Department of State, "Country Reports- 2007: Somalia," section 1g. See also Integrated Regional Information Networks, "Protect

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<sup>3113</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Somali Joint Needs Assessment, *Social Services and Protection of Vulnerable Groups Cluster Report*, World Bank and United Nations, September 14, 2006; available from [http://www.somali-jna.org/index.cfm?module=ActiveWeb&page=WebPage&cs=social\\_services\\_\\_1](http://www.somali-jna.org/index.cfm?module=ActiveWeb&page=WebPage&cs=social_services__1). See also UNICEF Somalia, *Primary School Years*, [online]

Children from Conscription, Say Aid Agencies", IRINnews.org, [online], January 2, 2007 [cited December 12, 2007]; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=62920>.

<sup>3124</sup> U.S. Department of State, "Country Reports- 2007: Somalia," section 1g. See also United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict, Sixty Second Session, A/62/609-S/2007/757*, December 21, 2007, section 88; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/656/04/PDF/N0765604.pdf?OpenElement>.

<sup>3125</sup> United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict, Sixty Second Session*, section 88. See also United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in Somalia*, 5.

<sup>3126</sup> United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in*

*Somalia*, 5. See also Integrated Regional Information Networks, "Protect Children from Conscription". See also United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict, Sixty Second Session*, section 88.

<sup>3127</sup> U.S. Department of State, "Country Reports- 2007: Somalia," section 1g. See also Coalition to Stop the Use of Child Soldiers, "Somalia," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=796](http://www.child-soldiers.org/document_get.php?id=796).

<sup>3128</sup> U.S. Department of State, "Country Reports- 2007: Somalia," section 1.

<sup>3129</sup> United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict, Sixty Second Session*, section 88.

## South Africa

### Selected Statistics and Indicators on Child Labor<sup>3130</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	No*
Gross primary enrollment rate (%), 2004:	106
Net primary enrollment rate (%), 2004:	88
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2003:	82
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses.	

### Incidence and Nature of Child Labor

Working children in South Africa are often found in family enterprises, primarily in agriculture and trade. A higher proportion of children in rural areas than urban areas are engaged in some type of work.<sup>3131</sup> Children work in commercial and subsistence farms or as domestic servants.<sup>3132</sup> Children also work as vendors, car guards, trolley attendants, shop assistants, and taxi conductors.<sup>3133</sup> Children are employed in taverns and liquor outlets to clean, stock supplies, prepare food, and serve alcohol.<sup>3134</sup> Children are also used to scavenge landfills and dumpsites for recyclable materials.<sup>3135</sup> Some children become engaged in prostitution to increase their family's income.<sup>3136</sup>

South Africa is a country of origin, transit, and destination for children trafficked for sexual exploitation and forced labor.<sup>3137</sup> Children are trafficked from Tanzania, Eastern Europe, China, Thailand, Lesotho, Mozambique, and Zimbabwe into South Africa for sexual exploitation.<sup>3138</sup> Some children are trafficked to South Africa from other African countries and sent to Europe for commercial sexual exploitation.<sup>3139</sup> Boys are

trafficked to South Africa from Mozambique and Malawi for agricultural work. A small number of girls are trafficked from Swaziland into South Africa for domestic servitude.<sup>3140</sup> Children are also trafficked from rural areas to urban areas within South Africa for domestic service and commercial sexual exploitation.<sup>3141</sup> South African girls are occasionally trafficked to Asian and European countries for sexual exploitation.<sup>3142</sup>

### **Child Labor Laws and Enforcement**

The law establishes the minimum age for employment as 15 years.<sup>3143</sup> Employers may hire children less than 15 years to work in the performing arts with permission from the South African Department of Labor.<sup>3144</sup> Children who are under 18 years may not perform work that is harmful to their well-being and development.<sup>3145</sup> The Minister of Labor is authorized to set additional restrictions on the employment of children 15 years and above.<sup>3146</sup> The law provides for the right of every child, defined as a person less than 18 years, to be protected from age-inappropriate and exploitive labor practices.<sup>3147</sup> The penalty for illegally employing a child under the law is a fine or a maximum jail term of 3 years.

The law prohibits all forms of forced labor and establishes a maximum penalty of 3 years in prison for imposing forced labor on another person.<sup>3148</sup> The law specifically bans child trafficking and the commercial sexual exploitation of children. The maximum penalty for violating the law is 20 years imprisonment.<sup>3149</sup> The law establishes 18 years as the minimum age for voluntary military service, military training, and conscription, even in times of national emergency.<sup>3150</sup>

The South African Department of Labor (SADOL) is tasked with enforcing child labor laws. As of 2007, there are approximately 1,600 labor inspectors nationwide, who have the responsibility of enforcing labor laws, including those involving child labor. According to USDOS, the SADOL has difficulty gaining access to private property to enforce the law.<sup>3151</sup>

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

The Government of South Africa continues to implement a national action program to eliminate the worst forms of child labor.<sup>3152</sup> Specific goals of this program include promoting new laws to combat the worst forms of child labor, increasing the Government's capacity to enforce the law, and raising awareness about child labor.<sup>3153</sup> The Government provides assistance to impoverished children 14 years and under to help them meet basic necessities and stay out of the workforce.<sup>3154</sup> The Government launched a policy in early 2007 to prevent schools in the poorest quintile of the country from charging school fees.<sup>3155</sup> During the reporting period, the Government also established an interagency team to improve its efforts to combat trafficking.<sup>3156</sup>

The Government of South Africa is participating in a USD 5 million USDOL-funded regional child labor project in Southern Africa implemented by ILO-IPEC, which includes South Africa. Efforts in South Africa are focused on supporting the Government of South Africa's Child Labor Program of Action by raising awareness, enhancing capacity for policy implementation and monitoring, and through direct action programs.<sup>3157</sup> This project aims to withdraw 688 children and prevent 2,216 children from engaging in exploitive labor.<sup>3158</sup> The Government is also participating in a USD 9 million regional Child Labor Education Initiative project funded by USDOL in Southern Africa with the support of the American Institutes for Research. This project aims to improve the quality and access to education for South African children who are working in, or are at risk of working in, the worst forms of child labor. Over its lifetime, the project intends to prevent 10,000 children in five countries, including South Africa, from engaging in exploitive labor.<sup>3159</sup> IOM is implementing a USAID-funded project that will prepare civil society groups to raise public awareness on human trafficking and provide direct assistance to trafficking victims.<sup>3160</sup>

<sup>3130</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of South Africa, *Basic Conditions of Employment Act 75 of 1997*, (December 5, 1997), articles 43(1)(a)(b), 43(3), 93; available from [http://www.workinfo.com/free/Sub\\_for\\_legres/data/bcea1998.htm](http://www.workinfo.com/free/Sub_for_legres/data/bcea1998.htm). See also Government of South Africa, *South African Schools Act, No. 84 of 1996*, (November 15, 1996), chapter 2, sections 3(1), 5, 6; available from <http://www.info.gov.za/acts/1996/a84-96.pdf>. See also U.S. Department of State, *reporting*, January 11, 2008, para 1d. See also U.S. Department of State, "South Africa," in *Country Reports on Human Rights Practices- 2007* Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100505.htm>.

<sup>3131</sup> Dawie Bosch & Associates, *Towards a National Child Labour Action Programme for South Africa*, Pretoria, October 2002, 19; available from [http://www.labour.gov.za/useful\\_docs/doc\\_display.jsp?id=9504](http://www.labour.gov.za/useful_docs/doc_display.jsp?id=9504).

<sup>3132</sup> U.S. Department of State, *reporting*, January 11, 2008, para 1e. See also Judith Streak, "Harvesting Childhood: causes, nature, and impact of child agricultural labour," *HSRC Review* 5, no. 3 (September 2007); available from [http://www.hsrc.ac.za/HSRC\\_Review\\_Article-61.phtml](http://www.hsrc.ac.za/HSRC_Review_Article-61.phtml). See also U.S. Department of State, "Country Reports- 2007: South Africa," section 6e. See also Debbie Budlender and Dawie Bosch, *Child Domestic Workers: A National Report; No 39*, ILO-IPEC, Geneva, May, 2002, ix,xii; available from [http://datafirst.cssr.uct.ac.za/resource/papers/budlender\\_2002.pdf](http://datafirst.cssr.uct.ac.za/resource/papers/budlender_2002.pdf).

<sup>3133</sup> ILO-IPEC, *HIV/AIDS and Child Labour in South Africa: A rapid assessment*, Paper No. 4, March 2003, 27, 38.

<sup>3134</sup> Andrew Charman, *A rapid assessment of children making and selling liquor in South Africa*, ILO-IPEC, Pretoria, August, 2006, 8,10; available from <http://www.child-labour.org.za/forms-of-CL/sectors/liquor/study-on-child-work-in-the-liquor-industry/>.

<sup>3135</sup> Saranel Benjamin, *A rapid assessment on scavenging and waste recycling work by children in South Africa*, ILO-IPEC, Pretoria, October, 2007, 7-9; available from <http://www.child-labour.org.za/south-africa/documents-and-laws/research-reports/children-involved-in-scavenging-on-waste-dumps/child-scavenging-study-report/>

<sup>3136</sup> South African Department of Labour, *Commercial and sexual exploitation of children and child trafficking: A South African national situation analysis*, Pretoria, May 2006, 18; available from [\[africa/forms-of-child-labour/worst-forms-of-child-labour/child-trafficking/study-on-trafficking-and-sexual-exploitation/\]\(http://www.child-labour.org.za/south-africa/forms-of-child-labour/worst-forms-of-child-labour/child-trafficking/study-on-trafficking-and-sexual-exploitation/\) See also U.S. Consulate-Johannesburg, \*reporting\*, September 3, 2004, para 10.](http://www.child-labour.org.za/south-</a></p></div><div data-bbox=)

<sup>3137</sup> U.S. Department of State, "Country Reports- 2007: South Africa," section 5.

<sup>3138</sup> U.S. Department of State, "South Africa (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>. See also UNESCO, *Human Trafficking in South Africa: Root Causes and Recommendations*, Paris, 2007, 21; available from <http://unesdoc.unesco.org/images/0015/001528/152823E.pdf>. See also South African Department of Labour, *CSEC of children and child trafficking*, 15. See also International Organization for Migration, *The Trafficking of Women and Children in the Southern African Region*, Pretoria, March 24, 2003, 11-12; available from <http://www.iom.int/documents/publication/en/southernafrica%5Ftrafficking.pdf>.

<sup>3139</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: South Africa." See also UNESCO, *Human Trafficking in South Africa*, 23.

<sup>3140</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: South Africa." See also South African Department of Labour, *CSEC of children and child trafficking*, 15.

<sup>3141</sup> U.S. Consulate- Johannesburg, *reporting*, September 3, 2004, para 5. See also South African Department of Labour, *CSEC of children and child trafficking*, 14,16. See also UNESCO, *Human Trafficking in South Africa*, 24.

<sup>3142</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: South Africa."

<sup>3143</sup> Government of South Africa, *Basic Conditions of Employment Act*, articles 43(1)(a)(b), 43(3), 93.

<sup>3144</sup> U.S. Department of State, *reporting*, January 11, 2008, para 1a. See also South African Department of Labour, *Sectoral Determination 10: Children in the Performance of Advertising, Artistic and Cultural Activities*, 2004; available from [http://www.labour.gov.za/legislation/sectoral\\_display.jsp?id=7213](http://www.labour.gov.za/legislation/sectoral_display.jsp?id=7213).

<sup>3145</sup> U.S. Department of State, "Country Reports- 2007: South Africa," section 6d. See also Government of South Africa, *Amended Basic Conditions of Employment Act*, (2002), article 43 (1-2); available from [http://www.labour.gov.za/act/section\\_detail.jsp?legislationId=5538&actId=6178&sectionId=6980](http://www.labour.gov.za/act/section_detail.jsp?legislationId=5538&actId=6178&sectionId=6980).

<sup>3146</sup> Government of South Africa, *Basic Conditions of Employment Act*, articles 44(1), 44(2).

<sup>3147</sup> Government of South Africa, *Constitution of the Republic of South Africa*, (December 10, 1996), chapter 2, sections 28(3), 28(1)(e) and (f); available from <http://www.info.gov.za/documents/constitution/1996/96cons2.htm#13>.

<sup>3148</sup> Government of South Africa, *Basic Conditions of Employment Act*, article 93, 43(1)(a)(b), 43(3), 44(2), and 48.

<sup>3149</sup> Government of South Africa, *The Children's Act of 2005*, (July 2007), articles 284-285; available from <http://www.child-labour.org.za/south-africa/documents-and-laws/legislation/other/childrens-act/childrens-act-the-act-and-draft-amendments/Childrens%20Act%2038%20of%202005.pdf>. See also U.S. Department of State, "Country Reports-2007: South Africa," section 5. See also U.S. Department of State, *reporting, January 11, 2008*, para 1a.

<sup>3150</sup> Coalition to Stop the Use of Child Soldiers, "South Africa," in *Child Soldiers Global Report* online, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=797](http://www.child-soldiers.org/document_get.php?id=797).

<sup>3151</sup> U.S. Department of State, *reporting, January 11, 2008*, para 1b. See also U.S. Department of State, "Country Reports- 2007: South Africa," section 6d.

<sup>3152</sup> U.S. Department of State, *reporting, January 10, 2007*, para 1d.

<sup>3153</sup> Government of South Africa, *The National Child Labour Action Programme for South Africa, Draft 4.10*, Pretoria, October 2003, 4; available from [http://www.labour.gov.za/useful\\_docs/doc\\_display.jsp?id=9503](http://www.labour.gov.za/useful_docs/doc_display.jsp?id=9503).

<sup>3154</sup> U.S. Department of State, *reporting, January 10, 2007*, para 1c. See also, Government of South Africa, *National Child Labour Action Programme*, 19.

<sup>3155</sup> ILO-IPEC, *Towards the Elimination of Child Labor*, technical progress report, Geneva, September 24, 2007, 4.

<sup>3156</sup> U.S. Department of State, "Country Reports- 2007: South Africa," section 5.

<sup>3157</sup> ILO-IPEC, *Supporting the Time-Bound Programme to eliminate the Worst Forms of Child Labor in South Africa's Child labor Action Programme and laying the basis for concerted action against Worst Forms of Child Labor in Botswana, Lesotho, Namibia, and Swaziland*, Project Document, September 30, 2003, 30.

<sup>3158</sup> ILO-IPEC, *Supporting the Time-Bound Programme to eliminate the Worst Forms of Child Labor in South Africa's Child labor Action Programme and laying the basis for concerted action against Worst Forms of Child Labor in Botswana, Lesotho, Namibia, and Swaziland*, Project Revision, November 3, 2006, annex 2.

<sup>3159</sup> American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, Project Document, Washington September 8, 2005, 17-19.

<sup>3160</sup> U.S. Agency for International Development, *USAID Anti-Trafficking in Persons Programs in Africa: A Review* Washington D.C., April 2007, 63; available from [http://pdf.usaid.gov/pdf\\_docs/PDACJ521.pdf](http://pdf.usaid.gov/pdf_docs/PDACJ521.pdf). See also

## Sri Lanka

### Incidence and Nature of Child Labor

Children in Sri Lanka work in both plantation and small-scale farming, as well as in seasonal family agriculture.<sup>3161</sup> Children also work in the informal sector, family enterprises, small restaurants, stores, repair shops, small-scale manufacturing, and crafts.<sup>3162</sup> Children also work as domestic servants, and some have reported experiencing sexual abuse.<sup>3163</sup>

The prostitution of children is widespread in the country. It is estimated that there are approximately 40,000 children in commercial sexual exploitation in Sri Lanka.<sup>3164</sup> The majority of children in prostitution are exploited by local citizens, though there are reports of sex tourism as

well.<sup>3165</sup> Some of these children have been trafficked and many boys are lured from rural areas to southern beach resorts to work in the sex industry, sometimes at the request of their parents.<sup>3166</sup>

Conflict intensified in Sri Lanka during 2007, and the use of children in armed conflict remained a pressing concern.<sup>3167</sup> On January 2, 2008 the Government withdrew from the 2002 ceasefire signed by the Government and the Liberation Tigers of Tamil Eelam (LTTE).<sup>3168</sup> Reports indicate that the LTTE, an armed terrorist group fighting for a separate ethnic Tamil state, and the Karuna faction both continue to heavily recruit children as soldiers, often forcibly.<sup>3169</sup> The LTTE recruit and abduct children as young as 11 years to serve in combat and in various battlefield support

functions. Additionally, forcible recruitment of child soldiers by Karuna, a break-off the LTTE faction, continued in 2007. Reports from UNICEF indicate that as of September 2007, 1,460 recruited children remained with the LTTE, while 211 were recruited by the Karuna faction.<sup>3170</sup> There is evidence that the Government security forces are supporting and sometimes participating in the abductions and forced recruitment by the Karuna faction.<sup>3171</sup>

certification of children less than 16 years prior to employment in industries.<sup>3175</sup> The maximum penalty for child labor violations is 12 months of imprisonment and/or a fine.<sup>3176</sup>

The law prohibits all children from employment in any hazardous occupation,<sup>3177</sup> and in industrial facilities after 11 p.m., except in certain training or apprenticeship situations.<sup>3178</sup> The Minister of Labor Relations and Foreign Employment prohibits the employment of children in any of forty-nine identified hazardous occupations.<sup>3179</sup> Forty occupations are unconditional and are to be completely prohibited for children ages 14 to 18 years, while the other nine occupations will be conditionally prohibited upon the publication of the relevant regulations.<sup>3180</sup> In 2007, the Bureau of Child Protection of the Sri Lanka police received 106 complaints of child labor violations.<sup>3181</sup>

The law prohibits forced labor, debt bondage, and all forms of slavery by persons of any age. The maximum fine for violating the law pertaining to children is 30 years of imprisonment.<sup>3182</sup> It is illegal for any person to cause or encourage a girl under 16 years of age to be seduced or prostituted. According to the law, offenses may be punished with 6 months imprisonment or a fine.<sup>3183</sup> The law prohibits sexual violations against children, defined as persons under 18 years, particularly with regard to child pornography, child prostitution, and the trafficking of children. Penalties for pornography and prostitution violations range from 2 to 5 years of imprisonment.<sup>3184</sup> Trafficking of children is punishable by imprisonment of 3 to 20 years.<sup>3185</sup> It is also an offense to cause or procure a child for the purpose of begging.<sup>3186</sup>

The law criminalizes the act of engaging or recruiting a child for use in armed conflict.<sup>3187</sup> The minimum age for recruitment into the Armed Forces is 18 years.<sup>3188</sup>

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

The Government has established a Policy and Plan of Action to Eliminate the Worst Forms of Child Labor as part of the National Plan of Action for Children (NPA) 2004-2008. The Ministry of Labor Relations and Foreign Employment implements the

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3172</sup>	
Working children, 5-14 years (%), 1998:	15
Working boys, 5-14 years (%), 1998:	17.9
Working girls, 5-14 years (%), 1998:	11.9
Working children by sector, 5-14 years (%), 1998:	
- Agriculture	71.5
- Manufacturing	13.1
- Services	14.8
- Other	0.7
Minimum age for work:	14
Compulsory education age:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	108
Net primary enrollment rate (%), 2003:	100
School attendance, children 5-14 years (%), 1998:	97.1
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment in most occupations at 14 years. The minimum age for employment at sea is 15 years.<sup>3173</sup> Children under 14 years may be employed in family-run agricultural enterprises or as part of technical training activities. However, these children may not be employed during school hours; for more than 2 hours on a school day or Sunday; between the hours 8 p.m. and 6 a.m.; or in any activity that jeopardizes health or education. The law limits the work hours of children age 14 to 15 years to 9 per day, and the work hours of children 16 to 17 years to 10 per day.<sup>3174</sup> The law also requires medical

child labor components of the plan, which include strengthening child labor laws and enforcement; improving the availability of child labor data; increasing vocational training programs for out-of-school youth; sensitizing the public to child labor issues; and reducing domestic child labor by 30 percent each year.<sup>3189</sup> The Government works with 450 social welfare officers to implement the NPA at the community level and has established 11 coordinating committees to further raise awareness of child abuse issues, including child labor.<sup>3190</sup> In January 2007, the Government adopted the Youth Employment National Action Plan, which was incorporated into the 10 year National Development Plan and recognizes the links between child labor and youth employment.<sup>3191</sup> The Ministry of Labor Relations and Foreign Employment trains labor inspectors, probation officers, and police officers on child labor issues. Training includes trauma and psychosocial counseling, surveillance, legal awareness, as well as training those who train others on these issues.<sup>3192</sup> The Women's and Children's Affairs division of the Ministry of Labor conducted four training programs in 2007 to improve the enforcement capacity of those responsible for combating child labor. The division also conducted awareness-raising programs on the elimination of child labor, and organized a training program to create awareness among parents.<sup>3193</sup>

The Government and the LTTE have a 3-year Joint Plan for Children Affected by War, which will continue through 2007. It was established to help end child recruitment and to demobilize and rehabilitate ex-child soldiers.<sup>3194</sup>

Under the purview of the National Child Protection Authority, the Government is implementing a National Plan of Action to combat trafficking of children for exploitive employment.<sup>3195</sup> The Government supports two rehabilitation centers and five schools that offer counseling, legal assistance, shelter, career guidance, and vocational training to child trafficking victims. In addition, health, judicial and psychological services to children are supported at the local district level.<sup>3196</sup> In February 2008, the Government established a hotline for complaints about child labor, corporal punishment, sexual abuse, and parental neglect.<sup>3197</sup>

The Government also supports a program to monitor the Internet for advertisements soliciting children for child pornography and pedophilia in Sri Lanka.<sup>3198</sup> With support from UNICEF, the Sri Lanka Tourist Board is implementing a 2-year campaign to stop the commercial exploitation of children.<sup>3199</sup> In addition, the Government is participating in an IOM-funded project to train police officers on anti-trafficking.<sup>3200</sup>

The Government continues to provide a number of services to assist tsunami-affected children.<sup>3201</sup>

The Government participates in a USDOL-funded USD 562,000 ILO-IPEC project to address the effects of the tsunami on children, and targets 300 children for withdrawal and 2,100 children for prevention from exploitive work. The project will continue through 2008, and aims to strengthen the capacity of government, media, and international organizations to integrate child labor issues into post-tsunami reconstruction policies; monitor the child labor situation in the post-tsunami environment; and provide educational and psychosocial services to tsunami-affected families in Galle and Trincomalee.<sup>3202</sup> The Government also participated in a global USDOL-funded USD 7 million project implemented by ILO-IPEC to prevent the involvement of children in armed conflict and support the rehabilitation of former child soldiers. The project withdrew 4,335 children from child soldiering and prevented 4,560 children from involvement with armed groups in seven countries, including Sri Lanka.<sup>3203</sup> In addition, the Government participated in two UNICEF-supported projects to assist children affected by war, which ended in June and December 2007.<sup>3204</sup> In January 2008, ILO-IPEC commenced youth employment projects in Sabaragamuwa province, an area with many tea and rubber plantations. The project aims to enable rural youth to avoid exploitive work activities by strengthening their employability through providing training in agricultural-related skills, life skills, and entrepreneurship.<sup>3205</sup>

The Ministry of Education initiated a program to improve education for the children of plantation workers, who are considered especially vulnerable to child labor.<sup>3206</sup>

<sup>3161</sup> ILO-IPEC, *Child Labour and Responses: Overview Note Sri Lanka*, November 2004, 1; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ipecc/download/srilanka.pdf>. See also ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas in Sri Lanka*, Project Document, Geneva, February 25, 2005, para 10. See also U.S. Department of State, "Sri Lanka," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100620.htm>.

<sup>3162</sup> U.S. Embassy-Colombo, *reporting*, September 7, 2005, para 10. See also U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 6d.

<sup>3163</sup> Nayomi Kannangara, Harendra de Silva, and Nilakshi Parndigamage, *Sri Lanka Child Domestic Labour: A Rapid Assessment*, ILO-IPEC, Geneva, September 2003, xvi available from <http://www.ilo.org/public/english/standards/ipecc/simpoc/srilanka/ra/domestic.pdf>. See also U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 6d.

<sup>3164</sup> ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children Sri Lanka*, Bangkok, 2006, 11, 12; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/South\\_Asia/Global\\_Monitoring\\_Report-SRI\\_LANKA.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/South_Asia/Global_Monitoring_Report-SRI_LANKA.pdf). See also U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 5.

<sup>3165</sup> U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 5.

<sup>3166</sup> Ibid. See also Radhika Coomaraswamy and Ambika Satkunanathan, *Anti-child Trafficking Legislation in Asia: A Six-Country Review*, Report, ILO-IPEC, Bangkok, 2006, 70; available from <http://www.ilo.org/public/english/region/asro/bangkok/library/download/pub06-03.pdf>. See also ECPAT International, *Global Monitoring Report: Sri Lanka*, 13. See also U.S. Department of State, "Sri Lanka (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>.

<sup>3167</sup> United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in Sri Lanka*, New York, December 21, 2007, 2; available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/634/74/PDF/N0763474.pdf?OpenElement>. See also U.S. Department of State, "Country Reports- 2007: Sri Lanka," Introduction.

<sup>3168</sup> Secretariat for Coordinating the Peace Process, *Government to Withdraw from CFA*, Press Release, Colombo, January 3, 2008; available from <http://www.peaceinsrilanka.org/peace2005/Insidepage/PressRelease/GOSLreleases/GOSLmediaRel030108.asp>.

<sup>3169</sup> U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 1. See also United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in Sri Lanka*, 2, 7.

<sup>3170</sup> U.S. Embassy-Colombo, *reporting*, November 29, 2007, para 12.

<sup>3171</sup> Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Statement from the Special Advisor on Children and Armed Conflict*, Press Release, Colombo, November 13, 2006; available from <http://www.un.org/children/conflict/pr/2006-11-13127.html>. See also Human Rights Watch, *Complicit in Crime*, New York, January 2007, 3, 10; available from <http://hrw.org/reports/2007/srilanka0107/srilanka0107webwcover.pdf>. See also U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 1.

<sup>3172</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Sri Lanka, *Employment of Women, Young Persons, and Children Act of 1956* No. 47 (November 7, 1956), article 13, 34(1); available from <http://www.labourdept.gov.lk/Legislations/Emplof%20WomYouPersonsChi.pdf>. See also Government of Sri Lanka, *Report of the Democratic Socialist Republic of Sri Lanka on Efforts by GSP Beneficiary Countries to Eliminate Worst Forms of Child Labour*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Colombo, December 7, 2007, 6. See also Government of Sri Lanka, *Compulsory Attendance of Children at Schools* Regulation No. 1 of 1997, (November 18, 1997). See also U.S. Embassy-Colombo, *reporting*, November 29, 2007, para 9.

<sup>3173</sup> Government of Sri Lanka, *Employment of Women, Young Persons, and Children Act of 1956*, part III, article 13 and 34(1). See also Government of Sri Lanka, *Shop and Office Employees Act of 1954*, No. 19 (August 9, 1954), article 10(1); available from <http://www.labourdept.gov.lk/Legislations/Shop%20&%20Office%20Employees.pdf>. See also U.S. Embassy-Colombo, *reporting*, August 18, 2003.

<sup>3174</sup> Government of Sri Lanka, *Employment of Women, Young Persons, and Children Act of 1956*, section 2. See also U.S. Embassy-Colombo, *reporting*, August 18, 2003.

<sup>3175</sup> U.S. Embassy-Colombo, *reporting*, August 18, 2003.

<sup>3176</sup> U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 6d.

<sup>3177</sup> Government of Sri Lanka, *Employment of Women, Young Persons, and Children (Amendment)*, 2006 Act. No. 24, (August 21, 2006).

<sup>3178</sup> Government of Sri Lanka, *Employment of Women, Young Persons, and Children Act of 1956*, section 2, 3(3), 4(1).

<sup>3179</sup> U.S. Embassy - Colombo, *reporting*, December 14, 2006, para 2. See also ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas in Sri Lanka*, Technical Progress Report, Geneva, September 30, 2006, 2. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182), Sri Lanka (ratification: 2001)*, 2004; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN>.

<sup>3180</sup> U.S. Embassy- Colombo, *reporting*, November 29, 2007, para 5.

<sup>3181</sup> U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 6d.

<sup>3182</sup> Government of Sri Lanka, *Penal Code (Amendment)*, 2006 Act No. 16, (April 24, 2006), 358(a). See also ILO-IPEC, *Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II)*, Technical Progress Report, Geneva, March 30, 2006, 4. See also Government of Sri Lanka, *Report of Sri Lanka on Efforts to Eliminate Worst Forms of Child Labour*, 2.

<sup>3183</sup> ECPAT International, *Global Monitoring Report: Sri Lanka*, 23.

<sup>3184</sup> Government of Sri Lanka, *Penal Code (Amendment)*, 1995, Act No. 22, (October 31, 1995), articles 286A(1) and (2), 360A, and 360B. See also Government of Sri Lanka, *Penal Code (Amendment)*, 1998, Act No. 29, (June 6, 1998), article 288A(1) and (2), and 360A(1) and (2). See also Government of Sri Lanka, *Penal Code (Amendment)*, 2006, article 268, 358, 360.

<sup>3185</sup> Government of Sri Lanka, *Penal Code (Amendment)*, 2006, 360(2).

<sup>3186</sup> Coomaraswamy and Satkunanathan, *Anti-trafficking Legislation: Asia*, 88.

<sup>3187</sup> Government of Sri Lanka, *Penal Code (Amendment)*, 2006. See also ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas in Sri Lanka*, Technical Progress Report, Geneva, March 30, 2006, 4.

<sup>3188</sup> Coalition to Stop the Use of Child Soldiers, "Sri Lanka," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/library/global-reports>.

<sup>3189</sup> B. Abeygunawardana, Director General, and National Planning Department, *National Plan of Action for the Children of Sri Lanka, 2004-2008*, Government of Sri Lanka Ministry of Finance and Planning, Colombo, 2004, 122-123; available from [http://www.humanitarianinfo.org/srilanka/docs/National\\_Plan.pdf](http://www.humanitarianinfo.org/srilanka/docs/National_Plan.pdf). See also ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas, project document*, 3.

<sup>3190</sup> Government of Sri Lanka, *National Child Protection*

*Authority Act of 1998*, No. 50. See also ILO-IPEC, *Child Labour and Responses*. See also Government of Sri Lanka, *Report of Sri Lanka on Efforts to Eliminate Worst Forms of Child Labour*, 4. See also U.S. Embassy- Colombo, *reporting*, August 23, 2004.

<sup>3191</sup> ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas in Sri Lanka*, Technical Progress Report, Geneva, September 30, 2007, 7.

<sup>3192</sup> U.S. Embassy- Colombo, *reporting*, September 7, 2005. See also U.S. Embassy- Colombo, *reporting*, August 23, 2004.

<sup>3193</sup> Government of Sri Lanka, *Report of Sri Lanka on Efforts to Eliminate Worst Forms of Child Labour*, 4. See also U.S. Embassy- Colombo, *reporting*, November 29, 2007, para 8.

<sup>3194</sup> U.S. Embassy- Colombo, *reporting*, August 23, 2004. See also UNICEF, *Action Plan for Children Affected by War Progress Report January-June 2004*, June 2004, 6; available from [http://www.unicef.org/videoaudio/PDFs/plan\\_progress\\_june04.pdf](http://www.unicef.org/videoaudio/PDFs/plan_progress_june04.pdf).

<sup>3195</sup> U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 5. See also ILO-IPEC, *Child Labour and Responses*, 3.

<sup>3196</sup> U.S. Embassy- Colombo, *reporting*, February 29, 2008, para 4b. See also U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 5.

<sup>3197</sup> U.S. Embassy- Colombo, *reporting*, February 29, 2008, para 4h.

<sup>3198</sup> U.S. Department of State, "Country Reports- 2007: Sri Lanka," section 5.

<sup>3199</sup> UNICEF, *Zero Tolerance for Child Sex Tourism in Sri Lanka*, [online] June 18, 2006 [cited December 18, 2007]; available from [http://www.unicef.org/media/media\\_34596.html](http://www.unicef.org/media/media_34596.html). See also UNICEF, *Sri Lanka Campaign Promotes "Zero Tolerance" for Child Sex Tourism*, [online] July 13, 2006 [cited December 18, 2007]; available from [http://www.unicef.org/infobycountry/sri\\_lanka\\_34933.html](http://www.unicef.org/infobycountry/sri_lanka_34933.html).

<sup>3200</sup> U.S. Embassy- Colombo, *reporting*, February 29, 2008, para 3g.

<sup>3201</sup> IRIN, *Sri Lanka: Uneven Progress in Post-tsunami Schools' Reconstruction*, [online] September 6, 2007 [cited December 18, 2007]; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=74156#>. See also IRIN, *Sri Lanka: Post-tsunami Jobs Increase, Incomes Decline*, [Online] June 28, 2007 [cited December 18, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=72977>. See also Integrated Regional Information Networks, *Sri Lanka: Rebuilding Livelihoods in Tsunami-hit, War-torn Vaharai*, [online] June 12, 2007 [cited December 18, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=72681>. See also ILO-IPEC,

*Emergency Response to Child Labour, Technical Progress Report, March 2006, 5.*

<sup>3202</sup> ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas, project document, 15, 38.*

<sup>3203</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, March 14, 2008. See also ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Program, Project Document, ILO, Geneva, September 17, 2003.*

<sup>3204</sup> ILO-IPEC official, E-mail communication USDOL official, January 23, 2008.

<sup>3205</sup> U.S. Embassy- Colombo, *reporting, November 29, 2007, para 11.*

<sup>3206</sup> *Ibid.*, para 10. See also ILO- IPEC, *Emergency Response to Child Labour, Technical Progress Report, September 2006, 2.*

## Suriname

<i>Selected Statistics and Indicators on Child Labor<sup>3207</sup></i>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	12
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	120
Net primary enrollment rate (%), 2005:	94
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated
* Must pay for miscellaneous school expenses	

### Incidence and Nature of Child Labor

Children in Suriname work in agriculture, rice production, and as street vendors, packers, and shop assistants.<sup>3208</sup> Children work in sawmills, in gold mining areas in the interior, and in the commercial sex industry.<sup>3209</sup> Trafficking of minors is a problem. Reports have indicated an increase in

sex tourism leading to a higher incidence of sexual exploitation of children, particularly young boys.<sup>3210</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years, although children from 12 to 14 years may work in family or special vocational settings if the work is not too physically or mentally demanding or hazardous.<sup>3211</sup> Children under 15 years are prohibited from working on fishing boats.<sup>3212</sup> Children under 18 years are prohibited from night work, which is defined as the hours between 7:00 p.m. and 6:00 a.m., and hazardous work, which is defined as work that endangers life, health, and decency, or as determined by the Minister of Labor.<sup>3213</sup> Employers are required to maintain a Register of Young Persons that includes each employee's name, address, date of birth, and the occupational starting and ending dates.<sup>3214</sup> Employing a child under 14 years is punishable by fines and up to 12 months in prison. Parents who permit their children to work in violation of child labor laws may be prosecuted<sup>3215</sup>

The law prohibits forced labor, slavery, and practices similar to slavery.<sup>3216</sup> The penalty for trafficking children under 16 is a minimum of 10 years imprisonment.<sup>3217</sup> Procuring, using or offering a girl under 12 years of age for prostitution, pornography, or pornographic performances is punishable with 12 years imprisonment, and 8 years imprisonment for the same offense against girls ages 12 to 14. There is no specific penalty for those ages 14 to 18.<sup>3218</sup> The law

also prohibits brothel operation.<sup>3219</sup> Military service is not compulsory, although the minimum age for voluntary recruitment into the Armed Forces is not available.<sup>3220</sup>

The Ministry of Labor's Department of Labor Inspections enforces laws relating to the minimum age for employment and hazardous work through its 40 inspectors in the formal sector.<sup>3221</sup> Police officers are responsible for enforcing child labor laws in the informal sector. USDOS reports that there were no investigations of exploitive child labor cases conducted in rural areas during 2007.<sup>3222</sup> USDOS reports that both Government action and necessary resources need to increase in order to expand beyond urban areas and into the hinterland.<sup>3223</sup> The laws consider the worst forms of child labor crimes and, as such, they are enforced by the Ministry of Justice and Police, in conjunction with the Youth Police Department. The Youth Police are authorized to remove children from the worst forms of child labor and prosecute offenders.<sup>3224</sup> Although USDOS reports that the country's law against brothels is not enforced, a special police anti-trafficking unit of 5 members has conducted limited investigations and raids, including random checks of brothels, to ensure that minors are not working on those premises.<sup>3225</sup> Although there are no Government social programs to prevent and withdraw children from the worst forms of child labor, the Government does support vocational programs for children who are no longer in school.<sup>3226</sup>

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

The Ministries of Labor and Social Affairs refer to reducing child labor in their annual policy documents.<sup>3227</sup> In January 2007, the Government of Suriname installed a working group to address child labor, consisting of representatives from various ministries, labor unions, the private sector, and NGOs. The objective of the working group is to establish a National Commission on child labor, which is tasked with guiding the Government on the issue of child labor, reviewing labor legislation, making recommendations, and developing a list of worst forms of child labor.<sup>3228</sup> In early 2007, the Government's trafficking in persons working group launched a new awareness-raising campaign

and hosted informational meetings in border areas where trafficking is significant.<sup>3229</sup>

The Government of Suriname participated in the second phase of a USD 750,000 regional project to combat the worst forms of child labor in the Caribbean, funded by the Government of Canada and implemented by ILO-IPEC.<sup>3230</sup>

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<sup>3207</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Suriname," in *Country Report on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100654.htm>. See also U.S. Embassy- Paramaribo, *reporting*, December 6, 2007. See also Government of Suriname, *Constitution*, articles 38-39; available from <http://www.georgetown.edu/pdba/Constitutions/Suriname/english.html>.

<sup>3208</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 6d. See also U.S. Embassy- Paramaribo, *reporting*, December 6, 2007. See also U.S. Embassy- Paramaribo, *reporting*, December 21, 2006.

<sup>3209</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 6d. See also U.S. Embassy- Paramaribo, *reporting*, December 6, 2007. See also U.S. Embassy- Paramaribo official, E-mail communication to USDOL official, July 24, 2008.

<sup>3210</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 5. See also U.S. Embassy- Paramaribo official, E-mail communication, July 24, 2008.

<sup>3211</sup> Clive Pegus, *A Review of Child Labour Laws of Suriname- A Guide to Legislative Reform*, ILO Subregional Office for the Caribbean, June 2005, 25. See also U.S. Department of State, "Country Reports- 2007: Suriname," section 6d.

<sup>3212</sup> Clive Pegus, *A Review of Child Labour Laws of Suriname - a Guide to Legislative Reform*, ILO Subregional Office for the Caribbean, June 2005, 25.

<sup>3213</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 6d. See also Clive Pegus, *A Review of Child Labour Laws of Suriname*, 27.

<sup>3214</sup> Clive Pegus, *A Review of Child Labour Laws of Suriname*, 27.

<sup>3215</sup> U.S. Embassy- Paramaribo, *reporting*, August 27, 2004.

<sup>3216</sup> Government of Suriname, *Constitution*, article 15. See also Clive Pegus, *A Review of Child Labour Laws of Suriname*, 29.

<sup>3217</sup> Government of Suriname, *Written Replies by the*

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*Government of the Suriname Concerning the List of Issues Received by the Committee on the Rights of the Child Relating to the Consideration of the Second Periodic Report of Suriname*, CRC/C/SUR/Q/2/Add.1, November 29, 2006, 31; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/458/35/PDF/G0645835.pdf?OpenElement>. See also Clive Pegus, *A Review of Child Labour Laws of Suriname*, 29.

<sup>3218</sup> Clive Pegus, *A Review of Child Labour Laws of Suriname*, 29.

<sup>3219</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 5.

<sup>3220</sup> Coalition to Stop the Use of Child Soldiers, "Suriname," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=837](http://www.child-soldiers.org/document_get.php?id=837).

<sup>3221</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 6d. See also Clive Pegus, *A Review of Child Labour Laws of Suriname*, 33. See also U.S. Embassy-Paramaribo, *reporting, December 6, 2007*.

<sup>3222</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 6d.

<sup>3223</sup> U.S. Embassy- Paramaribo, *reporting, December 6, 2007*.

<sup>3224</sup> Clive Pegus, *A Review of Child Labour Laws of Suriname*, 33.

<sup>3225</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 6d. See also U.S. Department of State, "Suriname," in *Country Report on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78906.htm>. See also Government of Suriname, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (November 8, 2007) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, February 8, 2008, 4.

<sup>3226</sup> U.S. Department of State, "Country Reports- 2007: Suriname," section 6d. See also Clive Pegus, *A Review of Child Labour Laws of Suriname*, 33.

<sup>3227</sup> U.S. Embassy- Paramaribo, *reporting, December 6, 2007*. See also U.S. Department of State, "Country Reports- 2007: Suriname," section 6d.

<sup>3228</sup> U.S. Embassy- Paramaribo, *reporting, December 6, 2007*. See also Government of Suriname, *Written communication*, 2.

<sup>3229</sup> U.S. Department of State, "Suriname (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>.

<sup>3230</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

## Swaziland

### Incidence and Nature of Child Labor

Children in Swaziland work in agriculture, particularly in the eastern region, as well as in herding and domestic service.<sup>3231</sup> Children are also found working on the streets as traders, hawkers bus and taxi conductors, load bearers, and car washers.<sup>3232</sup> There are reports that Swazi girls engage in commercial sexual exploitation within Swaziland and are trafficked to South Africa for domestic labor and commercial sexual exploitation.<sup>3233</sup>

### Child Labor Laws and Enforcement

The law provides children with the right to be protected from work that jeopardizes their health, education, or development.<sup>3234</sup> The law distinguishes between a "child" (under 15 years

and a "young person" (between 15 and 18 years), but does not establish a standard minimum age of employment.<sup>3235</sup> Children under 15 years are only allowed to work in industrial enterprises where family members are employed or in technical schools under supervision.<sup>3236</sup> The law prohibits children and young persons under 18 years from working in mines, quarries, or underground, in premises that sell alcohol for consumption on site, or in any sector that is dangerous to their safety, health, or moral development.<sup>3237</sup> The law prohibits children under 15 years from working during school hours and limits children's work to less than four continuous hours, and six hours per day or 33 hours per week. Children and young persons may not work between 6 p.m. and 7 a.m., unless a young person is engaged in an apprenticeship or vocational training activity approved by the

Minister of Labor and the Labor Advisory Board. If such approval is obtained, the young person is entitled to 13 consecutive hours of rest between shifts.<sup>3238</sup> The Department of Labor within the Ministry of Enterprise and Employment is responsible for enforcing child labor laws; however, according to USDOS its effectiveness is limited by shortages of personnel and resources.<sup>3239</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3240</sup>	
Working children, 5-14 years (%), 2000:	9.6
Working boys, 5-14 years (%), 2000:	9.6
Working girls, 5-14 years (%), 2000:	9.6
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	12
Free public education:	No
Gross primary enrollment rate (%), 2005:	102
Net primary enrollment rate (%), 2005:	76
School attendance, children 5-14 years (%), 2000:	74.3
Survival rate to grade 5 (%), 2002:	77
ILO-IPEC participating country:	No

Forced and bonded labor is prohibited.<sup>3241</sup> Children are protected by law from commercial sexual exploitation including child pornography.<sup>3242</sup> Although there is no law specifically prohibiting trafficking in persons, trafficking violations can be prosecuted under existing laws prohibiting kidnapping, prostitution, and forced labor.<sup>3243</sup> Children under 18 years are prohibited from enlisting in the military.<sup>3244</sup>

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

The Government of Swaziland is working with ILO-IPEC to implement a USDOL-funded regional child labor project in Southern Africa. This USD 5 million project aims to expand the knowledge base on exploitive child labor in Swaziland and facilitate

the development of a national child labor action plan.<sup>3245</sup> The Government of Swaziland is also participating in a USDOL-funded regional project implemented by the American Institutes for Research, with the support of Save the Children Swaziland. This USD 9 million project is designed to improve the quality of and access to basic and vocational education for children working or at risk of working in the worst forms of child labor. Over its lifetime, this project aims to prevent 10,000 children in five countries, including Swaziland, from engaging in exploitive labor.<sup>3246</sup> The Programme Advisory Committee on Child Labour, comprised of Government Ministries, unions, NGOs, and businesses, continued to coordinate child labor efforts and advise the two USDOL-funded projects working in the country.<sup>3247</sup>

<sup>3231</sup> U.S. Department of State, "Swaziland," in *Country Reports on Human Rights Practices- 2007* Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78760.htm>.

<sup>3232</sup> Ibid. See also Debbie Budlender Dawie Bosch, and Nomthetho Simelane, , *Scoping Report on Child Labour in Swaziland*, Geneva, August, 2003.

<sup>3233</sup> U.S. Department of State, "Country Reports- 2007: Swaziland," section 5. See also Miriam and Keregero Keregero, *TECL Paper No. 45: Commercial sexual exploitation of children in Swaziland*, Rapid Assessment, Geneva, 2006, 9; available from <http://www.child-labour.org.za/blns-countries/swaziland/documents-and-laws/research-reports/insights-into-children-subject-to-commercial-sexual-exploitation/>.

<sup>3234</sup> Government of Swaziland, *An Act to provide for the Constitution of the Kingdom of Swaziland, 2005*, article 29(1); available from <http://www.southernafricanlawcenter.org/salc/library/Librarydetail.aspx?id=341449205>. See also Government of Swaziland, *King and Parliament of Swaziland: The Employment Act, 98(3)*; available from [http://www.doingbusiness.org/Documents/LawLibrary/Swaziland-Employment-Act-1980-\(Excerpts\).pdf](http://www.doingbusiness.org/Documents/LawLibrary/Swaziland-Employment-Act-1980-(Excerpts).pdf).

<sup>3235</sup> U.S. Department of State official, E-mail communication to USDOL official, March 17 2008. See also Dawie Bosch, *Scoping Report Swaziland*, 9.

<sup>3236</sup> Government of Swaziland, *Employment Act* article 97(1). See also U.S. Department of State, "Country Reports- 2007: Swaziland," section 6d.

<sup>3237</sup> Government of Swaziland, *Employment Act* article 98(3). See also Dawie Bosch, *Scoping Report Swaziland*, 9.

<sup>3238</sup> Government of Swaziland, *Employment Act* articles 97(2), 98(1-2).

<sup>3239</sup> U.S. Department of State, "Country Reports- 2007: Swaziland," section 6d. See also U.S. Embassy-Mbabane, *reporting, December 7, 2007*, para B. See also U.S. Department of State official, E-mail, March 17, 2008.

<sup>3240</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Embassy- Mbabane, *reporting, December 7, 2007*, para A, C. See also UNESCO Institute for Statistics, *Ending Age of Compulsory Education*, section, 94(2), 98 (3); available from <http://stats.uis.unesco.org/TableViewer/tableView.aspx>.

<sup>3241</sup> U.S. Department of State, "Country Reports- 2007: Swaziland," section 6c.

<sup>3242</sup> Dawie Bosch, *Scoping Report Swaziland*, 11. See also U.S. Department of State, "Country Reports- 2007: Swaziland," section 5.

<sup>3243</sup> U.S. Department of State, "Country Reports- 2007: Swaziland," section 5. See also U.S. Department of State, "Swaziland (Special Case)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/86204.htm>.

<sup>3244</sup> Coalition to Stop the Use of Child Soldiers, "Swaziland," in *Child Soldiers Global Report 2004*, London, 2004, 102; available from [http://www.child-soldiers.org/library/global-reports?root\\_id=159&directory\\_id=165](http://www.child-soldiers.org/library/global-reports?root_id=159&directory_id=165).

<sup>3245</sup> ILO-IPEC, *Annexure to TECL Project Document: Strategy for Swaziland Project Document Country Annex*, Geneva, May 2005, 1.4. See also ILO-IPEC, *Supporting the Timebound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, Project Document, Geneva,, September 30, 2003, 1.

<sup>3246</sup> American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, project document, Washington September 8, 2005, 1, 17-18, 22.

<sup>3247</sup> U.S. Department of State official, E-mail, March 17, 2008. See also Committee on the Rights of the Child, *Written Replies by the Government of the Kingdom of Swaziland Concerning the List of Issues Received by the Committee*, CRC/C/SWZQ/Add.1, pursuant to the Consideration of the Initial Report of the Kingdom of Swaziland, August 17, 2006, 19; available from <http://tb.ohchr.org/default.aspx?country=sz>.

## Tanzania

### Incidence and Nature of Child Labor

In Tanzania, child work is particularly prevalent in rural areas.<sup>3248</sup> Children work on clove, coffee, sisal, sugar cane, tea, and tobacco farms as well as in the production of corn, green algae, pyrethrum, rubber, and wheat.<sup>3249</sup>

Children also work in underground mines, such as Tanzanite mines, and engage in gemstone brokering.<sup>3250</sup> Children known as "snake boys" crawl through narrow tunnels in unregulated gemstone mines to help position mining equipment and explosives.<sup>3251</sup> In the informal sector, children engage in scavenging, fishing, fish processing, and quarrying.<sup>3252</sup> Other children work as barmaids, street vendors, cart pushers, and auto mechanics.<sup>3253</sup> Children also work as domestic servants in third-party homes, and some fall prey to exploitation

into prostitution when fleeing abusive employers.<sup>3254</sup>

The United Republic of Tanzania comprises a union between mainland Tanzania and the neighboring island of Zanzibar.<sup>3255</sup> On the island of Zanzibar, children work in fishing, markets, and hotels.<sup>3256</sup> Zanzibari children also work in the tourism industry, petty trading, clove picking, domestic service, and are involved in commercial sexual exploitation near tourist locations.<sup>3257</sup>

Commercial sexual exploitation of children is a growing problem in Tanzania as well.<sup>3258</sup>

In Tanzania, children are trafficked internally; boys are trafficked for exploitive labor in agriculture, mines, and the informal sector, and girls are trafficked from rural to urban areas for forced

domestic service and commercial sexual exploitation.<sup>3259</sup> A limited number of Tanzanian girls are reportedly trafficked for forced labor in domestic service to Oman, South Africa, Saudi Arabia, Sweden, the United Kingdom, and possibly to other countries in Europe or the Middle East.<sup>3260</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3261</sup>	
Working children, 5-14 years (%), 2001:	35.4
Working boys, 5-14 years (%), 2001:	36.2
Working girls, 5-14 years (%), 2001:	34.5
Working children by sector, 5-14 years (%), 2001:	
- Agriculture	77.4
- Manufacturing	0.1
- Services	22.4
- Other	0.1
Minimum age for work:	14
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	110
Net primary enrollment rate (%), 2006:	98
School attendance, children 5-14 years (%), 2000:	57
Survival rate to grade 5 (%), 2005:	85
ILO-IPEC participating country:	Associated
* Must pay for miscellaneous school expenses.	

### **Child Labor Laws and Enforcement**

Tanzanian laws prohibit the employment of children under the age of 14 years in mainland Tanzania, except for light work that is not likely to harm the child's health and development and that does not prejudice the child's attendance at school. The laws also prohibit children under the age of 18 years from being employed in mines, factories, ships, or other worksites that the Minister of Labor deems to be hazardous.<sup>3262</sup>

Zanzibar is governed by its own labor laws.<sup>3263</sup> In Zanzibar, the minimum age for employment is 18 years, with some exceptions; children over 10 years in rural areas are permitted to perform light work, including some agricultural activities and domestic work.<sup>3264</sup> Zanzibari law provides for the following

two categories of child labor offenses: (a) ordinary practices for child labor, and (b) worst forms of child labor. The penalty for category (a) offenses is a fine or imprisonment for up to 6 months; for category (b) offenses, penalties include a fine, imprisonment for a minimum of 1 year, or both.<sup>3265</sup>

Mainland law provides for the protection of children from exploitation in the workplace, and prohibits forced or compulsory labor.<sup>3266</sup> The labor laws establish a criminal punishment for anyone using illegal child labor or forced labor. Violators can be penalized by a fine, 1 year of imprisonment, or both.<sup>3267</sup> Tanzanian law also prohibits the military recruitment of children under 18 years.<sup>3268</sup> The law also prohibits the procuring of a child less than 18 years for indecent exhibition or for sexual intercourse, either inside or outside the country.<sup>3269</sup> Tanzanian law prohibits trafficking in children without parental or guardian consent.<sup>3270</sup> On the mainland, traffickers can be prosecuted under existing statutes that criminalize the sale of people, forced labor, child labor, and various sexual offenses. In Zanzibar, traffickers can be prosecuted under existing laws that criminalize kidnapping, abduction, and slavery.<sup>3271</sup>

In 2007, efforts to enforce labor laws by the Government improved, according to USDOS, citing an increase in the number of labor inspectors and an awareness-raising campaign directed towards formal sector employers. At the community level, child labor committees identify and monitor children who engaged in exploitive child labor.<sup>3272</sup>

Zanzibar has its own Ministry of Labor, which is responsible for enforcing the island's child labor laws.<sup>3273</sup>

The Inter-Ministerial Committee to Combat Human Trafficking serves as the coordinating mechanism for both mainland Tanzania and Zanzibar Government ministries, NGOs, international organizations, and civil society partners.<sup>3274</sup> In 2007, the Ministry of Public Safety and Security transitioned the established anti-trafficking Criminal Investigation Department to the Transnational Organized Crime Unit and received a formal budget from the Tanzanian Parliament.<sup>3275</sup>

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

Tanzania's National Strategy for Growth and Reduction of Poverty (NSGRP) 2005-2010 includes specific references to the elimination of the worst forms of child labor. The NSGRP commits the Government to reducing the percentage of children engaged in child labor to less than 10 percent by 2010, by providing former child laborers with a range of educational alternatives. It also aims to increase the rates of primary school enrollment, attendance, and completion for child laborers, as well as orphans and other vulnerable children.<sup>3276</sup>

In 2007, the Government trained over two-thirds of immigration officers and many Zanzibar officials to identify, investigate, and prosecute trafficking cases.<sup>3277</sup> The Ministry of Health and Social Welfare developed a manual and trained 300 health workers who interact with trafficking victims.<sup>3278</sup>

The Government also took actions to address child labor, such as ensuring children's attendance in school, penalizing parents who failed to enroll their children, and educating formal sector employers on child labor issues. The Ministry of Labor continued its awareness-raising efforts by holding child labor seminars throughout the country.<sup>3279</sup> The Ministry of Education and Vocational Training increased the number of community learning facilities by 11, to 310 centers, which the Government took over in 2006 from a previous USDOL-funded project.<sup>3280</sup>

The Government of Tanzania is participating in a USDOL-funded, USD 5.09 million child labor Education Initiative project implemented by Winrock International. This 4-year project aims to withdraw 5,145 children and prevent 5,270 children from exploitive child labor in agriculture through the provision of educational services.<sup>3281</sup> ILO-IPEC continued to work with the Government to implement its Timebound Program, in which a USD 4.87 million, 4-year second phase of the Timebound Program was funded by USDOL to continue efforts to eliminate the worst forms of child labor in commercial agriculture, domestic service, mining, fishing, and prostitution in mainland Tanzania by 2010. The second phase is targeting 10,250 and 11,750 children for withdrawal and prevention, respectively, which includes activities to combat child labor on Zanzibar.<sup>3282</sup> The Ministry of Education and Vocational Training operates learning centers established by a prior

USDOL-funded Education Development Center project, which includes broadcasting the radio-based curriculum that served as the core of the project's efforts, as well as subsidizing awareness-raising and enrollment programs from the USDOL-funded Timebound Program Phase I project.<sup>3283</sup>

The Government also collaborated with ILO-IPEC on the implementation of several other child labor and education projects, including a USD 1.15 million regional project to provide skills and apprenticeship training to urban youth, funded by Canada; a USD 428,040 project to combat child labor and youth employment, funded by Sweden; a USD 1.32 million phase two project to combat child labor in tobacco farming in the Urambo district, funded by the Foundation for the Elimination of Child Labor in the Tobacco Industry; and a USD 1.79 million inter-regional project addressing child labor through education and training activities, funded by Norway.<sup>3284</sup>

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<sup>3248</sup> ILO-IPEC, *Support for the Time-Bound Programme on the Worst Forms of Child Labour in Tanzania- Phase II*, project document, Geneva, September 2005, 3.

<sup>3249</sup> U.S. Embassy- Dar es Salaam, *reporting*, December 19, 2007, para 3. See also ILO-IPEC, *Global Evaluation of the Statistical Information and Monitoring Programme on Child Labour (SIMPOC)*, October 2003, 83; available from [http://www-ilo-mirror.cornell.edu/public/english/standards/ipecc/publ/download/2004\\_eval\\_global\\_sim\\_poc.pdf](http://www-ilo-mirror.cornell.edu/public/english/standards/ipecc/publ/download/2004_eval_global_sim_poc.pdf). See also Integrated Regional Information Networks, "Tanzania: Thousands missing school to work, official says", June 26, 2006 [cited March 28, 2008]; available from <http://www.irinnews.org/Report.aspx?ReportId=59443>.

<sup>3250</sup> ILO-IPEC, *Girls in mining: Research finding from Ghana, Niger, Peru and the United Republic of Tanzania*, 2007; available from <http://www.ilo.org/dyn/gender/docs/RES/539/F181278003/Girls%20in%20Mining.pdf>. See also Integrated Regional Information Networks (Film & TV), "Tanzania: Gem slaves: Tanzanite's child labour", September 6, 2006 [cited November 30, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=61004>.

<sup>3251</sup> J.A. Mwami, A.J. Sanga, and J. Nyoni, *Tanzania: Children Labour in Mining: A Rapid Assessment*, ILO-IPEC, Geneva, January 2002; available from <http://www.ilo.org/ipecc/Regionsandcountries/Africa/lang--en/index.htm>.

<sup>3252</sup> C. Kadonya, M. Madihi, and S. Mtwana, *Tanzania:*

*Child Labour in the Informal Sector: A Rapid Assessment*, ILO-IPEC, Geneva, January 2002, 6; available from <http://www.ilo.org/ippec/Regionsandcountries/Africa/lang--en/index.htm>.

<sup>3253</sup> ILO-IPEC, *Baseline Study and Attitude Survey on Child Labour and Its Worst Forms- Tanzania*, Dar es Salaam, June 2003, 9-10, 28, 33. See also U.S. Department of State, "Country Reports- 2007: Tanzania," section 6d.

<sup>3254</sup> U.S. Department of State, "Tanzania (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>. See also ILO-IPEC, *Baseline Study and Attitude Survey on Child Labour and Its Worst Forms- Tanzania*, 37. See also Daniel Dickinson, "Tanzania 'Housegirls' Face Sexual Abuse", BBC News, [online], May 10, 2003; available from <http://news.bbc.co.uk/2/hi/africa/3015223.stm>. See also Bill Rau, *Combating Child Labour and HIV/AIDS in Sub-Saharan Africa*, ILO-IPEC, July 2002; available from <http://www.ilo.org/ippec/Regionsandcountries/Africa/lang--en/index.htm>.

<sup>3255</sup> ILO-IPEC, *Support for the Time-Bound Programme on the Worst Forms of Child Labour in Tanzania- Phase II, project document*, 1.

<sup>3256</sup> U.S. Embassy- Dar es Salaam, reporting, December 26, 2006. See also ILO-IPEC, *Support for the Time-Bound Programme on the Worst Forms of Child Labour in Tanzania- Phase II, project document*, 3.

<sup>3257</sup> U.S. Department of State, "Country Reports- 2007: Tanzania," section 6d. See also ILO-IPEC, *Support for the Time-Bound Programme on the Worst Forms of Child Labour in Tanzania- Phase II, project document*, 3.

<sup>3258</sup> ILO Committee of Experts, *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) United Republic of Tanzania (ratification:1998)*, [online] 2007 [cited December 11, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: United Republic of Tanzania, CRC/C/TZA/CO/2*, June 21, 2006; available from <http://tb.ohchr.org/default.aspx?country=tz>. See also Integrated Regional Information Networks, "Tanzania: Focus on child labour", August 13, 2003 [cited December 10, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=45464>

<sup>3259</sup> U.S. Embassy- Dar es Salaam, reporting, February 28, 2007, para 2a. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Tanzania." See also ILO-IPEC, *Baseline Study and Attitude Survey on Child Labour and Its Worst Forms- Tanzania*, 24.

<sup>3260</sup> U.S. Embassy- Dar es Salaam, reporting, February 28, 2007, para 2a. See also U.S. Embassy- Dar es Salaam official, E-mail communication to USDOL official,

August 13, 2006. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Tanzania." See also U.S. Department of State, "Country Reports- 2007: Tanzania," section 5. See also UN Office for the Coordination of Humanitarian Affairs, *A Gap in their Hearts: the experience of separated Somali children*, 2003, 25; available from <http://www.irinnews.org/pdf/in-depth/Gap-In-Their-Hearts-English.pdf>.

<sup>3261</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Tanzania, *Employment and Labour Relations Act, 2004*, (December 2006); available from <http://www.parliament.go.tz/Polis/PAMS/Docs/6-2004.pdf>. See also U.S. Department of State, "Tanzania," in *Country Reports on Human Rights Practices- 2007* Washington, DC, March 11, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/102128.htm>.

<sup>3262</sup> Government of Tanzania, *Employment and Labour Relations Act*, article 5.

<sup>3263</sup> U.S. Embassy- Dar es Salaam, reporting, December 26, 2006, para 10.

<sup>3264</sup> U.S. Embassy- Dar es Salaam, reporting, February 28, 2007, para 10. See also Right to Education- At What Age?, *United Republic of Tanzania*, accessed November 28, 2007; available from <http://www.right-to-education.org/content/age/tanz.html>.

<sup>3265</sup> U.S. Embassy- Dar es Salaam, reporting, December 26, 2006, para 10.

<sup>3266</sup> Government of Tanzania, *The Constitution of the United Republic of Tanzania*, (1977); available from <http://www.tanzania.go.tz/constitutionf.html>. See also Government of Tanzania, *Employment and Labour Relations Act*, article 91.

<sup>3267</sup> Government of Tanzania, *Employment and Labour Relations Act*, article 102.

<sup>3268</sup> Coalition to Stop the Use of Child Soldiers, "Tanzania," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/regions/country?id=210>.

<sup>3269</sup> Government of Tanzania, *Sexual Offences Special Provisions Act*, (July 1998); available from <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&skip=0&coi=TZA&x=15&y=16>.

<sup>3270</sup> ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) United Republic of Tanzania (ratification: 2001)*, [online] 2007 [cited December 11, 2007]; available from <http://www.ilo.org/ilolex/english/newcountryframeE.htm>.

<sup>3271</sup> U.S. Department of State, "Trafficking in Persons

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Report- 2007: Tanzania." See also U.S. Embassy- Dar es Salaam, *reporting*, March 5, 2008, paras 16, 17.

<sup>3272</sup> U.S. Department of State, "Country Reports- 2007: Tanzania," section 6d.

<sup>3273</sup> U.S. Embassy- Dar es Salaam, *reporting*, December 26, 2006, para 10.

<sup>3274</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Tanzania."

<sup>3275</sup> Ibid. See also U.S. Embassy- Dar es Salaam, *reporting*, February 28, 2007, paras 10, 15. See also U.S. Embassy- Dar es Salaam, *reporting*, March 5, 2008, para 11.

<sup>3276</sup> The United Republic of Tanzania, *National Strategy for Growth and Reduction of Poverty (NSGRP)*, Dar es Salaam, June 2005; available from [http://siteresources.worldbank.org/INTPRS1/Resources/TanzaniaPRSP\(June-2005\).pdf](http://siteresources.worldbank.org/INTPRS1/Resources/TanzaniaPRSP(June-2005).pdf). See also ILO-IPEC, *Support for the Time-Bound Programme on the Worst Forms of Child Labour*, technical progress report, September 2005.

<sup>3277</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Tanzania."

<sup>3278</sup> U.S. Department of State, "Country Reports- 2007: Tanzania," section 5.

<sup>3279</sup> Ibid., section 6d.

<sup>3280</sup> U.S. Embassy- Dar es Salaam, *reporting*, March 5, 2008, para 54.

<sup>3281</sup> Winrock International, *Teaching Education Alternatives for Children (TEACH)*, project document, September 2006, 1, 7, 27.

<sup>3282</sup> ILO-IPEC, *Support for the Time-Bound Programme on the Worst Forms of Child Labour in Tanzania- Phase II*, project document.

<sup>3283</sup> U.S. Embassy- Dar es Salaam, *reporting*, February 28, 2007, para 12. See also Education Development Center, *Supporting the Education Component of the Timebound Program on Eliminating Child Labor in Tanzania*, Final Progress Report, Washington, DC, 2006. See also UN Committee on the Rights of the Child, *Consideration of Reports of States Parties, Second Periodic Report: United Republic of Tanzania*, CRC/C/SR.1136, May 31, 2006, 7; available from <http://tb.ohchr.org/default.aspx?country=tz>.

<sup>3284</sup> ILO-IPEC official, E-mail communication to USDOL official, December 12, 2007.

## Thailand

### Incidence and Nature of Child Labor

In rural areas of Thailand, children work primarily in agriculture, in the production of rubber, oranges, sugarcane, and vegetables. In urban areas, children work in the service sector in gas stations, entertainment venues, and restaurants.<sup>3285</sup> Children also work in domestic service,<sup>3286</sup> in small-scale industry, street vending, and in the construction, manufacturing, knitting, garment, fishery, and fishery-related sectors.<sup>3287</sup> Large numbers of street children are present in urban centers and many of them engage in begging to earn money.<sup>3288</sup> Some children are involved in the trafficking of drugs in Thailand<sup>3289</sup> and are exploited in prostitution and pornography.<sup>3290</sup> Migrant children from neighboring countries and ethnic hill tribes are more likely to be exploited in the aforementioned worst forms of child labor than are Thai citizens.<sup>3291</sup>

Thailand is a source, transit, and destination country for trafficking in children, for both labor and commercial sexual exploitation, including through sex tourism.<sup>3292</sup> Boys and girls are trafficked from Burma, Cambodia, China, Laos, and Vietnam to Thailand for commercial sexual exploitation and begging.<sup>3293</sup> Children are also trafficked into Thailand for forced labor in agriculture, construction, factories, commercial fisheries, and domestic service in private households.<sup>3294</sup> Thai girls are trafficked abroad from Thailand for commercial sexual exploitation.<sup>3295</sup> Internal trafficking of children occurs and members of northern Thailand's ethnic hill tribes are particularly vulnerable.<sup>3296</sup> There are also reports of children being used illegally by separatist groups in southern Thailand to carry out attacks.<sup>3297</sup>

***Selected Statistics and Indicators  
on Child Labor***<sup>3298</sup>

Working children, 5-14 years (%), 2005-2006:	13
Working boys, 5-14 years (%), 2005- 2006:	13.5
Working girls, 5-14 years (%), 2005- 2006:	12.6
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	108
Net primary enrollment rate (%), 2006:	94
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes

**Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 15 years. Employers are required to notify labor inspectors if children under age 18 are hired. The law permits children ages 15 to 18 to work only between 4 p.m. and 10 p.m. and with written permission from the Director-General of Labor or a person assigned by the Director-General.<sup>3299</sup> Children under age 18 may not be employed in hazardous work, which includes any work involving manipulation of metals, hazardous chemicals, poisonous materials, radiation, harmful temperatures or noise levels; exposure to toxic micro-organisms; the operation of heavy equipment; work underground or underwater; work in places where alcohol is sold; in hotels; or in massage parlors. The maximum penalty for violation of these prohibitions is 1 year of imprisonment.<sup>3300</sup> These provisions do not apply to the agricultural and informal sectors. However, the Ministry of Labor has issued regulations to increase protections for child workers carrying out home-based work and children working in agriculture.<sup>3301</sup>

The law guarantees the rights of all children “in Thailand” or “of all nationalities” to be protected

by the State against violence and unfair treatment. Violations, such as forcing children to become beggars, to work in dangerous conditions, or to perform obscene acts, all carry penalties of 3 months imprisonment.<sup>3302</sup> In addition, migrant laborers are covered under Thailand’s labor protection laws.<sup>3303</sup> The law prohibits forced labor except in cases of averting public calamity, war, martial law, or states of emergency.<sup>3304</sup> In April 2007, an employer was sentenced to more than 10 years’ imprisonment for forced child labor in the first-ever conviction under Thailand’s anti-slavery article under the 1956 Criminal Code.<sup>3305</sup> The minimum voluntary age for military recruitment is 18 years, while the age for compulsory recruitment is 20 years.<sup>3306</sup>

The law prohibits all forms of prostitution and provides specific penalties for cases involving children.<sup>3307</sup> Fines and terms of imprisonment under the law are based on the age of the child involved, with more severe terms established for prostitution involving children age 15 years and younger. For example, prostitution of children ages 16 to 18 years is subject to jail terms of up to 15 years, while the range of penalties nearly doubles for those pimping and patronizing children 15 and under. The law also establishes that government officials who compel others to engage in commercial sexual exploitation face penalties of 15 to 20 years of imprisonment.<sup>3308</sup> The law provides protection for child victims while testifying in cases of sexual exploitation.<sup>3309</sup>

The law prohibits trafficking in persons, defines trafficking-related activities to be punished, and provides for basic protection of victims. Under the law, only women and children can be considered victims of trafficking. (Thailand has passed new comprehensive anti-trafficking legislation but it did not come into force until after USDOL’s reporting period.) Penalties for violations include imprisonment from 1 to 20 years depending on the age of the child and the specific nature of the violation.<sup>3310</sup>

The Ministry of Labor is the primary agency responsible for enforcement of child labor laws and policies. According to USDOS, the labor inspection system tends to be more reactive than proactive, with inspectors usually responding to public

complaints or newspaper reports.<sup>3311</sup> The USDOS also reports that a lack of resources is largely to blame for weak enforcement of child labor laws. The National Thai Working Group to Combat the Trafficking of Women and Children coordinates Government ministries and agencies with overlapping anti-trafficking responsibilities.<sup>3312</sup> Between September 2005 and February 2007, the most recent period in which such information is available, the Government reported 88 trafficking-related arrests, involving 100 victims.<sup>3313</sup> In 2007, the Attorney General's Office established the Center Against International Human Trafficking, devoted to coordinating the prosecution of all human trafficking cases.<sup>3314</sup>

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

The Government maintains "woman and child labor assistance centers" in every province; facilitates the participation of communities in preventing child labor activities by appointing "labor volunteers;" and disseminates information on child labor nationwide through outreach programs. Since 2003, the Government has had a MOU with NGOs working on child protection that stipulates guidelines on providing services to victims of the worst forms of child labor.<sup>3315</sup> The Department of Public Welfare and the Department of Skill Development provide vocational training to improve children's skills and prevent them from entering work prematurely. The Government operates a labor hotline to receive complaints about child labor.<sup>3316</sup> In recognition of the World Day Against Child Labor on June 12, 2007, the Government participated in a series of child labor awareness raising activities.<sup>3317</sup> The Royal Thai Government implemented a National Policy and Plan of Action for the Prevention and Eradication of the Commercial Sexual Exploitation of Children, covering the period 2003 to 2007.<sup>3318</sup>

The Royal Thai Police have an ongoing public awareness campaign on trafficking and a hotline for reporting suspected trafficking cases. The Government is providing training to police officers, prosecutors, and judges on anti-trafficking laws.<sup>3319</sup> A series of MOU, signed in 2003 to 2004 between Government agencies and domestic NGOs provide guidelines for the treatment of trafficked persons.

In line with these guidelines, police are being trained to treat such individuals as victims of trafficking rather than as illegal immigrant workers, and victims become the responsibility of the Public Welfare Department instead of being deported. However, the USDOS reports that implementation of the MOUs continued to be unreliable due to insufficient training of law enforcement officials and lack of familiarity with the law.<sup>3320</sup> In May 2007, a new domestic MOU was signed among the 17 Northern provinces to protect victims of trafficking, expanding the protection to males.<sup>3321</sup> The Government is implementing a number of anti-trafficking programs and activities throughout the country, including prevention, prosecution, research, and rescue programs.<sup>3322</sup>

Within the Ministry of Social Development and Human Security, the Department of Social Development and Welfare (DSDW) and IOM cooperate in assisting trafficked individuals in Thailand,<sup>3323</sup> and the DSDW works with its counterpart agencies in both Laos and Cambodia to repatriate their nationals.<sup>3324</sup> DSDW also operates six regional shelters for trafficked victims<sup>3325</sup> and provides legal assistance to child victims, including counseling and rehabilitation services.<sup>3326</sup> The Children and Women Protection Division within the Royal Thai Police has a permanent unit to handle specific cases of trafficking of children and women, and is supported by the regional offices of the Center for Children, Juveniles, and Women.<sup>3327</sup>

Along with Burma, Cambodia, China, Indonesia, Laos, and Vietnam, Thailand is a signatory to the "Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)." The members have a Sub-Regional Plan of Action for 2005-2007 that translates the MOU commitments into concrete actions.<sup>3328</sup> Thailand also participates in the UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-Region (UNIAP), which has activities targeting children exploited through trafficking.<sup>3329</sup> Thailand has bilateral anti-trafficking MOUs with Cambodia and Laos,<sup>3330</sup> and is working with UNICEF on several programs to assist children exploited through trafficking.<sup>3331</sup> Thailand is one of several countries in Southeast Asia participating in a campaign by MTV to raise awareness on human trafficking.<sup>3332</sup>

The Government of Thailand is participating in a USD 3.5 million USDOL-funded project to eliminate the worst forms of child labor in agriculture, fishing, services, and domestic work, with emphasis on trafficking across sectors. The project aims to withdraw 1,670 children and prevent 3,330 children from exploitive labor in these sectors.<sup>3333</sup> Thailand is also included in a USD 10.6 million ILO-IPEC Sub-Regional Project, funded by the United Kingdom and Japan through April 2008 to combat trafficking of women and children for exploitive labor in the Mekong sub-region.<sup>3334</sup> The UN Trust Fund for Human Security is implementing a USD 1.9 million program in the Philippines and Thailand to empower returned trafficking victims economically and socially.<sup>3335</sup> The Government of Thailand participates as part of a project between ASEAN and AUSAID on the elimination of trafficking in women and children in four Southeast Asian countries and China's Yunnan Province.<sup>3336</sup> Microsoft has committed over USD 240,000 to work with the Thai Government, NGOs, and the private sector to combat trafficking of women and children within Thailand through awareness raising, prevention, enforcement, and reintegration programs.<sup>3337</sup> The Ministry of Education is working with UNICEF to provide education assistance and training to girls at high risk of being trafficked.<sup>3338</sup>

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Thailand, 13, 29, 31. See also U.S. Department of State, "Country Reports-2007: Thailand," section 6d. See also U.S. Embassy- Bangkok, *reporting, February 21, 2008*. See also Federation of Trade Unions-Burma (FTUB) Migrants Section, *The Mekong Challenge: Working Day and Night, The Plight of Migrant Child Workers in Mae Sot, Thailand*, ILO, Bangkok, 2006, executive summary; available from <http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/workingdayandnight-english.pdf>. See also ILO, *Out of Work and Into School: Our Development Challenge*, 37. See also Ed Cropley, "Child Laborers Toil in Thai Seafood Factories," *Washington Post*, April 24, 2007; available from [http://www.washingtonpost.com/wp-dyn/content/article/2007/04/24/AR2007042401859\\_Inf orm.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/04/24/AR2007042401859_Inf orm.html).

<sup>3288</sup> U.S. Department of State, "Country Reports-2007: Thailand," section 5. See also Ptanawanit and Boribanbanpotkate, *Assessing the Worst Forms of Child Labour in Selected Provinces of Thailand*, 13, 29, 31. See also UNICEF, *Begging Some Difficult Questions*, [online] April 2007 [cited November 21, 2007]; available from [http://www.unicef.org/thailand/reallives\\_6619.html](http://www.unicef.org/thailand/reallives_6619.html).

<sup>3289</sup> Emma Porio and Christine Crisol, *The Use of Children in the Production, Sales and Trafficking of Drugs*, Manila, 2004, 2. See also Vittawan Sunthornkajit, Thankakorn Kaiyanunta, Pornvisid Varavarn, and Somrouy Varatechakongka, *Thailand- Child Labor in Illicit Drug Activities: A Rapid Assessment*, ILO, Geneva, August 2002; available from <http://www.ilo.org/public/english/region/asro/bangkok/library/pub16.htm>. See also U.S. Department of State, "Country Reports-2007: Thailand," section 6d.

<sup>3290</sup> ECPAT International CSEC Database, *Thailand*, accessed November 21, 2007; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/index.asp](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp). See also U.S. Department of State, "Country Reports-2007: Thailand," section 5. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children*, Bangkok, 2006, 12; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/EAP/Global\\_Monitoring\\_Report-THAILAND.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/EAP/Global_Monitoring_Report-THAILAND.pdf). See also U.S. Embassy-Bangkok, *reporting, April 12, 2007*.

<sup>3291</sup> ILO IPEC, *Support for National Action to Combat Child Labor and its Worst Forms in Thailand*, project document, Geneva, September 30, 2006, 13-14. See also Kovit Buraphatanin, "Elimination of the Worst Forms of Child Labour: A Case Study of Thailand" (paper presented at the Sub-regional Seminar on the Application of the ILO Declaration on Fundamental Principles and Rights at Work and Its Follow-up: Elimination of Child Labor, Jakarta, July 12-14, 2006). See also U.S. Department of

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<sup>3285</sup> Surapone Ptanawanit and Saksri Boribanbanpotkate, *Assessing the Worst Forms of Child Labour in Selected Provinces of Thailand: Chiang Rai, Tak, Udon Thani, Songkla, and Pattani*, Bangkok, February 22, 2007, 13, 31. See also ILO, *Out of Work and Into School: Our Development Challenge*, Bangkok, 2006, 37. See also U.S. Department of State, "Thailand," in *Country Reports on Human Rights Practices- 2007* Washington DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100539.htm>. See also U.S. Embassy- Bangkok, *reporting, February 21, 2008*.

<sup>3286</sup> Nawarat Phlainoi, *Thailand- Child Domestic Workers: A Rapid Assessment*, ILO, Geneva, April 2002. See also U.S. Department of State, "Country Reports-2007: Thailand," section 6d. See also Ptanawanit and Boribanbanpotkate, *Assessing the Worst Forms of Child Labour in Selected Provinces of Thailand*, 13, 29, 31.

<sup>3287</sup> Ptanawanit and Boribanbanpotkate, *Assessing the Worst Forms of Child Labour in Selected Provinces of*

State, "Country Reports-2007: Thailand," sections 5, 6d. See also ILO, *Out of Work and Into School: Our Development Challenge*, 37.

<sup>3292</sup> U.S. Embassy-Bangkok, *reporting*, March 12, 2007. See also U.S. Department of State, "Thailand (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82804.htm>. See also U.S. Department of State, "Country Reports-2007: Thailand," section 5. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children*, 11-12. See also United Nations Human Rights Council, *Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography*, March 15, 2007, 53.

<sup>3293</sup> U.S. Department of State, "Country Reports-2007: Thailand," section 5. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children*, 12.

<sup>3294</sup> U.S. Embassy- Bangkok, *reporting*, August 30, 2005. See also U.S. Department of State, "Country Reports-2007: Thailand," section 5. See also United Nations Human Rights Council, *Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography*, 53. See also ILO, *The Mekong Challenge: Underpaid, Overworked and Overlooked- The Realities of Young Migrant Workers in Thailand*, Bangkok, 2006, executive summary.

<sup>3295</sup> ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children*. See also ECPAT International CSEC Database, *Thailand*.

<sup>3296</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Thailand." See also U.S. Department of State, "Country Reports-2007: Thailand," section 5. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children*, 12. See also U.S Embassy - Bangkok, *reporting*, March 8, 2008.

<sup>3297</sup> U.S. Department of State, "Country Reports-2007: Thailand," section 1. See also Child Rights Information Network, "Thailand: Training of 'child soldiers' condemned", Crinmail 952, [online], January 29, 2008 [cited accessed February 19, 2008].

<sup>3298</sup> For statistical data not cited here, please see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, please see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Thailand, *Labour Protection Act*, (1998), chapter 4; available from <http://natlex.ilo.org/txt/E98THA01.htm>. See also Government of Thailand, *National Education Act*, B.E. 2542, (1999).

<sup>3299</sup> Government of Thailand, *Labour Protection Act* chapter 4, sections 44-45, 49-50.

<sup>3300</sup> *Ibid.*, sections 22, 49-50, 148.

<sup>3301</sup> Royal Thai Embassy official, E-mail communication to USDOL official, November 8, 2005. See also ILO, *Minister Opens Discussions on Extending Protection to Millions of Informal Economy Workers*, [online] June 30, 2005 [cited December 7, 2007]; available from [http://www.ilo.org/public/english/region/asro/bangkok/public/releases/yr2005/pr05\\_18.htm](http://www.ilo.org/public/english/region/asro/bangkok/public/releases/yr2005/pr05_18.htm). See also U.S. Embassy- Bangkok, *reporting*, August 30, 2005. See also U.S. Embassy-Bangkok, *reporting*, April 12, 2007.

<sup>3302</sup> Government of Thailand, *Child Protection Act* (2003), articles 14, 26, 78. See also U.S Embassy-Bangkok, *reporting*, March 2, 2005. ILO-IPEC, *Support for National Action to Combat Child Labor and its Worst Forms in Thailand*, Project Document, Geneva, September 30, 2006, 17.

<sup>3303</sup> Government of Thailand, *Thailand's Efforts in Anti-Labor Trafficking*, 2008.

<sup>3304</sup> Government of Thailand, *Constitution*, (2007), section 38. See also Government of Thailand, *Prevention and Suppression of Prostitution Act* B.E. 2539 (1996), section 12; available from <http://natlex.ilo.org/txt/E96THA01.htm>. See also Government of Thailand, *Penal Code Amendment Act*, No. 14, (1997).

<sup>3305</sup> Bangkok, E-mail communication, August 5, 2008.

<sup>3306</sup> Coalition to Stop the Use of Child Soldiers, "Thailand," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=880](http://www.child-soldiers.org/document_get.php?id=880).

<sup>3307</sup> Government of Thailand, *Prevention and Suppression of Prostitution Act*. See also U.S Embassy - Bangkok, *reporting*, March 8, 2008.

<sup>3308</sup> Government of Thailand, *Prevention and Suppression of Prostitution Act*, section 8-12.

<sup>3309</sup> Royal Thai Embassy, facsimile communication to USDOL official, September 5, 2002.

<sup>3310</sup> Government of Thailand, *Penal Code Amendment Act*, section 282-283.

<sup>3311</sup> U.S. Department of State, "Country Reports-2007: Thailand," section 6d.

<sup>3312</sup> U.S. Embassy-Bangkok, *reporting*, April 12, 2007.

<sup>3313</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Thailand."

<sup>3314</sup> U.S Embassy- Bangkok, *reporting*, November 5, 2007.

<sup>3315</sup> U.S. Embassy- Bangkok, *reporting*, August 30, 2005. See also Government of Thailand, *Child Labor Review in the Production of Certain GSP-Eligible Hand-loomed or Hand-hook Carpet Lines*, submitted in response to Office of the United States Trade Representative Federal Register Notice (January 18, 2008) "Generalized System of Preferences (GSP): Notice Regarding the Initiation of

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Child Labor Review in the Production of Certain GSP-Eligible Hand-Loomed or Hand-Hooked Carpets", Washington, DC, March 13, 2008.

<sup>3316</sup> U.S Embassy-Bangkok, *reporting, March 12, 2007*. See also Government of Thailand, *Child Labor Review in the Production of Certain GSP-Eligible Hand-loomed or Hand-hook Carpet Lines*.

<sup>3317</sup> ILO-IPEC, *World Day Against Child Labor Country Activities: Thailand*, June 12, 2007.

<sup>3318</sup> U.S. Embassy- Bangkok, *reporting March 2, 2005*.

<sup>3319</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Thailand." See also U.S. Embassy--Bangkok, *reporting, March 12, 2007*.

<sup>3320</sup> U.S. Department of State, "Country Reports-2007: Thailand," section 5. See also U.S. Embassy- Bangkok, *reporting, August 30, 2005*. See also U.S Embassy-Bangkok, *reporting, March 12, 2007*.

<sup>3321</sup> ILO-IPEC, *Support for National Action to Combat Child Labor and its Worst Forms in Thailand*, Technical Progress Report, Geneva, September 2007.

<sup>3322</sup> UNIAP, *Thailand*, accessed December 7, 2007; available from [http://www.no-trafficking.org/uniap\\_frontend/iframe\\_SearchHomePage.aspx](http://www.no-trafficking.org/uniap_frontend/iframe_SearchHomePage.aspx).

<sup>3323</sup> Human Trafficking.org, *International Organization for Migration*, [online] [cited December 7, 2007]; available from <http://humantrafficking.org/organizations/231>. See also U.S Embassy-Bangkok, *reporting, March 12, 2007*. See also MCOT.org, *Thailand Signs Pact on Human Trafficking with IOM*, [online] August 7, 2007 [cited August 8, 2007]; available from [http://www.bangkokpost.com/breaking\\_news/breakingnews.php?id=120710](http://www.bangkokpost.com/breaking_news/breakingnews.php?id=120710).

<sup>3324</sup> Royal Thai Embassy, facsimile communication, September 5, 2002, 9. See also U.S Embassy-Vientiane, *reporting, April 6, 2004*. See also U.S. Department of State, "Country Reports-2007: Thailand," section 5.

<sup>3325</sup> U.S. Embassy- Bangkok, *reporting March 2, 2005*. See also U.S Embassy-Bangkok, *reporting, March 12, 2007*.

<sup>3326</sup> Royal Thai Embassy, facsimile communication, September 5, 2002, 11. See also U.S Embassy - Bangkok, *reporting, March 8, 2008*.

<sup>3327</sup> U.S Embassy - Bangkok, *reporting, March 8, 2008*.

<sup>3328</sup> UNIAP, *COMMIT Process*, [online] [cited December 7, 2007]; available from [http://www.no-trafficking.org/content/COMMIT\\_Process/commit\\_background.html](http://www.no-trafficking.org/content/COMMIT_Process/commit_background.html). See also U.S Embassy--Bangkok, *reporting, March 2, 2005*.

<sup>3329</sup> UNIAP, *About UNIAP*, [online] [cited December 12,

2007]; available from [http://www.no-trafficking.org/content/About\\_UNIAP/about\\_uniap.htm](http://www.no-trafficking.org/content/About_UNIAP/about_uniap.htm).

<sup>3330</sup> Government of Thailand, *Memorandum of Understanding between the Royal Government of the Kingdom of Cambodia and the Royal Government of the Kingdom of Thailand on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking*

May 31, 2003; available from <http://www.arcppt.org/docs/MOU%20Trafficking%20CAM-TH%20English.pdf>. See also Government of Thailand, *Memorandum of Understanding between the Government of Thailand and the Government of the Lao People's Democratic Republic on Cooperation to Combat Trafficking in Persons, Especially Women and Children*, July 13, 2005; available from <http://www.humantrafficking.org/updates/96>.

<sup>3331</sup> UNICEF, *UNICEF Supports Initiatives to Tackle Trafficking of Women and Children in Thailand*, [online] April 17, 2006 [cited December 7, 2007]; available from [http://www.unicef.org/infobycountry/Thailand\\_33424.html](http://www.unicef.org/infobycountry/Thailand_33424.html). See also HumanTrafficking.org, *Thailand Combats Human Trafficking on Cambodian Border*, [online] June 25, 2006 [cited December 7, 2007]; available from <http://www.humantrafficking.org/updates/378>.

<sup>3332</sup> U.S Embassy - Bangkok, *reporting, June 27, 2007*.

<sup>3333</sup> ILO IPEC, *Support for National Action to Combat Child Labor*.

<sup>3334</sup> ILO-IPEC, *Mekong Sub-Regional Project to Combat Trafficking in Children and Women*, [online] [cited December 7, 2007]; available from <http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/index.htm>. See also ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>3335</sup> ILO-IPEC Geneva official, E-mail communication, December 12, 2007.

<sup>3336</sup> Human Trafficking.org, *AUSAID*, [online] [cited December 7, 2007]; available from <http://www.humantrafficking.org/organizations/3>.

<sup>3337</sup> Microsoft, *Public and Private Sectors Band Together to Help in Fight Against Human Trafficking*, Press Release, June 2, 2006; available from [http://www.no-trafficking.org/content/Press\\_Rooms/anti-trafficking%20announcement%20v4%20\(cc\).doc](http://www.no-trafficking.org/content/Press_Rooms/anti-trafficking%20announcement%20v4%20(cc).doc).

<sup>3338</sup> Human Trafficking.org, *UNICEF: Child Protection Project*, [online] [cited December 7, 2007]; available from <http://www.humantrafficking.org/organizations/236>.

# Togo

## *Selected Statistics and Indicators on Child Labor*<sup>3339</sup>

Working children, 5-14 years (%), 2006:	32.7
Working boys, 5-14 years (%), 2006:	33.7
Working girls, 5-14 years (%), 2006:	31.6
Working children by sector, 5-14 years (%), 2006:	
- Agriculture	83.0
- Manufacturing	1.2
- Services	15.1
- Other	0.6
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	99
Net primary enrollment rate (%), 2005:	78
School attendance, children 5-14 years (%), 2006:	72.4
Survival rate to grade 5 (%), 2004:	75
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses.	

### **Incidence and Nature of Child Labor**

In Togo, children work in urban and rural areas, particularly in family-based farming, small-scale trading, domestic work, and in factories. Working children may be as young as 5 years old and typically do not attend school for most of the year.<sup>3340</sup> Children are also engaged in prostitution and in the sex tourism industry.<sup>3341</sup>

Togo is a country of origin, destination, and transit for children trafficked for forced labor, including in domestic service and commercial sexual exploitation. The regions most affected by internal trafficking include the regions of Maritime, West, Central, and Kara.<sup>3342</sup> Four routes for child trafficking in Togo have been documented: (1) trafficking of Togolese girls for domestic and market labor in Gabon, Benin, Niger, and Nigeria, as well as for prostitution in Nigeria; (2) trafficking of girls within the country, particularly to the capital city, Lomé, often for domestic or market

labor; (3) trafficking of girls from Benin, Nigeria, and Ghana to Lomé; and (4) trafficking of boys for labor exploitation, usually in agriculture, in Nigeria, Benin, and Côte d'Ivoire.<sup>3343</sup> There are also reports of children trafficked to Burkina Faso, Cote d'Ivoire, Equatorial Guinea, and Saudi Arabia.<sup>3344</sup> Some parents, misled by false information, send their children abroad with traffickers; other parents sell their children to traffickers.<sup>3345</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment in any enterprise is 15 years.<sup>3346</sup> For certain industrial and technical employment, 18 years is the minimum age for entry.<sup>3347</sup> The law prohibits children under 18 years from working at night and requires a daily rest period of at least 12 consecutive hours for all working children.<sup>3348</sup> The fine for noncompliance is increased for repeat offenders, who may also be sentenced to up to one month of imprisonment.<sup>3349</sup>

The Government of Togo adopted the Child Code on July 6, 2007, which clarifies terms used in the 2005 anti-trafficking law and addresses worst forms of child labor.<sup>3350</sup> The law defines the worst forms of child labor to include slavery or similar practices, indebted servitude, forced or bonded labor, and the use of children in hostilities. Any work whose nature is detrimental to the health, security, or morals of a child is also forbidden.<sup>3351</sup> The procurement of children for prostitution, including the use of children in sexual tourism and the use of children for the production of pornographic materials, is prohibited. These crimes are subject to fines and punishments of imprisonment, with sentences from 1 to 10 years, depending on the age of the child.<sup>3352</sup> Togolese law also makes it illegal to use children to engage in illicit activities, such as the production and trafficking of drugs.<sup>3353</sup> The law punishes child traffickers and their accomplices up to 10 years imprisonment and fines.<sup>3354</sup> The minimum age for military recruitment is 18 years.<sup>3355</sup>

The Ministry of Social Affairs and Promotion of Women is the agency responsible for enforcing prohibitions on the worst forms of child labor.

Ministry of Labor inspectors are responsible for enforcing the minimum age for employment, but only enforced these age restrictions in the urban formal sector. USDOS reports that the Government of Togo did not effectively enforce child labor laws due to limited resources.<sup>3356</sup> Several government ministries are involved in anti-trafficking efforts, including the Ministries of Justice, Labor, and Health. The Government of Togo has cooperated with the Governments of Benin, Ghana, and Nigeria to expedite the extradition of traffickers among those countries.<sup>3357</sup>

Togo was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.<sup>3358</sup> As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.<sup>3359</sup>

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

The Government has a National Plan of Action on child abuse, child labor, and child trafficking that includes activities such as awareness-raising campaigns and training workshops, and establishes community structures for prevention and reintegration of child trafficking victims.<sup>3360</sup>

The Ministry of Social Action, the Promotion of Women and the Protection of Children and Aged Persons spearheads the Government's anti-trafficking efforts. This ministry, working in conjunction with the Ministry of Labor, led awareness-raising campaigns throughout Togo in 2007.<sup>3361</sup> There is also a National Committee for the Reception and Social Reinsertion of Trafficked Children that serves to coordinate statistics on child trafficking. The committee worked with local officials this year to repatriate 58 trafficked children.<sup>3362</sup>

In 2007, Togo established five regional committees, charged with coordinating activities related to trafficking between local and international

organizations.<sup>3363</sup> Working with the ILO, the ministries of education, interior and social affairs established approximately 300 anti-trafficking committees.<sup>3364</sup> The Government, through the Office of the Director General for the Protection of Children, also worked with UNICEF to train local officials such as police, *gendarmes*, military, and customs officers on investigating child trafficking and enforcing the law.<sup>3365</sup>

The Government of Togo is participating in a 4-year USDOL-funded USD 5 million ILO-IPEC project designed to combat exploitive child labor. This project, launched in 2007, aims to withdraw 4,000 children and prevent 6,000 children from exploitive child labor in urban informal sectors, domestic servitude, hazardous rural agriculture, and in commercial sexual exploitation.<sup>3366</sup>

In 2007, the Government also participated in the Combating Trafficking in Children for Labor Exploitation in West and Central Africa, Phases 1 & 2 (LUTRENA) regional project, funded by USDOL at USD 9.28 million and implemented by ILO-IPEC, to combat the trafficking of children for exploitive labor. During Phase II, from July 2001 to December 2007 (when the project ended) the project withdrew 4,240 children and prevented 7,213 children from trafficking in the region.<sup>3367</sup>

The Government of Togo also collaborated on a USD 3.6 million ILO-IPEC regional project to eliminate child labor, funded by France and ending in 2007. The Government continues to take part in a French-funded USD 4.9 ILO-IPEC regional project that runs until December 31, 2009. These projects seek to improve vocational training, apprenticeship programs, and government capacity.<sup>3368</sup>

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<sup>3339</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Togo, *Code du travail*, (December 5, 2006), title 5, chapter 4, article 150. See also Government of Togo, *Loi n. 2002-029* (December 31, 2002), article 35; available from <http://www.republicoftogo.com/central.php?o=9&s=0&d=3&i=74>. See also U.S. Department of State official, E-mail communication to USDOL official, December 13, 2007. See also Plan International, *For the*

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*Price of a Bike: Child Trafficking in Togo*, [online] 2005 [cited December 3, 2007], 10; available from <http://www.plan-international.org/pdfs/togoreport.pdf>.

<sup>3340</sup> ILO-IPEC, *Combating Exploitative Child Labour in Togo Through Education*, Proposal Abstract, Geneva, September, 2007, 3-4. See also U.S. Department of State, "Togo," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100509.htm>.

<sup>3341</sup> ECPAT, *Togo: Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children*, ECPAT, 2007, 11-13; available from [http://www.ecpat.net/eng/A4A\\_2005/PDF/AF/Global\\_Monitoring\\_Report-TOGO.pdf](http://www.ecpat.net/eng/A4A_2005/PDF/AF/Global_Monitoring_Report-TOGO.pdf). See also Integrated Regional Information Networks, "TOGO: Child prostitution goes unchecked in Togo", IRINnews.org, [online], April 23, 2004 [cited December 4, 2007]; available from <http://www.irinnews.org/Report.aspx?ReportId=49619>.

<sup>3342</sup> United Nations Office on Drugs and Crime, *Measures to Combat Trafficking in Human Beings in Benin, Nigeria and Togo*, Geneva, September, 2006, 30. See also U.S. Embassy - Lome, *reporting*, October 12, 2007 para 10.

<sup>3343</sup> Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, Vol. 15, No. 8 (A), New York, April, 2003; available from <http://www.hrw.org/reports/2003/togo0403/>. See also U.S. Department of State, "Togo (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100509.htm>.

<sup>3344</sup> U.S. Department of State official, E-mail communication to USDOL official, March 13, 2008. See also U.S. Department of State, "Country Reports- 2007: Togo," section 5. See also ECPAT International CSEC Database, *Togo*; accessed December 2, 2007; available from <http://www.ecpat.net>.

<sup>3345</sup> Plan International, *Plan Togo, March 2005*, 9. See also U.S. Department of State, "Country Reports- 2007: Togo." See also Integrated Regional Information Networks, "West Africa: Impoverished Families Trade Their Children", IRINnews.org, [Online], June 16, 2005 [cited December 4, 2007]; available from [http://www.irinnews.org/report.asp?ReportID=47680&SelectRegion=West\\_Africa](http://www.irinnews.org/report.asp?ReportID=47680&SelectRegion=West_Africa).

<sup>3346</sup> Government of Togo, *Code du Travail 2006*, title V, chapter IV, article 150. See also U.S. Department of State, "Country Reports- 2007: Togo," section 6d.

<sup>3347</sup> U.S. Department of State, "Country Reports- 2007: Togo," section 6d.

<sup>3348</sup> Government of Togo, *Code du Travail 2006*, title V, chapter II, article 145.

<sup>3349</sup> U.S. Department of State official, E-mail communication to USDOL official, February 20, 2007.

<sup>3350</sup> Government of Togo, *Loi n. 2007-017 portant code de l'enfant*, (July 6, 2007). See also U.S. Department of State, "Country Reports- 2007: Togo," section 5. See also U.S. Department of State official, E-mail communication, March 13, 2008.

<sup>3351</sup> Government of Togo, *Code du Travail 2006*, title VI, chapter IV, article 151. See also Government of Togo, *Code de l'enfant*, articles 387, 405 and 411.

<sup>3352</sup> Government of Togo, *Code du Travail 2006*. See also Government of Togo, *Code de l'enfant*, articles 387-389, 392, and 394.

<sup>3353</sup> Government of Togo, *Code penal*, December 13, 2007, articles 93 and 94; available from [http://www.togoforum.com/Societe/DS/DROIT/code\\_pen.htm](http://www.togoforum.com/Societe/DS/DROIT/code_pen.htm). See also Government of Togo, *Code de l'enfant*, article 404 and 405.

<sup>3354</sup> U.S. Embassy- Lome, *reporting*, August 26, 2005. See also Integrated Regional Information Networks, "Togo: Law passed to crack down on child traffickers", IRINnews.org, [online], August 4, 2005 [cited December 4, 2007]; available from [http://www.irinnews.org/report.asp?ReportID=48460&SelectRegion=West\\_Africa](http://www.irinnews.org/report.asp?ReportID=48460&SelectRegion=West_Africa).

<sup>3355</sup> Coalition to Stop the Use of Child Soldiers, "Togo," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=800](http://www.child-soldiers.org/document_get.php?id=800).

<sup>3356</sup> U.S. Department of State, "Country Reports- 2007: Togo," section 6d.

<sup>3357</sup> *Ibid.*, section 5.

<sup>3358</sup> Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

<sup>3359</sup> ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, 10-11.

<sup>3360</sup> ECPAT International CSEC Database, *Togo*

<sup>3361</sup> U.S. Embassy- Lome, *reporting*, February 28, 2008.

<sup>3362</sup> U.S. Department of State, "Country Reports- 2007: Togo," section 5.

<sup>3363</sup> U.S. Embassy- Lome, *reporting*, November 30, 2007, para 10.

<sup>3364</sup> U.S. Department of State, "Country Reports- 2007: Togo," section 5.

<sup>3365</sup> U.S. Embassy- Lome, reporting, February 28, 2008.

<sup>3366</sup> USDOL-ILAB, *Combating Exploitive Child Labor in Togo Through Education* Project Summary, October, 2007. See also USDOL-ILAB, *U.S. Department of Labor awards more than \$54 million to eliminate exploitive child labor around the world*, Press Release, October 1, 2007; available from <http://www.dol.gov/opa/media/press/ilab/ILAB20071498.htm>.

<sup>3367</sup> ILO-IPEC, *Amendment to Project Document "Combating the Trafficking of Children for Labour Exploitation in West and Central Africa"*, Project Document Amendment Geneva, September 3, 2004. See also ILO-IPEC,

*Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Geneva, September 1, 2007, 1-3. See also ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007. See also ILO-IPEC Geneva official, LUTRENA Project Table III.C. Final Report March 2008 E-mail communication to USDOL official, March 24, 2008.

<sup>3368</sup> ILO-IPEC Geneva official, E-mail communication, December 12, 2007. See also ILO-IPEC official, E-mail communication to USDOL official, February 27, 2008.

## Tonga

### *Selected Statistics and Indicators on Child Labor*<sup>3369</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	None
Compulsory education age:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	111
Net primary enrollment rate (%), 2005:	95
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	89
ILO-IPEC participating country:	No

### Incidence and Nature of Child Labor

Some family-owned operations in Tonga may employ child family members. The National

Center for Women and Children (NCWC), a Government-supported NGO, reports that an increasing number of children are either not attending school or dropping out of school to work in the informal sector.<sup>3370</sup> A public health facility reported that a number of underage girls were engaging in commercial sexual activities throughout the year, but no further information is available.<sup>3371</sup>

### Child Labor Laws and Enforcement

Tonga does not have legislation setting the minimum age for work.<sup>3372</sup> The law prohibits slavery.<sup>3373</sup> The owning and/or operating of a brothel, pimping, and soliciting in a public place are all prohibited by law. Penalties for offenses range from imprisonment for 6 months to 2 years, and may include whipping.<sup>3374</sup> The law also prohibits any person from assaulting a child, abducting girls, and procuring or attempting to procure any girl under the age of 21 years for trafficking in prostitution. The maximum punishment for these offenses is imprisonment for up to 5 years.<sup>3375</sup> Tonga maintains a military, called the Tonga Defense Force (TDF).<sup>3376</sup> There is no military conscription in Tonga. The minimum age of voluntary service is 18 years.<sup>3377</sup>

According to USDOS, the Government did not conduct any investigations related to trafficking in persons during the reporting period.<sup>3378</sup>

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

Research has not identified any policies or programs by the Government of Tonga to address exploitive child labor.

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<sup>3369</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Embassy- Suva, *reporting*, December 10, 2007. See also Paula Bloomfield, *Kingdom of Tonga on the Occasion of the United Nations General Assembly Special Session on Children*, New York, May 8-10, 2002; available from <http://www.un.org/ga/children/tongaE.htm>. See also U.S. Department of State, "Tonga," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100540.htm>.

<sup>3370</sup> U.S. Embassy- Suva, *reporting*, December 10, 2007.

<sup>3371</sup> U.S. Department of State, "Country Reports- 2007:

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Tonga," section 5. See also ECPAT International CSEC Database, *Tonga*, accessed December 18, 2007; available from <http://www.ecpat.net/>.

<sup>3372</sup> U.S. Embassy- Suva, *reporting*, December 10, 2007.

<sup>3373</sup> Government of Tonga, *Constitution of Tonga*, (1988), article 2; available from [http://www.paclii.org/to/legis/consol\\_act/cot238/](http://www.paclii.org/to/legis/consol_act/cot238/).

<sup>3374</sup> Government of Tonga, *Criminal Offenses Act*, (1988), articles 80-81.

<sup>3375</sup> *Ibid.*, 125-126, 129.

<sup>3376</sup> U.S. Embassy- Suva official, E-mail communication to USDOL official, July 14, 2008.

<sup>3377</sup> U.S. Department of State, *Background Notes: Tonga*, [online] October 2007 [cited February 7, 2008]. See also Coalition to Stop the Use of Child Soldiers, "Tonga," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/resources/global-reports?root\\_id=159&category\\_id=165](http://www.child-soldiers.org/resources/global-reports?root_id=159&category_id=165). See also U.S. Central Intelligence Agency, *The World Factbook: Tonga*, [online] January 24, 2008 [cited February 7, 2008]; available from <https://www.cia.gov/library/publications/the-world-factbook/geos/tn.html>.

<sup>3378</sup> U.S. Department of State, "Country Reports- 2007: Tonga," section 5.

## **Trinidad and Tobago**

### **Incidence and Nature of Child Labor**

Working children in Trinidad and Tobago are involved in agriculture, scavenging, stocking goods, car repair and washing, construction, fishing, and begging. Children also work as shop assistants, cosmetologists, domestic servants, and street vendors.<sup>3379</sup> These activities are reported as generally being part of a family business.<sup>3380</sup> Additionally, children are reported to be victims of commercial sexual exploitation, though no specific data is available.<sup>3381</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment in public or private industries at 16 years. However, children 14 to 16 years may work in activities in

which only family members are employed or that have been approved as vocational or technical training by the Ministry of Education.<sup>3382</sup> Children under 18 years are prohibited from working between 10 p.m. and 5 a.m., except in a family business or within other exceptions.<sup>3383</sup> One such exception allows children 16 to 18 years to work at night in sugar factories.<sup>3384</sup> Violations of these regulations are subject to sanctions.<sup>3385</sup>

There is no compulsory military service in Trinidad and Tobago, and the minimum age for voluntary military service is 16 with parental consent.<sup>3386</sup> Trafficking may be prosecuted under laws that pertain to kidnapping, procurement of sex, prostitution, slavery, and indentured servitude.<sup>3387</sup> The law prohibits the procurement of minors under 16 for prostitution or sexual offenses, with penalties

of up to 15 years of imprisonment.<sup>3388</sup> Procurement is considered an offense, whether committed in Trinidad and Tobago or elsewhere.<sup>3389</sup> The operation of a brothel is punishable by imprisonment for 5 years, and allowing minors under 16 to be on the premises of the brothel for sexual purposes is subject to imprisonment for 10 years.<sup>3390</sup> Any person responsible for a girl younger than 16 who causes or encourages commercial sexual exploitation of the minor is subject to imprisonment for 2 years.<sup>3391</sup>

child labor and mechanisms for receiving and addressing child labor complaints.<sup>3397</sup> In general, the Government's capacity to pursue its commitment to protect the rights and welfare of children is limited by lack of funds and expanding social needs.<sup>3398</sup>

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

The Ministry of Social Development continued to implement its Revised National Plan of Action for Children, which includes specific goals for combating commercial sexual exploitation of children and exploitive child labor.<sup>3399</sup> The Government of Trinidad and Tobago participated in the second phase of a USD 750,000 regional project to combat the worst forms of child labor in the Caribbean, funded by the Government of Canada and implemented by ILO-IPEC.<sup>3400</sup>

<sup>3379</sup> U.S. Embassy- Port of Spain, *reporting*, August 24, 2004. See also The Protection Project, "Trinidad and Tobago," in *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children*, 2005; available from <http://www.protectionproject.org/trinidad.doc>.

<sup>3380</sup> U.S. Embassy- Port of Spain, *reporting*, August 24, 2004.

<sup>3381</sup> Government of the Republic of Trinidad and Tobago, *Revised National Plan of Action on Children*, Ministry of Social Development, Port of Spain, August 2006, 89. See also ECPAT International CSEC Database, *CSEC Overview: Trinidad and Tobago*, accessed December 11, 2007; available from <http://www.ecpat.net/>. See also The Protection Project, "Trinidad and Tobago."

<sup>3382</sup> Government of the Republic of Trinidad and Tobago, *Miscellaneous Provisions (Minimum Age for Admission to Employment) Act, 2007*, article 4. See also Right to Education, *Constitutional Guarantees: Trinidad and Tobago*, [online] [cited December 14, 2007]; available from [http://www.right-to-education.org/content/age/rin\\_and\\_tob.html](http://www.right-to-education.org/content/age/rin_and_tob.html). See also Clive Pegus, *A Review of Child Labour Laws of Trinidad and Tobago*, 25-26.

<sup>3383</sup> Right to Education, *Constitutional Guarantees: Trinidad and Tobago*. See also U.S. Embassy- Port of Spain, *reporting*, November 30, 2007.

<sup>3384</sup> U.S. Department of State, "Country Reports- 2007: Trinidad and Tobago," section 6d.

<sup>3385</sup> Clive Pegus, *A Review of Child Labour Laws of Trinidad and Tobago*, 35.

<sup>3386</sup> Coalition to Stop the Use of Child Soldiers, "Trinidad and Tobago," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child->

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3392</sup>	
Working children, 5-14 years (%), 2000:	3.5
Working boys, 5-14 years (%), 2000:	4.5
Working girls, 5-14 years (%), 2000:	2.6
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	12
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	95
Net primary enrollment rate (%), 2005:	85
School attendance, children 5-14 years (%), 2000:	97
Survival rate to grade 5 (%), 2004:	91
ILO-IPEC participating country:	Associated

The Ministry of Labor and Small and Micro-Enterprise Development and the Ministry of Social Development are currently responsible for enforcing child labor provisions.<sup>3393</sup> Labor inspectors have the authority to enter, inspect, and examine at all reasonable hours any premises when there is reasonable cause to believe that violations are taking place.<sup>3394</sup> Labor inspectors are trained to recognize child labor situations.<sup>3395</sup> Laws concerning the worst forms of child labor, traditionally considered to be crimes, are enforced by the Police Service.<sup>3396</sup> According to USDOS, enforcement of child labor laws is weak due to the lack of a comprehensive Government policy on

soldiers.org/document\_get.php?id=838. See also, Clive Pegus, *A Review of Child Labour Laws of Trinidad and Tobago - a Guide to Legislative Reform*, ILO Subregional Office for the Caribbean, June 2005, 32.

<sup>3387</sup> U.S. Embassy- Port of Spain, *reporting, November 30, 2007*. See also U.S. Embassy- Port of Spain, *reporting, March 1, 2007*.

<sup>3388</sup> Government of the Republic of Trinidad and Tobago, "Republic of Trinidad and Tobago," in *Legislation of Interpol Member States on Sexual Offences against Children*, 2006, section 17-18; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaTrinidadTobago.pdf>.

<sup>3389</sup> The Protection Project, "Trinidad and Tobago." See also U.S. Embassy- Port of Spain, *reporting, March 1, 2007*.

<sup>3390</sup> Government of the Republic of Trinidad and Tobago, "The Republic of Trinidad and Tobago," section 21-22.

<sup>3391</sup> *Ibid.*, section 8.

<sup>3392</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of the Republic of Trinidad and Tobago, *Miscellaneous Provisions (Minimum Age for Admission to Employment) Act, 2007*, No.3 of 2007, Fifth session, Eighth Parliament (February 26, 2007), article 4; available from <http://www.tparliament.org/bills/acts/2007/a2007-03.pdf>. See also Clive Pegus, *A Review of Child Labour Laws of Trinidad and Tobago- A Guide to Legislative Reform*,

ILO Subregional Office for the Caribbean, June 2005, 25; available from <http://www.ilocarib.org.tt/childlabour/library.htm>.

See also U.S. Department of State, "Trinidad and Tobago," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100655.htm>.

<sup>3393</sup> U.S. Department of State, "Country Reports- 2007: Trinidad and Tobago," section 6d.

<sup>3394</sup> Clive Pegus, *A Review of Child Labour Laws of Trinidad and Tobago*, 37.

<sup>3395</sup> U.S. Embassy- Port of Spain, *reporting, November 30, 2007*.

<sup>3396</sup> Clive Pegus, *A Review of Child Labour Laws of Trinidad and Tobago*, 40.

<sup>3397</sup> U.S. Department of State, "Country Reports- 2007: Trinidad and Tobago," section 6d.

<sup>3398</sup> U.S. Department of State, "Trinidad and Tobago," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78907.htm>.

<sup>3399</sup> Government of the Republic of Trinidad and Tobago, *Revised National Plan of Action on Children*, I.

<sup>3400</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

## Tunisia

### Incidence and Nature of Child Labor

In Tunisia, children can be found working in the informal sector, particularly in agriculture and vending, primarily during their summer vacations from school. Children in the informal sector are also involved in the handicraft industry.<sup>3401</sup> There is some evidence of exploitation of children in domestic service and agriculture.<sup>3402</sup>

### Child Labor Laws and Enforcement

The minimum age for employment is 16 years, with some exceptions. Children at least 13 years old may perform light work.<sup>3403</sup> They may also begin working as apprentices or through vocational

training programs at 14 years. Children younger than 16 years may work in family businesses, as long as their work does not negatively affect their mental or physical health or interfere with school.<sup>3404</sup> This exception does not apply to hazardous work as defined by the Labor Code.<sup>3405</sup>

The minimum age for hazardous work is 18 years, and the Ministry of Social Affairs has the authority to determine which jobs fall under this category.<sup>3406</sup>

The law restricts non-agricultural night work by prohibiting children under 14 years from working between 8 p.m. and 8 a.m. and children between 14 and 18 years from working between 10 p.m. and 6 a.m. Children working in the agriculture industry

must have fixed rest periods and cannot work between 10 p.m. and 5 a.m.<sup>3407</sup> Workers under 18 years in the non-agricultural sector may not be paid less than 85 percent of the salary paid to adults.<sup>3408</sup>

<b>Selected Statistics and Indicators on Child Labor<sup>3409</sup></b>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	110
Net primary enrollment rate (%), 2005:	97
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	97
ILO-IPEC participating country:	No

Labor inspectors from the Ministry of Social Affairs are responsible for enforcing labor laws, including child labor laws.<sup>3410</sup> According to reports received by USDOS, overlapping responsibilities among various ministries, lack of resources, and cultural sensitivities sometimes limit the application of these laws.<sup>3411</sup> The Ministry of Women's Affairs, Family, Children, and Senior Citizens, and the Ministry of Youth, Sports, and Physical Training are responsible for protecting children's rights, with a body of Child Protection Delegates answerable to the former and based in each governorate of the country.<sup>3412</sup>

Forced labor is prohibited under the law.<sup>3413</sup> The law does not specifically prohibit trafficking, but traffickers may be prosecuted under laws prohibiting forced labor, prostitution, participation in armed conflict, or displacement.<sup>3414</sup> Convicted traffickers are subject to fines and may be sentenced to prison for 3 to 20 years.<sup>3415</sup> The law

protects children under 18 years from abuse and exploitation, including participation in wars or armed conflicts, prostitution, and hazardous labor conditions.<sup>3416</sup> The law clarifies that sexual exploitation includes prostitution or any other form of sexual deviation, including commercial sexual exploitation of children.<sup>3417</sup> Both child prostitution and the act of selling a child or a spouse are punishable by 3 to 5 years imprisonment and fines.<sup>3418</sup> The minimum age for voluntary military service is 18 years, and 20 years for compulsory recruitment.<sup>3419</sup>

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

Research has not identified any specific policies or programs by the Government of Tunisia to address exploitive child labor.

<sup>3401</sup> U.S. Department of State, "Country Reports- 2007: Tunisia," section 6d. See also ECPAT International CSEC Database, *Tunisia*, accessed December 27, 2007; available from <http://www.ecpat.net/>.

<sup>3402</sup> ICFTU, *Internationally-Recognised Core Labour Standards in Tunisia: Report for the WTO General Council Review of the Trade Policies of Tunisia*, Executive Summary, Geneva, September 28-30, 2005; available from <http://www.icftu.org/www/pdf/clstunisia2005.pdf>.

<sup>3403</sup> Government of Tunisia, *Code du travail*, article 53-2, 55, 56.

<sup>3404</sup> *Ibid.*, article 53, 54.

<sup>3405</sup> ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Tunisia (ratification: 1995)*, [online] 2004 [cited December 28, 2007]; available from <http://www.ilo.org/ilolex/>.

<sup>3406</sup> Government of Tunisia, *Code du travail*, article 58.

<sup>3407</sup> *Ibid.*, article 65, 66, 74.

<sup>3408</sup> ILO NATLEX National Labor Law Database, *Décret no 2003-1691 du 18 août 2003 fixant le salaire minimum interprofessionnel garanti dans les secteurs non agricoles régis par le Code du travail*, accessed December 31, 2007; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home).

<sup>3409</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Tunisia, *Code du travail, 1966, Loi no. 66-27, (April 30, 1966)*, article 53; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/4441>

4/65029/F96TUN01.htm. See also U.S. Department of State, "Tunisia," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2007, section 5; available from <http://www.state.gov/g/drl/ls/hrrpt/2007/100607.htm>.

<sup>3410</sup> Government of Tunisia, *Code du travail*, article 170, 171.

<sup>3411</sup> U.S. Embassy- Tunisia, *reporting*, March 31, 2006.

<sup>3412</sup> U.S. Department of State, "Country Reports- 2007: Tunisia," section 5. See also Government of Tunisia, *Ministère des Affaires de la Femme, de la Famille, de l'Enfance et des Personnes Agées (MAFFPEA)*, [online] [cited December 31, 2007]; available from <http://www.ministeres.tn/html/ministeres/tutelle/fe/mme.html>.

<sup>3413</sup> ILO NATLEX National Labor Law Database, *Loi no. 89-23 dy 27 février 1989 portant suppression de la peine des travaux forcés*, accessed December 31, 2007; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home). See also U.S. Department of State, "Country Reports- 2007: Tunisia," section 6c.

<sup>3414</sup> U.S. Department of State, "Country Reports- 2007:

Tunisia," section 5. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Tunisia (ratification: 2000)*, [online] 2006 [cited December 31 2007]; available from <http://www.ilo.org/ilolex/>.

<sup>3415</sup> U.S. Department of State, "Country Reports- 2007: Tunisia," section 5.

<sup>3416</sup> Government of Tunisia, *Loi No. 95-92, 1995, Relative à la publication du Code de la protection de l'enfant*, (November 9, 1995), article 2, 3, 20, 25, 26; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42904/64989/F95TUN01.htm>.

<sup>3417</sup> U.S. Embassy- Tunisia, *reporting*, April 4, 2006.

<sup>3418</sup> Government of Tunisia, *Written communication*, submitted in response to U.S. Department of Labor Request for information (November 8, 2007) Washington, DC, February 7, 2008.

<sup>3419</sup> Coalition to Stop the Use of Child Soldiers, "Tunisia," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=838](http://www.child-soldiers.org/document_get.php?id=838).

## Turkey

### Incidence and Nature of Child Labor

In Turkey, children work in agriculture, small-scale manufacturing, leather goods, shoe-making, auto repair, and carpentry.<sup>3420</sup> The State Statistical Institute estimated that 960,000 children ages 6 to 17 were working in 2006.<sup>3421</sup> Girls were more likely to work in less visible occupations, such as handicrafts.<sup>3422</sup> Turkish children working in the furniture sector face health and safety risks, including exposure to dangerous chemicals and dangerous machinery.<sup>3423</sup> According to the General Directorate of Social Services and Child Protection of Turkey, approximately 50,000 children work in the streets of 10 provinces in Turkey. Children working on the streets are involved in shoe polishing, windshield cleaning, water carrying, scavenging through trash, or selling tissues, chewing gum, flowers, or baked goods. Street work makes children more vulnerable to health hazards, respiratory disease, infections, and exposure to toxic substances. They are also

exposed to alcohol and narcotic use. Children working on the street are also more vulnerable to commercial sexual exploitation and trafficking.<sup>3424</sup> In some parts of Turkey, children are engaged in seasonal commercial agriculture and face poor living and working conditions. They work long hours and are involved in harvesting, animal husbandry, forestry, weeding, and collecting water. Some of these children migrate with their families for 3 to 7 months at a time and have difficulty attending school.<sup>3425</sup>

A small percentage of victims trafficked to Turkey for commercial sexual exploitation are children.<sup>3426</sup> Turkey is also used as a transit point for trafficked persons to a limited extent.<sup>3427</sup> While comprehensive data is lacking, internal trafficking for commercial sexual exploitation is believed to be less common than international trafficking. There were press reports regarding cases of internal child trafficking for forced labor.<sup>3428</sup>

***Selected Statistics and Indicators  
on Child Labor***<sup>3429</sup>

Working children, 5-14 years (%), 1999:	4.2
Working boys, 5-14 years (%), 1999:	4.6
Working girls, 5-14 years (%), 1999:	3.7
Working children by sector, 5-14 years (%), 1999:	
- Agriculture	66.7
- Manufacturing	13.4
- Services	18
- Other	2
Minimum age for work:	15
Compulsory education age:	14 or 8 <sup>th</sup> grade
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	94
Net primary enrollment rate (%), 2005:	90
School attendance, children 6-14 years (%), 1999:	88.1
Survival rate to grade 5 (%), 2004:	97
ILO-IPEC participating country:	Yes

### **Child Labor Laws and Enforcement**

The law establishes the minimum age for employment at 15 years. The law, however, allows children 14 years of age to perform light work that does not interfere with their education and does not hinder their physical, mental, or moral development.<sup>3430</sup> Before beginning a job, children 14 to 18 years must undergo a physical examination, which is to be repeated every 6 months.<sup>3431</sup> Children under 16 years are permitted to work no more than 8 hours per day.<sup>3432</sup> During the compulsory education period, children are prohibited from working more than 2 hours per day or 10 hours per week.<sup>3433</sup> Under the law, persons should not be required to perform work unsuitable for their age or capabilities.<sup>3434</sup>

The Ministry of Labor and Social Security (MOLSS) has published a list of prohibited occupations for children 15 to 18 years.<sup>3435</sup> Children 15 to 18 years are not permitted to work in bars, coffee houses, dance halls, cabarets, casinos, or public baths, or to engage in industrial or night work. The law prohibits underground and underwater work for

females of any age and for boys under 18.<sup>3436</sup> The law prohibits the employment of children under 18 years in industrial night work.<sup>3437</sup> Seasonal agricultural work, dangerous conditions in small and medium sized enterprises, and child labor in the streets are classified as among the worst forms of child labor in Turkey.<sup>3438</sup>

Forced or compulsory labor, including by children, is forbidden by law.<sup>3439</sup> The minimum age for conscription into the Armed Forces is 19 years.<sup>3440</sup> The law prohibits prostitution under the age of 21 years, and the sexual exploitation of children.<sup>3441</sup> Child sexual abuse is punishable by 3 years to life imprisonment.<sup>3442</sup> The use of children in pornographic materials is punishable by imprisonment for 5 to 10 years.<sup>3443</sup> The law also designates the trafficking of persons as a crime; those convicted face 8 to 12 years in prison.<sup>3444</sup> Foreign victims are permitted to apply for humanitarian visas and remain in the country for up to 6 months, with the option to extend for an additional 6 months.<sup>3445</sup>

A Child Labor Unit in MOLSS exists to provide collaboration and coordination among Government agencies, trade unions, employers' organizations, and nongovernmental organizations towards the elimination of WFCL.<sup>3446</sup> The National Guidance Committee, chaired by the Deputy Undersecretary of MOLSS, decides the suitability of programs designed to combat child labor in Turkey.<sup>3447</sup> MOLSS inspectors are responsible for enforcing child labor laws in Turkey.<sup>3448</sup> There are approximately 600 labor inspectors operating in Turkey. All have been trained to identify cases of exploitive child labor.<sup>3449</sup> According to the Labor Inspection Board (LIB), MOLSS has been unable to effectively prevent child labor for a variety of reasons, including traditional attitudes, socio-economic factors, and the predominantly informal nature of child labor in Turkey. Work on agricultural sites and workplaces with fewer than 50 workers, maritime transport, family businesses, small shops, and the informal economy are not covered by the labor law. These are places where children are frequently engaged in work, but cannot be regulated by the inspectorate.<sup>3450</sup> Therefore, the LIB has focused on protecting working children by improving their working conditions.<sup>3451</sup> The Government enforces laws more

effectively in medium and large businesses than in small and informal enterprises.<sup>3452</sup>

The Commission on Child Laborers Working on the Streets investigates instances of child labor and proposes intervention programs. A parallel committee exists within the Grand Turkish National Assembly.<sup>3453</sup> The Ministry of the Interior's (MOI) Child Police are specifically responsible for protecting children, including protecting working children from employer abuses.<sup>3454</sup>

The Ministry of Foreign Affairs, Ministry of Justice, MOI, including the Turkish National Police (TNP) and Jandarma, and MOLSS are the agencies most involved in anti-trafficking activities in Turkey, though other agencies, including the Prime Ministry Social Services and Orphanages Directorate, the Ministry of Health, municipal governments, and key NGOs and international organizations are actively involved.<sup>3455</sup> The Government's interagency Task Force on Human Trafficking meets frequently, and Turkish agencies cooperate on prevention and prosecution of trafficking with neighboring source countries. TNP has a leading role in international trafficking investigations.<sup>3456</sup> The Jandarma has specialized, trained anti-trafficking teams operating throughout the country.<sup>3457</sup> The Government of Turkey apprehended 308 suspected traffickers and convicted 121 for trafficking offenses in 2007.<sup>3458</sup>

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

In working towards meeting EU accession conditions, priorities for the Government of Turkey include fulfilling obligations to eliminate child labor.<sup>3459</sup> The Government of Turkey has developed a National Timebound Policy and Program Framework designed to eliminate the worst forms of child labor and the involvement of children under 15 in all forms of work by 2014.<sup>3460</sup> Eleven provinces have developed provincial action plans to eliminate the worst forms of child labor in street work.<sup>3461</sup> The Turkish Statistics Institute published the results of a Child Labor Survey in October 2007. The study showed evidence of a decline in child labor in Turkey.<sup>3462</sup> The Government also has a national action plan to address trafficking.<sup>3463</sup>

The Government of Turkey participated in the USD 2.5 million USDOL-funded ILO-IPEC project, Combating the Worst Forms of Child Labor in Turkey- Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey (2003-2007). The program included activities in 11 provinces, targeting the priority sectors of street work, the informal economy, and seasonal agricultural labor.<sup>3464</sup> The project withdrew 5,661 children and prevented 7,448 children from exploitive labor.<sup>3465</sup> The Government is also participating in a USDOL-funded USD 6 million project, Combating Exploitive Child Labor through Education in Turkey, 2004-2008.<sup>3466</sup> The project targets children working under hazardous conditions in seasonal agriculture in the provinces of Gaziantep, anliurfa, Elazig, and Ankara.<sup>3467</sup> The project aims to withdraw 3,500 children and prevent 6,500 children from exploitive labor.<sup>3468</sup> The Government is also participating in a USD 6.4 million European Commission-funded ILO-IPEC implemented project to combat the worst forms of child labor in Turkey.<sup>3469</sup> The Government of Turkey provides rehabilitation services to children withdrawn from WFCL at 44 centers throughout the country.<sup>3470</sup>

Turk-Is, the largest labor union confederation, and the Turkish Confederation of Employers' Association (TISK), the largest employers' confederation, started a joint project in Adana in 2007 designed to provide educational opportunities to children working or at risk of working in the agriculture and furniture sectors. The project will contribute to the creation of a joint Turk-Is/TISK Child Bureau.<sup>3471</sup> MOLSS distributes information, including calendars, leaflets, magazines, and compact discs, to public agencies, labor unions, employers' confederations, and NGOs to generate support for action against WFCL.<sup>3472</sup>

In 2007, the Jandarma distributed 3,280 copies of its "Guide to Fight Human Trafficking Crimes" to officers.<sup>3473</sup> The Ministry of Health provides free medical treatment to persons who have been trafficked, and the Ministry of Justice provides free legal services to victims remaining in the country.<sup>3474</sup> IOM worked with the Police to identify and refer trafficking victims to shelters.<sup>3475</sup> Funding was provided by the government for rent, utilities, and administrative expenses for two shelters.<sup>3476</sup>

The Government also ran an anti-trafficking hotline.<sup>3477</sup> Anti-trafficking brochures were printed and distributed by law enforcement officers, and informational passport inserts were provided by consular officials at Turkish embassies and by officials at ports of entry.<sup>3478</sup>

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<sup>3420</sup> U.S. Department of State, "Country Reports- 2007: Turkey," section 6d.

<sup>3421</sup> Ibid.

<sup>3422</sup> Ibid.

<sup>3423</sup> ILO-IPEC, *Combating the Worst Forms of Child Labor in Turkey- Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey (2004-2006)*, Project Document, TUR/03/P50/USA, Geneva, 2003, 44, 46.

<sup>3424</sup> Ibid., 35, 40, 41, 43.

<sup>3425</sup> IMPAQ International, *Combating Exploitative Child Labor through Education in Turkey*, Project Document, Columbia, MD, May 17, 2005, 7-8.

<sup>3426</sup> U.S. Department of State, "Turkey (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Country Reports- 2007: Turkey," section 5. See also U.S. Embassy- Ankara official, E-mail communication to USDOL official, July 18, 2008.

<sup>3427</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Turkey." See also U.S. Department of State, "Country Reports- 2007: Turkey," section 5.

<sup>3428</sup> U.S. Department of State, "Country Reports- 2007: Turkey," section 5. See also U.S. Embassy- Ankara, *reporting*, March 4, 2008.

<sup>3429</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Embassy- Ankara, *reporting*, August 20, 2003. See also U.S. Department of State, "Turkey," in *Country Reports on Human Rights Practices- 2007*, March 11, 2008, section 5, 6d; available from <http://www.state.gov/drl/rls/hrrpt/2007/100589.htm>.

<sup>3430</sup> Government of Turkey, *Labor Act of Turkey, Law No. 4857*, (May 22, 2003), article 71; available from <http://www.ilo.org/public/english/region/eurpro/ankara/legislation/law4857.htm>.

<sup>3431</sup> Ibid., article 87.

<sup>3432</sup> U.S. Department of State, "Country Reports- 2007: Turkey," section 6d.

<sup>3433</sup> Government of Turkey, *Labor Act*, article 71.

<sup>3434</sup> Government of Turkey, *Constitution of the Republic of Turkey*, 1982, article 50; available from <http://www.hri.org/docs/turkey/>. See also

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Government of Turkey, *Labor Act*, article 71.

<sup>3435</sup> U.S. Embassy- Ankara, *reporting*, December 14, 2007. See also U.S. Embassy- Ankara, *reporting*, August 26, 2004. See also Government of Turkey, *Labor Act*, article 71.

<sup>3436</sup> Government of Turkey, *Labor Act*, article 72.

<sup>3437</sup> Ibid., article 73.

<sup>3438</sup> U.S. Embassy- Ankara, *reporting*, December 14, 2007. See also U.S. Department of State, "Country Reports- 2007: Turkey," section 6d.

<sup>3439</sup> U.S. Department of State, "Country Reports- 2007: Turkey," section 6c.

<sup>3440</sup> Coalition to Stop the Use of Child Soldiers, "Turkey," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=933](http://www.child-soldiers.org/document_get.php?id=933).

<sup>3441</sup> Government of Turkey, "Turkey," in *Legislation of Interpol Member States on Sexual Offenses Against Children*, 2008; available from <http://www.interpol.int/Public/hildren/SexualAbuse/NationalLaws/csaTurkey.asp>. See also U.S. Embassy- Ankara, *reporting*, August 20, 2003.

<sup>3442</sup> U.S. Embassy- Ankara, *reporting*, March 4, 2008.

<sup>3443</sup> ILO-IPEC, *Combating the Worst Forms of Child Labor in Turkey- Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey (2004-2006)*, Technical Progress Report, TUR/03/P50/USA, Geneva, March 2005, 2.

<sup>3444</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Turkey." See also U.S. Embassy- Ankara, *reporting*, March 4, 2008. See also Ministry of Foreign Affairs Republic of Turkey, *Turkey on Trafficking in Human Beings*, [previously online], June 27, 2005; available from [hard copy on file].

<sup>3445</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Turkey." See also U.S. Embassy- Ankara official, E-mail communication to USDOL official, July 18, 2008.

<sup>3446</sup> Ministry of Labor and Social Security, *Views of the Government of Turkey Regarding 2008 Child Labor Review in the Production of Certain GSP-Eligible Hand-Loomed or Hand-Hooked Carpets*, February 14, 2008, 3.

<sup>3447</sup> Ibid.

<sup>3448</sup> U.S. Embassy- Ankara, *reporting*, December 14, 2007. See also Ministry of Labor and Social Security Labor Inspection Board, *Report on the Implementation of Labor Inspection Policy on Child Labor in Turkey*, Ankara, June 2000, 5-6. See also Embassy of Turkey, *The Implemented Programs and Measures Taken Against Child Labor in Turkey*, Washington, DC, November 9, 2001.

<sup>3449</sup> U.S. Embassy- Ankara, *reporting*, December 14, 2007.

<sup>3450</sup> Ministry of Labor and Social Security Labor Inspection Board, *Report on the Implementation of Labor Inspection Policy*, 3-5. See also U.S. Department of State,

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"Country Reports- 2007: Turkey," section 6d.

<sup>3451</sup> Embassy of Turkey, *The Implemented Programs and Measures Taken Against Child Labor*, 3-7. See also Embassy of Turkey, *Policies, Programs, and Measures Against Child Labor in Turkey*, Washington, DC, September 6, 2002, 10, 11, 14.

<sup>3452</sup> U.S. Department of State, "Country Reports- 2007: Turkey," section 6d.

<sup>3453</sup> ILO-IPEC, *Combating WFCL, Technical Progress Report, March 2005*, 2,3.

<sup>3454</sup> ILO-IPEC, *Combating WFCL, Project Document*, 50.

<sup>3455</sup> U.S. Embassy- Ankara, *reporting, March 4, 2008*. See also U.S. Embassy- Ankara official, E-mail communication to USDOL official, July 18, 2008.

<sup>3456</sup> U.S. Department of State, "Country Reports- 2007: Turkey," section 5. See also U.S. Embassy- Ankara official, E-mail communication to USDOL official, July 18, 2008.

<sup>3457</sup> U.S. Embassy- Ankara, *reporting, March 4, 2008*. See also U.S. Embassy- Ankara official, E-mail communication to USDOL official, July 18, 2008.

<sup>3458</sup> U.S. Embassy- Ankara, *reporting, March 4, 2008*. See also U.S. Department of State, "Country Reports- 2007: Turkey," section 5. See also U.S. Embassy- Ankara official, E-mail communication to USDOL official, July 18, 2008.

<sup>3459</sup> Republic of Turkey Ministry of Foreign Affairs, *Executive Summary of the Turkish National Program for the Adoption of the Acquis*, 2003.

<sup>3460</sup> ILO-IPEC, *Summary Outline for Action Programme on Child Labour (2004-2006)*, TUR/03/P50/USA, July 27, 2004, 2,3. See also Ministry of Labor and Social Security Child Labor Unit, *Timebound Policy and Programme Framework for the Elimination of Child Labor Turkey*, Draft, 2003, 47. See also U.S. Embassy- Ankara, *reporting, December 14, 2007*.

<sup>3461</sup> ILO-IPEC, *Combating the Worst Forms of Child Labor in Turkey- Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey (2004-2006)*, Technical Progress Report, Geneva, August 31, 2007, 3.

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<sup>3462</sup> Turkish Statistics Institute, *Working Child- 2006*, Ankara, October 2007. See also ILO-IPEC, *Combating WFCL, Technical Progress Report, August 31, 2007*, 4.

<sup>3463</sup> U.S. Embassy- Ankara, *reporting, March 4, 2008*.

<sup>3464</sup> ILO-IPEC, *Combating WFCL, Project Document*, cover, 2.

<sup>3465</sup> ILO-IPEC, *Combating the Worst Forms of Child Labor in Turkey- Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey (2004-2007)*, Technical Progress Report, Geneva, February 28, 2008, table III.C.

<sup>3466</sup> IMPAQ International, *Combating Exploitative Child Labor through Education in Turkey*, cover.

<sup>3467</sup> *Ibid.*

<sup>3468</sup> IMPAQ International, *Combating Exploitive Child Labor through Education in Turkey*, Technical Progress Report, Columbia, MD, September 2007. See also USDOL, *Combating Exploitive Child Labor through Education in Turkey*, ILAB Technical Cooperation Project Summary, Washington, DC, 2008.

<sup>3469</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>3470</sup> U.S. Embassy- Ankara, *reporting, December 14, 2007*.

<sup>3471</sup> *Ibid.*

<sup>3472</sup> *Ibid.*

<sup>3473</sup> U.S. Embassy- Ankara, *reporting, March 4, 2008*.

<sup>3474</sup> U.S. Department of State, "Turkey," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78844.htm>. See also U.S. Embassy- Ankara, *reporting, March 4, 2008*.

<sup>3475</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Turkey." See also U.S. Department of State, "Country Reports- 2007: Turkey," section 5.

<sup>3476</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Turkey."

<sup>3477</sup> *Ibid.*

<sup>3478</sup> *Ibid.* See also U.S. Embassy- Ankara, *reporting, March 4, 2008*. See also U.S. Embassy- Ankara official, E-mail communication to USDOL official, July 18, 2008.

# Tuvalu

## *Selected Statistics and Indicators on Child Labor*<sup>3479</sup>

Gross primary enrollment rate (%), 2004:	99
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### **Incidence and Nature of Child Labor**

No changes have been recorded since the last reporting period regarding the incidence and nature of child labor in Tuvalu.\*

### **Child Labor Laws and Enforcement**

No changes have been recorded since the last reporting period regarding child labor laws and enforcement in Tuvalu.\*

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

No changes have been recorded since the last reporting period regarding government policies and programs in Tuvalu.\*

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

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<sup>3479</sup> For statistical data not cited here, see the Data Sources and Definitions section.

# Uganda

### **Incidence and Nature of Child Labor**

Working children in Uganda are commonly engaged in crop farming and in commercial agriculture including the production of tea, sugarcane, tobacco, rice, cocoa, vanilla, and coffee.

Children also work in fishing, and care for livestock.<sup>3480</sup> Some children work long hours, carry heavy loads, and report work-related injuries.<sup>3481</sup> In the urban informal sector, children sell small items on the streets, and work in shops, garages, bars, restaurants, and in brick making and laying.<sup>3482</sup> Children also work in cross border trade with counterparts in the Democratic Republic of Congo and the Sudan, most often undertaking activities in the transportation and loading of goods.<sup>3483</sup> Children also engage in domestic work, and stone

quarrying and crushing.<sup>3484</sup> Some children as young as 10 years are victims of commercial sexual exploitation.<sup>3485</sup>

Uganda is a source, destination, and transit country for the trafficking of children. Children are trafficked internally from rural to urban and border towns for domestic service, sexual exploitation, and herding. Karamojong children for example, are sold at cattle markets or by intermediaries for forced labor.<sup>3486</sup> Children are largely recruited through offers of food and money.<sup>3487</sup> Children are trafficked to destinations outside the country for commercial sexual exploitation, including to the United Arab Emirates and Saudi Arabia.<sup>3488</sup> There are reports that children are trafficked to Egypt, Pakistan, and Turkey.<sup>3489</sup> Children from India are

also trafficked to Uganda for commercial sexual exploitation and pornography<sup>3490</sup>

sex with a girl under 18 years, can receive up to the death penalty.<sup>3496</sup> The minimum age for military service in Uganda is 18 years.<sup>3497</sup>

<i>Selected Statistics and Indicators on Child Labor<sup>3491</sup></i>	
Working children, 5-14 years (%), 2005-2006:	31.1
Working boys, 5-14 years (%), 2005-2006:	32.4
Working girls, 5-14 years (%), 2005-2006:	29.8
Working children by sector, 5-14 years (%), 2005-2006:	
- Agriculture	95.5
- Manufacturing	1.3
- Services	3.0
- Other	0.2
Minimum age for work:	14
Compulsory education age:	Not compulsory
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	118
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2005-2006:	84.2
Survival rate to grade 5 (%), 2004:	49
ILO-IPEC participating country:	Yes

### **Child Labor Laws and Enforcement**

The minimum age for admission to work in Uganda is 14 years.<sup>3492</sup> Children under 12 years are prohibited from working in any business or workplace.<sup>3493</sup> Children between the ages of 12 and 14 years may engage in light work that does not hinder their education and is supervised by an adult over 18 years. The law states that no child under 18 years may be employed in hazardous work or between 7 p.m. and 7 a.m.<sup>3494</sup>

The law prohibits slavery and forced labor.<sup>3495</sup> While trafficking in persons is not a specific violation under Ugandan law, related offenses such as abduction and detention of a person for sexual intent are punishable by up to 7 years of imprisonment; trading in slaves up to 15 years of imprisonment; and “defilement,” defined as having

The Ministry of Gender, Labor, and Social Development (MGLSD) is charged with enforcing child labor laws and investigates child labor complaints through district labor officers.<sup>3498</sup> In 2007, the MGLSD had 60 district labor officers.<sup>3499</sup> According to USDOS, local district officials and labor inspectors in the north collaborated with ILO-IPEC to enhance their capacity to cover the region. This included increasing labor inspectors’ mobility and information collection, and working with district child labor committees, with the aim of overcoming the lack of resources for the north.<sup>3500</sup>

The MGLSD is also charged with overseeing and coordinating national efforts to combat trafficking.<sup>3501</sup> In 2007, the Government uncovered child trafficking rings in Uganda, including trafficking of girls from India; child trafficking to the United Arab Emirates and Saudi Arabia as destinations; and child trafficking through Dubai as a transit point.<sup>3502</sup> In 2007, the Government arrested a number of suspected child traffickers and rescued several children who had been trafficked to Uganda from different countries.<sup>3503</sup>

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

The MGLSD increased the budget for the Child Labor Unit for fiscal year 2007, as a result of the official launch of the National Child Labor Policy in May, 2007.<sup>3504</sup> The Child and Family Protection Unit of the National Police participated in training 163 police, security, and other officials on child labor, with the support of ILO-IPEC. In turn, the trained police officers trained over 150 additional officers.<sup>3505</sup> Sensitization workshops were also conducted by local police child protection officers to encourage communities to report crimes involving trafficking. In 2007, the Government continued awareness raising activities on child trafficking and commercial sexual exploitation through radio and television programs.<sup>3506</sup>

In 2007, USDOL awarded a 4-year USD 6.1 million project to the International Rescue Committee (IRC) and the Italian Association for Volunteers in International Service (AVSI), to implement the

Livelihoods, Education & Protection to End Child labor in Uganda (LEAP) project, which aims to contribute to the prevention and elimination of child labor in Northern Uganda and the Karamoja region through awareness raising and improving access to and quality of education. The project aims to withdraw a total of 6,519 children and prevent another 4,756 children from exploitive labor.<sup>3507</sup> The Government also participated in a 4-year USD 3.6 million project funded by USDOL and implemented by the IRC and the AVSI, which ended in August 2007, and withdrew or prevented 5,657 children from exploitive labor in Northern Uganda.<sup>3508</sup>

The Government of Uganda continues to participate in the 4-year Combating Exploitive Child Labor Through Education in Kenya, Uganda, Rwanda, and Ethiopia Together (KURET) project, funded by USDOL at USD 14.5 million and World Vision at USD 5.8 million. Implemented by World Vision, in partnership with the IRC and the Academy for Educational Development, the KURET Project aims to withdraw or prevent a total of 30,600 children from exploitive labor in HIV/AIDS-affected areas of these four countries through the provision of educational services.<sup>3509</sup> The Government is also participating in the USDOL funded USD 3 million ILO-IPEC project to combat HIV/AIDS-induced child labor in Uganda and Zambia. The project aims to withdraw 1,600 and prevented 2,000 children from exploitive child labor through community-based social protection schemes.<sup>3510</sup>

During 2007, according to USDOS, the Government continued to provide assistance to returning children who had been abducted by the Lord's Resistance Army, and transferred 546 children to rehabilitation centers.<sup>3511</sup> During fiscal year 2007, USDOS funded a USD 380,000 project implemented by the IOM in Northern Uganda. The project aims to reintegrate trafficking victims including children from the Democratic Republic of Congo. During fiscal year 2007, USAID funded a USD 500,000 project implemented by the IRC and UNICEF to provide care to returnees from abduction by the Lord's Resistance Army.<sup>3512</sup> In addition, the European Commission provided USD 940,000 to UNICEF for the child protection program in Northern Uganda, including support for formerly

abducted children.<sup>3513</sup> UNICEF implements a Karamoja Alternative Basic Education program for children working as cattle herders.<sup>3514</sup>

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<sup>3480</sup> U.S. Department of State, "Country Reports- 2007: Uganda," section 6d. See also World Vision, *Situation of Child Labor and Education in East Africa: A Baseline Study and Situational Analysis for Kenya, Uganda, Rwanda, and Ethiopia Together*, Washington, DC, February 2, 2006, table 10. See also ILO-IPEC, *Report of Baseline Survey on Child Labour in Commercial Agriculture in Uganda*, Geneva, October 2002, 20-23, 43. See also ILO-IPEC, *A Report on Child Labour in General Agriculture in Uganda*, Geneva, 2006, IX. See also Uganda Bureau of Statistics, *Uganda National Household Survey 2002/2003: Report on the Labour Force Survey*, Kampala, November 2003, 48-49.

<sup>3481</sup> ILO-IPEC, *Survey on Child Labour in Commercial Agriculture*, ix. See also ILO-IPEC, *Child Labour in General Agriculture*, IV. See also Social Development Consultants, *Report on the Study of Child Labour in Tobacco Growing Areas in Uganda* British American Tobacco (U), LTD, Kampala, June 2002, section 4.1.7; available from <http://www.eclt.org/filestore/BAT-Ugandareport.pdf>.

<sup>3482</sup> ILO-IPEC, *Report of the Sectoral Study on: Child Labour and the Urban Informal Sector in Uganda*, Geneva, June 2004, iv-v, 36-37; available from [http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2004\\_ug\\_urban\\_en.pdf](http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2004_ug_urban_en.pdf). See also U.S. Department of State, "Country Reports- 2007: Uganda," section 6d. See also Darlington Akabwai Elizabeth Stites, Dyan Mazurana, Priscillar Ateyo, *Angering Akujū: Survival and Suffering in Karamoja: A Report on Livelihoods and Human Security in the Karamoja Region of Uganda*, Tufts University, Medford, December 2007, 32; available from <http://fic.tufts.edu/downloads/AngeringAkujū--SurvivalandSufferinginKaramoja.pdf>.

<sup>3483</sup> ILO-IPEC, *Child Labour and Cross Border Trade in Uganda*, Geneva, June 2004, viii, 3; available from [http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2004\\_ug\\_crossborder\\_en.pdf](http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2004_ug_crossborder_en.pdf).

<sup>3484</sup> U.S. Department of State, "Country Reports- 2007: Uganda," 6d. See also ILO-IPEC, *Child Labour Wages and Productivity: Results from Demand-Side Surveys*, SIMPOC, Geneva, May 2007, 7; available from <http://www.ilo.org/ipeccinfo/product/viewProduct.do?productId=7065>.

<sup>3485</sup> ILO-IPEC, *Report of the Sectoral Study on: Child Labour and Commercial Sex Exploitation of Children in Uganda*, Geneva, June 2004, 46, 48; available from [http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2004\\_ug\\_sexexp\\_en.pdf](http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2004_ug_sexexp_en.pdf).

<sup>3486</sup> U.S. Department of State, "Uganda (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June

12, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>. See also Save the Children, *A Chronic Emergency: Child Protection Issues Among Communities in Karamoja Region*, Kampala, 2006, sections 8.11, 10.1. See also ILO-IPEC, *Rapid Assessment Report on Trafficking of Children into Worst Forms of Child Labor, including Child Soldiers in Uganda*, Geneva, February 2007, iii, 35; available from <http://www.africanchildinfo.net/documents/child%20trafficking%20study%20in%20Uganda.pdf>. See also U.S. Embassy- Kampala, *reporting*, March 4, 2008, para 27a.

<sup>3487</sup> ILO-IPEC, *Report on Trafficking of Children into WFCL*, iii.

<sup>3488</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Uganda." See also ILO-IPEC, *Report on Trafficking of Children into WFCL*.

<sup>3489</sup> U.S. Department of State, "Country Reports- 2007: Uganda," section 5.

<sup>3490</sup> U.S. Embassy- Kampala, *reporting*, March 4, 2008, para 3.28F.

<sup>3491</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Uganda, *The Employment Act, 2006*, (June 8, 2006), Act 6, 32 (1-3); available from <http://www.oit.org/public/english/protection/trav/aids/laws/ugandalaw.pdf>. See also U.S. Department of State, "Uganda," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/c25283.htm>. See also Government of Uganda, *Constitution*, (1995), objective XVIII; available from [http://www.ugandaonlinelawlibrary.com/files/constitution/constitution\\_1995.pdf](http://www.ugandaonlinelawlibrary.com/files/constitution/constitution_1995.pdf). See also Ministry of Education and Sports, *National Report on the Development of Education in Uganda at the Beginning of the 21st Century*, Kampala, August 30, 2004, para 2.7; available from [http://www.ibe.unesco.org/International/ICE47/English/Natreps/reports/uganda\\_rev.pdf](http://www.ibe.unesco.org/International/ICE47/English/Natreps/reports/uganda_rev.pdf).

<sup>3492</sup> Government of Uganda, *Employment Act*, act 6, 32 (1-3).

<sup>3493</sup> *Ibid.*, act 6, 32 (1-4).

<sup>3494</sup> *Ibid.*, act 6, part I (2), 32 (1-5)

<sup>3495</sup> Government of Uganda, *Constitution*, chapter 4, article 25.

<sup>3496</sup> Government of Uganda, *Penal Code*, (June 15, 1950), chapter XIV, articles 126, 129, 134, chapter XXIV article 250; available from [http://www.ugandaonlinelawlibrary.com/files/free/The\\_Penal\\_Code\\_Act.pdf](http://www.ugandaonlinelawlibrary.com/files/free/The_Penal_Code_Act.pdf).

<sup>3497</sup> Coalition to Stop the Use of Child Soldiers, *Child*

*Soldiers Global Report 2004*, London, November 17, 2004; available from <http://www.child-soldiers.org/home>.

<sup>3498</sup> U.S. Embassy- Kampala, *reporting*, October 11, 2007, para 19. See also U.S. Embassy- Kampala, *reporting*, December 4, 2007, para 7.

<sup>3499</sup> U.S. Department of State, "Country Reports- 2007: Uganda," section 6d.

<sup>3500</sup> U.S. Embassy- Kampala, *reporting*, March 4, 2008, para 3.28F.

<sup>3501</sup> *Ibid.*, para 3.27D, 3.30E.

<sup>3502</sup> *Ibid.*, para 3.28F.

<sup>3503</sup> *Ibid.*, para 3.27D, 3.30E.

<sup>3504</sup> ILO-IPEC, *Combating and Preventing HIV/AIDS-induced Child Labour in Sub-Saharan Africa: Pilot Action in Uganda and Zambia*, Technical Progress Report, Geneva, September 2007, 7.

<sup>3505</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Uganda." See also U.S. Embassy- Kampala, *reporting*, December 4, 2007, para 7. See also U.S. Embassy- Kampala, *reporting*, March 4, 2007, para 28g, 30b.

<sup>3506</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Uganda." See also U.S. Embassy- Kampala, *reporting*, December 4, 2007, para 7. See also U.S. Embassy- Kampala, *reporting*, March 4, 2007, para 28g, 30b.

<sup>3507</sup> International Rescue Committee, *Livelihoods, Education, & Protection to End Child labor in Uganda (LEAP)*, Project Proposal, New York, July 25, 2007, 3, 30-31.

<sup>3508</sup> International Rescue Committee, *Opportunities for Reducing Adolescent and Child Labor through Education (ORACLE)*, Final Technical Progress Report, New York, February 2008, 2, 4, 14.

<sup>3509</sup> World Vision, *Kenya, Uganda, Rwanda, and Ethiopia Together (KURET)*, Project Document, Washington, DC, July 18, 2005, i, 2, 9.

<sup>3510</sup> ILO-IPEC, *Combating and Preventing HIV/AIDS-induced Child Labour in Sub-Saharan Africa: Pilot Action in Uganda and Zambia*, Project Document, Geneva, July, 2004, i, 14.

<sup>3511</sup> U.S. Embassy- Kampala, *reporting*, March 4, 2007, para 27a, 27e, 29b.

<sup>3512</sup> U.S. Department of State, *U.S. Government Funds Obligated in Fiscal Year 2007 for Trafficking in Persons Projects*, [n.d.] [cited March 14, 2008], 3,4; available from <http://www.state.gov/documents/organization/101403.pdf>.

<sup>3513</sup> UNICEF, *UNICEF Uganda Thanks European Commission for Latest Contribution*, [online] June 26, 2007 [cited December 5, 2007]; available from [http://www.unicef.org/infobycountry/media\\_40140.html](http://www.unicef.org/infobycountry/media_40140.html).

<sup>3514</sup> U.S. Embassy- Kampala, *reporting*, October 11, 2007.

# Ukraine

## *Selected Statistics and Indicators on Child Labor*<sup>3515</sup>

Working children, 5-14 years (%), 1999:	2.4
Working boys, 5-14 years (%), 1999:	3.0
Working girls, 5-14 years (%), 1999:	1.8
Working children by sector, 5-14 years (%), 2002-2003:	
- Agriculture	49.5
- Manufacturing	3.3
- Services	44.7
- Other	2.6
Minimum age for work:	16
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	102
Net primary enrollment rate (%), 2006:	90
School attendance, children 5-14 years (%), 1999:	91.5
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes

### **Incidence and Nature of Child Labor**

Children in Ukraine are found working in agriculture, trade, services, manufacturing, construction, and in surface coal mines. Such children typically begin working at age 12.<sup>3516</sup> According to the ILO, children in rural areas were approximately twice as likely to work as those in urban areas.<sup>3517</sup>

Ukraine is a source country for child pornography, available on the Internet, and the commercial sexual exploitation of children is also a problem.<sup>3518</sup>

Ukrainian children have been trafficked for sexual exploitation, forced begging, and forced labor in agriculture.<sup>3519</sup> Internal trafficking of children is also a problem in Ukraine.<sup>3520</sup> Most trafficked girls are subject to commercial sexual exploitation, while boys are trafficked for labor or to sell narcotics.<sup>3521</sup>

Debt bondage is a common occurrence in trafficking situations.<sup>3522</sup> St. Petersburg and Moscow are destination centers for Ukrainian children trafficked for forced begging or sexual exploitation.<sup>3523</sup>

Street children, victims of domestic violence, orphans, residents of boarding schools, and children with absent parents (often due to migration in search of work or incarceration) are the groups most vulnerable to exploitation into the worst forms of child labor, including commercial sexual exploitation.<sup>3524</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment is 16 years.<sup>3525</sup> With Government permission and the consent of a parent, children at 15 years may work in certain non-hazardous industries. Also, with the permission of a parent, children at 14 years may work in agriculture and the social sector (orphanages, hospitals, elder care, etc.) on a short-term basis if it does not interfere with their education.<sup>3526</sup> The employment of an underage child is prohibited by law and is punishable by up to 6 months of imprisonment or judicial restraint for up to 3 years. The sentence is increased to 2 to 5 years of imprisonment if multiple children are involved, if considerable damage is done to the health of the child, or if the child was involved in hazardous work.<sup>3527</sup>

Forced labor of children is forbidden by law.<sup>3528</sup> The minimum age for military conscription and participation in combat is 18 years.<sup>3529</sup> Pimping or managing a brothel that employs minors is illegal and punishable by 2 to 7 years of imprisonment. Involvement of a child in prostitution is prohibited and offenders can be punished by 3 to 5 years of imprisonment.<sup>3530</sup> The importation, sale, distribution, or manufacturing of child pornography is punishable by 6 months to 3 years of imprisonment. The sentence is increased to 5 years if the material is on film or video media. If there are repeat child pornography violations or if the act was committed by a group of persons and involved compelling the minor to participate, the sentence is increased to 3 to 7 years of imprisonment.<sup>3531</sup> Trafficking of children ages 14 to 18 years is prohibited by law and is punishable by 5 to 12 years of imprisonment.<sup>3532</sup> If the child is under the age of 14 years, the punishment is 8 to 15 years of imprisonment.<sup>3533</sup> Children are forbidden from

leaving the country or changing residence without the consent of the minor's legal representatives.<sup>3534</sup> Ukraine has a witness protection law for trafficking cases that ensures anonymity, confidentiality, and closed trials.<sup>3535</sup>

The State Labor Inspectorate and the State Department of Surveillance over Labor Legislation Observance in the Ministry of Labor and Social Policy are responsible for enforcing child labor policies and laws in the formal sector.<sup>3536</sup> There were 708 labor inspectors in Ukraine in 2006, the most recent year for which data was available.<sup>3537</sup> The State Department of Surveillance over Labor Legislation Observance reported that during 2007, there were 563 labor inspections which uncovered 1,500 cases of minors working. Sixty-two of these incidents were referred for prosecution.<sup>3538</sup> The Labor Inspectorate does not have the authority to inspect informal workplaces.<sup>3539</sup> The Department of Juvenile Affairs within the Ministry of Family, Youth, and Sport (MOFYS), the Criminal Police on Juvenile Affairs, along with the Ministry of the Interior (MOI) are responsible for finding children engaged in the worst forms of child labor in the informal sector. In addition to the Labor Inspectorate, the Ministry of Emergencies and the Ministry of Health also conduct inspections.<sup>3540</sup>

The MOI's Anti-trafficking Department is responsible for the enforcement of anti-trafficking laws.<sup>3541</sup> There is also a specialized, 68-person unit within the Anti-trafficking Department dedicated to combating trafficking for labor exploitation and tracking businesses, such as employment agencies, that hire Ukrainians for work abroad.<sup>3542</sup> The Border Guards are required to screen for potential trafficking victims at the border.<sup>3543</sup> In 2007, the Government identified 359 cases of trafficking, including 55 children.<sup>3544</sup> Many victims were reluctant to testify against their traffickers due to a lack of trust in the law enforcement system, weak witness protection efforts, and a negative public perception of trafficking victims.<sup>3545</sup> USDOS reports that corruption among police and in the courts hampered the enforcement of anti-trafficking laws.<sup>3546</sup>

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

The Government is pursuing the State Program to Combat Child Homelessness and Neglect for 2006-2010. The document identifies child labor as a factor related to child homelessness, and the program aims to identify and support at-risk families.<sup>3547</sup> The Government of Ukraine has a National Action Plan for 2006 to 2016 on the implementation of the UN Convention on the Rights of the Child, with separate chapters on the worst forms of child labor, child trafficking, and sexual exploitation.<sup>3548</sup> On May 14, 2007, the Head of the Donetsk Regional State Administration approved a Regional Action Plan to Eliminate the Worst Forms of Child Labor. The plan calls for regular workplace monitoring, support for local action committees working with ILO-IPEC, awareness raising activities, the provision of services to formerly working children, and the regular supervision of at-risk families to prevent child labor.

On May 7, 2007, the Head of the Kherson Regional State Administration approved the Regional Program on the Prevention of Trafficking in Human Beings (2007-2010). The program provides services for trafficking victims, including child victims. It also supports information and awareness-raising activities targeting children and youth, regular monitoring of labor migration, and the implementation of programs for the psychosocial rehabilitation of child victims.<sup>3549</sup> Shortly before this, on March 7, 2007, the Government adopted the State Program on Combating Trafficking in Human Beings (2007-2010), which includes special provisions on child trafficking and provides direct State funding from the MOFYS for anti-trafficking efforts.<sup>3550</sup> The program specifically calls for training of government officials on child trafficking issues, and also for the development and implementation of programs for the social and psychological rehabilitation of victims of child trafficking.<sup>3551</sup>

In cooperation with the IOM and with funding from the European Commission, the Government supports seven shelters for victims in major

cities.<sup>3552</sup> During the first 9 months of 2007, the Government of Ukraine repatriated 353 potential trafficking victims through its overseas embassies.<sup>3553</sup> The Government and NGOs cooperated on awareness-raising campaigns.<sup>3554</sup> The Ukrainian Government provided radio and television access for anti-trafficking messages.<sup>3555</sup> It also supports a national anti-trafficking hotline. The hotline is linked to the State Employment Service that provides information regarding the reliability of employment recruitment services.<sup>3556</sup> The Ministry of Health is responsible for providing physical and psychological rehabilitation to child victims of commercial sexual exploitation.<sup>3557</sup> The Government participates in a USD 3.5 million USDOL-funded ILO-IPEC regional project to combat child trafficking and other worst forms of child labor (2006-2009), which operates in Albania, Bulgaria, Kosovo, Moldova, Romania, and Ukraine. The project aims to withdraw 1,350 children and prevent 3,150 children from exploitive labor throughout all of the participating countries.<sup>3558</sup> The Government of Ukraine also is participating in a USD 606,300 German-funded ILO-IPEC regional project (Albania, Moldova, Romania, Ukraine) to combat child trafficking, and a USD 1.2 million German-funded regional project (Albania, Moldova, Romania, Ukraine) to combat the worst forms of child labor through education and youth employment.<sup>3559</sup> ILO-IPEC has worked to support community-based centers to assist children from at-risk families, street children, and orphans. It also assisted with a program to provide support to children leaving State boarding schools, a group especially vulnerable to trafficking, and to train them for life outside of the institution.<sup>3560</sup> USAID funds a USD 1.2 million project through the IOM to raise awareness of trafficking in persons among children and young women 12 to 25 years, to provide support to both local and national Governments, and to assist approximately 700 trafficking victims.<sup>3561</sup>

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<sup>3515</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Ukraine," in *Country Reports on Human Rights Practices- 2007*, Washington, D.C.,

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March 11, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007.100590.htm>. See also U.S. Embassy- Kyiv, *reporting*, December 13, 2006, para. 3a. See also ECPAT International, *CSEC Database, Ukraine*, [accessed December 6, 2007]; available from <http://www.ecpat.net/>. See also Government of Ukraine, *Constitution of Ukraine*, Fifth Session of the Verkhovna Rada of Ukraine (June 28, 1996), article 53; available from <http://www.rada.kiev.ua/const/conengl.htm>.

<sup>3516</sup> PROTECT CEE, *Ukraine Country Profile*, [online] 2005 [cited December 6, 2007], 1,4, 5; available from [http://www.ilo.org/iloroot/docstore/ipsec/prod/eng/2005\\_fs\\_ukraine.pdf](http://www.ilo.org/iloroot/docstore/ipsec/prod/eng/2005_fs_ukraine.pdf). See also U.S. Embassy- Kyiv, *reporting*, November 30, 2007. See also U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d.

<sup>3517</sup> PROTECT CEE, *Ukraine Country Profile*, 5.

<sup>3518</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," sections 5 and 6d. See also U.S. Embassy- Kyiv, *reporting*, November 30, 2007. See also ECPAT International, *CSEC Database, Ukraine*.

<sup>3519</sup> U.S. Department of State, "Ukraine (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d. See also PROTECT CEE, *Ukraine Country Profile*, 7.

<sup>3520</sup> ILO-IPEC, *Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Ukraine*, 2003, Geneva, 2004, 2. PROTECT CEE, *Ukraine Country Profile*, 7.

<sup>3521</sup> PROTECT CEE, *Ukraine Country Profile*, 7. See also ILO-IPEC, *Rapid Assessment Ukraine*, 1.

<sup>3522</sup> ILO-IPEC, *Rapid Assessment Ukraine*, 2.

<sup>3523</sup> U.S. Department of State, "Russia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>.

<sup>3524</sup> 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- Ukraine*, April 6 2006, 7. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, Geneva, September 19, 2006, 19. See also PROTECT CEE, *Ukraine Country Profile*, 6.

<sup>3525</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d.

<sup>3526</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, 34. See also U.S. Department of State,

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"Country Reports- 2007: Ukraine," section 6d. See also U.S. Embassy- Kyiv, *reporting*, December 13, 2006.

<sup>3527</sup> U.S. Embassy- Kyiv, *reporting*, November 30, 2007, para. 7.

<sup>3528</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d.

<sup>3529</sup> Coalition to Stop the Use of Child Soldiers, "Ukraine," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=935](http://www.child-soldiers.org/document_get.php?id=935).

<sup>3530</sup> Government of Ukraine, "Ukraine," in *Legislation of Interpol Member States on Sexual Offences Against Children*, 2007, article 302, 303; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/default.asp>.

<sup>3531</sup> *Ibid.*, article 301.

<sup>3532</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," section 5. See also ILO-IPEC, *Rapid Assessment Ukraine*, 10. See also Vittoria Luda di Cortemiglia, *Trafficking in Minors for Commercial Sexual Exploitation: Ukraine*, Turin, n.d., 9; available from [http://www.unicri.it/www/trafficking/minors/docs/d\\_r\\_ukraine.pdf](http://www.unicri.it/www/trafficking/minors/docs/d_r_ukraine.pdf). See also U.S. Embassy- Kyiv, *reporting*, March 7, 2008, para. 34.

<sup>3533</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," section 5. See also U.S. Embassy- Kyiv, *reporting*, March 7, 2008, para. 34.

<sup>3534</sup> di Cortemiglia, *Trafficking in Minors for Commercial Sexual Exploitation: Ukraine*, 12.

<sup>3535</sup> *Ibid.*

<sup>3536</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d. See also U.S. Embassy- Kyiv, *reporting*, November 30, 2007.

<sup>3537</sup> State Labor Inspectorate- Ukraine official, Interview with USDOL official, March 30, 2006. See also Ministry of Labor and Social Policy- Ukraine official, Interview with USDOL official, March 30, 2006.

<sup>3538</sup> U.S. Embassy- Kyiv, *reporting*, November 30, 2007. See also U.S. Embassy- Kyiv official, E-mail communication to USDOL official, July 23, 2008.

<sup>3539</sup> Ministry of Labor and Social Policy- Ukraine official, Interview, March 30, 2006. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, 35.

<sup>3540</sup> Ministry of Labor and Social Policy- Ukraine official, Interview, March 30, 2006.

<sup>3541</sup> U.S. Department of State, "Ukraine," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78846.htm>.

<sup>3542</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Ukraine."

<sup>3543</sup> *Ibid.*

<sup>3544</sup> U.S. Embassy- Kyiv, *reporting*, March 7, 2008, para 52.

<sup>3545</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," section 5.

<sup>3546</sup> *Ibid.* See also U.S. Department of State, "Trafficking in Persons Report- 2007: Ukraine."

<sup>3547</sup> ILO-IPEC, *National Programme for the Prevention and Elimination of the Worst Forms of Child Labour in Ukraine*, Technical Progress Report, Geneva, August 31, 2006, 3.

<sup>3548</sup> UN Committee on the Rights of the Child, *Consideration of Reports- Ukraine*, 37. See also Ministry of Family Youth and Sport- Ukraine official, Interview with USDOL official, March 29 2006. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, August 31, 2007, 7.

<sup>3549</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, August 31, 2007, 7.

<sup>3550</sup> U.S. Embassy- Kyiv, *reporting*, November 30, 2007. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Ukraine."

<sup>3551</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, August 31, 2007, 6.

<sup>3552</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," section 5. See also U.S. Department of State, "Country Reports- 2006: Ukraine," section 5.

<sup>3553</sup> U.S. Department of State, "Country Reports- 2007: Ukraine," section 5.

<sup>3554</sup> *Ibid.* See also UN Committee on the Rights of the Child, *Consideration of Reports- Ukraine*, 39.

<sup>3555</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Ukraine."

<sup>3556</sup> *Ibid.*

<sup>3557</sup> UN Committee on the Rights of the Child, *Consideration of Reports- Ukraine*, 26.

<sup>3558</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, cover page, vi, 69.

<sup>3559</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

<sup>3560</sup> U.S. Embassy- Kyiv official, E-mail communication to USDOL official, July 27, 2007.

<sup>3561</sup> USAID, *Ukraine - Data Sheet*, October 21, 2006; available from [http://www.usaid.gov/policy/budget/cbj2006/ee/pdf/ua\\_121=0325.pdf](http://www.usaid.gov/policy/budget/cbj2006/ee/pdf/ua_121=0325.pdf).

# Uruguay

## Selected Statistics and Indicators on Child Labor<sup>3562</sup>

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2004:	113
Net primary enrollment rate (%), 2004:	94
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2003:	91
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses	

### Incidence and Nature of Child Labor

Working children in Uruguay can frequently be found in the informal sector. Children work in agriculture, in domestic service, as street vendors, and in construction. They also work cleaning cars, begging, running errands, and as garbage sorters.<sup>3563</sup>

Commercial sexual exploitation of children occurs in Uruguay, generally in tourist areas, such as Punta del Este and Maldonado, and near the borders with Argentina and Brazil. The Government's Institute for Adolescents and Children (INAU) found that many minors who resorted to prostitution did so to assist their families, who frequently promoted their involvement.<sup>3564</sup> Poor families reportedly have turned their children over to forced domestic service and agricultural labor.<sup>3565</sup>

### Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years. Adolescents between 15 and 18 years require Government permission to work.<sup>3566</sup> Adolescents must undergo physical exams prior to beginning work and must renew these exams yearly. The Government only grants work permission to minors who either have finished 9 years of compulsory education or who are enrolled in school and are completing compulsory education.<sup>3567</sup> Work permits are not granted for hazardous, fatiguing, or night work.<sup>3568</sup> According to the U.S. Department of State, the Government of Uruguay's National Committee for the Eradication of Child Labor compiled and maintains a list of 50 hazardous jobs for children.<sup>3569</sup> Presently, minors are not allowed to work for more than 6 hours per day within a 36-hour work week. Further, minors must rest 1 day a week, preferably Sunday, and cannot work between the hours of 10 p.m. and 6 a.m. Minors between the ages of 16 and 18 years may work up to 8 hours per day with permission from authorities.<sup>3570</sup> The Adolescent Labor Division of the INAU may grant permission to minors ages 13 through 15 years to engage in light work. However, the ILO's CEACR noted that Uruguay has not yet defined "light labor."<sup>3571</sup> Violations of child labor laws are punishable by fines.<sup>3572</sup> Parents or adults responsible for working children may be subject to imprisonment of 3 months to 4 years.<sup>3573</sup>

Forced or compulsory labor is prohibited by law.<sup>3574</sup> The law prohibits child pornography, imposing prison terms of 2 to 6 years for its production; 1 to 4 years for its commercialization; and 6 months to 2 years for its distribution.<sup>3575</sup> The penalty for using or facilitating the prostitution of a minor is 2 to 12 years in prison. This penalty is increased for those who are in a position of authority.<sup>3576</sup> Trafficking of children into or out of the country for the purpose of sexual exploitation is penalized with 2 to 12 years in prison.<sup>3577</sup> The minimum age for voluntary or compulsory military conscription is 18 years.<sup>3578</sup>

The INAU has six inspectors who specialize in child labor. In conjunction with the Ministry of Labor, they conduct approximately 2,400 child labor inspections per year, imposing sanctions in 5 percent of the cases.<sup>3579</sup> However, USDOS reports that a lack of resources and the concentration of child work in the informal sector make enforcement difficult.<sup>3580</sup> The Ministry of the Interior is responsible for investigating trafficking in persons. The Ministry of Work and Social Security is responsible for investigating trafficking in persons for labor exploitation.<sup>3581</sup>

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

The Interdepartmental Commission for the Prevention and Protection of Children against Sexual Exploitation, in conjunction with the INAU, has a national plan of action against commercial sexual exploitation of children. The goals of this plan are to strengthen the victim rights, to reinsert children back into school, to develop alternative means of income for families, and to improve protection measure for victims and witnesses.<sup>3582</sup> However, according to the U.N. Committee on the Rights of the Child, the Government needs to dedicate more resources to understanding the nature of the problem of child labor and sexual exploitation of children, and its prevention.<sup>3583</sup>

The Government of Uruguay funds NGOs that assist victims of trafficking, but resources were limited and coverage across the country was uneven.<sup>3584</sup> The Government worked with the IOM to raise awareness and increase local, state, and federal authorities' capacity to combat trafficking. The Ministry of Education has produced anti-trafficking public service announcements on national television.<sup>3585</sup>

The Government is also participating in an IDB-financed program that includes initiatives to address child labor, reduce school attrition, and improve children's performance in school. The program has provided services to 1,400 children, 40 percent of whom have enrolled in education services and no longer live or work in the streets.<sup>3586</sup> UNICEF is implementing a project to raise awareness of children's and adolescents' rights that includes a component on child labor.<sup>3587</sup> The Government of Uruguay also participated in an

ILO-IPEC Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain.<sup>3588</sup>

The Government of Uruguay and other associate and member governments of MERCOSUR conducted the *Niño Sur* (Southern Child) initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in adjusting legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.<sup>3589</sup>

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<sup>3562</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Uruguay, *Código de la niñez y la adolescencia*, (August 2, 2004), article 162; available from [www.parlamento.gub.uy/leyes/ AccesoTextoLey.asp?Ley=17823&Anchor=](http://www.parlamento.gub.uy/leyes/ AccesoTextoLey.asp?Ley=17823&Anchor=). See also Pan American Health Organization, *Uruguay*, [online] [cited November 28, 2007]; available from <http://www.paho.org/spanish/sha/prfluru.htm>. See also UNESCO, *Education for All 2008 Assessment: Country Reports- Uruguay*, 2007; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>. See also Government of Uruguay, *Constitución de la República*, (2004), article 71; available from <http://www.parlamento.gub.uy/constituciones/const004.htm>. See also UNESCO, *Education for All 2006 Assessment: Country Reports-Uruguay*, 2005; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>.

<sup>3563</sup> U.S. Department of State, "Uruguay," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/index.htm>. See also Instituto Nacional de Estadísticas, UN Development Program, UN Population Fund, Rodrigo Arim, and Gonzalo Salas, *Encuesta Nacional de Hogares Ampliada 2006, Módulo de trabajo infantil y adolescente*, 2006, 13; available from [http://www.ine.gub.uy/enha2006/INFORME\\_Trabajo\\_infantil.pdf](http://www.ine.gub.uy/enha2006/INFORME_Trabajo_infantil.pdf).

<sup>3564</sup> U.S. Department of State, "Country Reports- 2007: Uruguay," section 5. See also ECPAT International CSEC Database, *Uruguay*, accessed November 28, 2007; available from <http://www.ecpat.net/>.

<sup>3565</sup> U.S. Department of State, "Uruguay (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/ip/rls/tiprpt/2007/82806.htm>.

<sup>3566</sup> Government of Uruguay, *Código de la niñez y la adolescencia*, article 162.

<sup>3567</sup> *Ibid.*, articles 167, 168.

<sup>3568</sup> *Ibid.*, articles 163, 172.

<sup>3569</sup> U.S. Embassy- Montevideo, *reporting*, December 7, 2007.

<sup>3570</sup> Government of Uruguay, *Código de la niñez y la adolescencia*, article 169.

<sup>3571</sup> ILO Committee of Experts, *Direct Request*, C138: *Uruguay*.

<sup>3572</sup> Government of Uruguay, *Código de la niñez y la adolescencia*, article 173.

<sup>3573</sup> *Ibid.*, article 176. See also Government of Uruguay, *Código penal de la República oriental del Uruguay*, (1986), article 279B; available from [http://www.unifr.ch/erechopenal/legislacion/uy/cp\\_uruguay.htm](http://www.unifr.ch/erechopenal/legislacion/uy/cp_uruguay.htm).

<sup>3574</sup> U.S. Department of State, "Country Reports- 2007: Uruguay," section 6d. See also Government of Uruguay, *Código penal de la República oriental del Uruguay*, article 280.

<sup>3575</sup> Government of Uruguay, *Poder Legislativo, República Oriental del Uruguay: Violencia Sexual Comercial o No Comercial Cometida Contra Niños, Adolescentes o Incapaces, Ley No. 17.815*, (August 18, 2004), articles 1-3; available from <http://www.parlamento.gub.uy/Leyes/Ley17815.htm>.

<sup>3576</sup> *Ibid.*, articles 4, 5.

<sup>3577</sup> *Ibid.*, article 6.

<sup>3578</sup> U.S. Central Intelligence Agency, *The World Factbook-Uruguay*, [online] November 15, 2007 [cited November 28, 2007]; available from <https://www.cia.gov/cia/publications/factbook/geos/uy.html>.

<sup>3579</sup> U.S. Embassy- Montevideo, *reporting*, December 7, 2007.

<sup>3580</sup> U.S. Department of State, "Country Reports- 2007: Uruguay," section 6d.

<sup>3581</sup> IOM, *Trata de personas: Apuntes desde Uruguay sobre un desafío global*, Montevideo, 2007; available from <http://www.oimuruguay.org/Documentos/Trata%20Uruguay.pdf>.

<sup>3582</sup> U.S. Embassy- Montevideo, *reporting*, December 7, 2007, section d.

<sup>3583</sup> UN Committee on the Rights of the Child, *Periodic Reports of States Parties due in 2007: Uruguay*, July 5, 2007, paras 62, 66; available from <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=469b351d2&skip=&coi=URY>.

<sup>3584</sup> U.S. Department of State, "Uruguay (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 13, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

<sup>3585</sup> U.S. Department of State, "Country Reports- 2007: Uruguay," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Uruguay."

<sup>3586</sup> IDB, *Uruguay: Comprehensive Program for At-risk Children, Adolescents and Families*, UR-134, 2002; available from <http://www.iadb.org/exr/doc98/apr/ur1434e.pdf>. See also U.S. Embassy- Montevideo, *reporting*, December 7, 2007. See also IDB, *Approved Projects- Uruguay*, [online] [cited November 28, 2007]; available from <http://www.iadb.org/exr/doc98/apr/lcuru.htm>.

<sup>3587</sup> UNICEF, *At a Glance: Uruguay*, [online] [cited November 28, 2007]; available from <http://www.unicef.org/infobycountry/uruguay.html>.

<sup>3588</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>3589</sup> Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited March 16, 2008]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>. See also Child Rights Information Network, *MERCOSUR*, [online] 2007 [cited December 26, 2007]; available from <http://www.crin.org/espanol/RM/mercosur.asp>.

## Uzbekistan

### **Incidence and Nature of Child Labor**

Numerous credible sources report the widespread, compulsory mobilization of child labor in Uzbekistan during the annual cotton harvest. There are no reliable figures on the number of

children involved in the cotton harvest, which is thought to vary considerably from region to region and year to year.<sup>3590</sup> During the latest harvest in the fall of 2007, schools closed for approximately one month in some rural regions to allow children to pick cotton.<sup>3591</sup> There have been reports indicating

that some children have had to endure poor living conditions during the harvest.<sup>3592</sup> Although most children involved in the cotton harvest are older than 15 years, there have been reports of children as young as age 11 years participating.<sup>3593</sup> Some children from Uzbekistan migrate to south Kazakhstan with their families during the harvest season to work in the cotton industry.<sup>3594</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3595</sup>	
Working children, 5-14 years (%), 2006:	4.3
Working boys, 5-14 years (%), 2006:	4.4
Working girls, 5-14 years (%), 2006:	4.1
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	12 school years
Free public education:	Yes*
Gross primary enrollment rate (%), 2004:	100
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2005:	84.1
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated
*Must pay for miscellaneous school expenses	

There are also reports that children grow silk worm cocoons in rural areas of Uzbekistan.<sup>3596</sup> Children also work in street vending,<sup>3597</sup> services, construction, building materials manufacturing, and transportation.<sup>3598</sup> In urban areas, children as young as 7 or 8 years routinely work in family businesses during school holidays.<sup>3599</sup>

Girls are engaged in forced prostitution in Uzbekistan and are trafficked internally and externally, including to destinations in the Persian Gulf, Asia, Russia, and Western Europe for sexual exploitation.<sup>3600</sup> The number of cases registered

with the IOM involving minors trafficked from Uzbekistan for sexual exploitation decreased from 44 cases in 2005 to 27 cases in 2007.<sup>3601</sup>

### **Child Labor Laws and Enforcement**

The Constitution sets the minimum age for employment at 16 years.<sup>3602</sup> Children 14 to 16 years are required to obtain written permission from a parent or guardian in order to work, as long as work does not interfere with their studies. Children ages 14 to 16 years may only work 12 hours per week while school is in session and 24 hours per week during school vacation. Children 16 to 18 years may only work 18 hours per week when school is in session and 36 hours per week during school vacations.<sup>3603</sup> Children must receive an annual medical examination at their employer's expense to be eligible for work.<sup>3604</sup> A 2001 Government Decree bans children under 18 years from working in unhealthy conditions, including the manual harvesting of cotton; however, the decree was not commonly enforced.<sup>3605</sup>

The law prohibits forced labor, except when fulfilling a court sentence.<sup>3606</sup> The law prohibits earning money from operating brothels or promoting prostitution, and the penalty is imprisonment from 5 to 10 years.<sup>3607</sup> The law also prohibits trafficking, with higher penalties when victims are taken out of the country. The penalty for recruitment for trafficking is 6 months to 3 years in prison, and trafficking of children outside the country is punishable with 5 to 8 years in prison.<sup>3608</sup> The minimum age for military recruitment is 18 years.<sup>3609</sup>

The law does not provide jurisdiction for inspectors from the Ministry of Labor and Social Protection to focus on child labor enforcement.<sup>3610</sup> The Prosecutor General and the Ministry of Interior's criminal investigators are responsible for the enforcement of child labor laws. While enforcement appears effective in deterring child labor in the formal sector, USDOS reports that it is not effective in regulating children's work in family-based employment and in the agricultural sectors; there were no reports of enforcement efforts in the cotton industry.<sup>3611</sup>

The Ministry of Internal Affairs Anti-Trafficking in Persons Unit and the Prosecutor's Office have

investigated numerous trafficking-related crimes.<sup>3612</sup> At least 250 persons were convicted of trafficking-related crimes in 2006 and 2007.<sup>3613</sup> As of January 2008, at least 66 traffickers were serving sentences of 6 months to 3 years in prison.<sup>3614</sup> Border Guards have been instructed to look for instances of trafficking, particularly among unaccompanied young women.<sup>3615</sup> Anti-trafficking training was added to the curriculum for young officers at the Ministry of Interior training academy in 2007. There were unconfirmed reports of government officials involved in trafficking-related bribery and fraud.<sup>3616</sup>

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

In cooperation with ILO-IPEC and in consultations with a multi-agency working group, the Cabinet of Ministers in 2007 adopted a 4-year (2007-2011) national action plan on securing child welfare in Uzbekistan and combating child labor in agriculture through revising current practices and establishing a child labor monitoring system.<sup>3617</sup> During the reporting period, the Government of Uzbekistan took steps towards the ratification of ILO Conventions 138 and 182 and adoption of a comprehensive anti-trafficking plan.<sup>3618</sup> The Government works with *Mahalla* organizations, a pre-Soviet system of community-based management and social services provision, to protect children at the community level through a neighborhood monitoring mechanism. The Government also has an education campaign through the *Mahallas* to publicize dangers and eliminate hazardous conditions for minors.<sup>3619</sup>

The Government of Uzbekistan participated in a USDOL-funded USD 2.5 million sub-regional project implemented by ILO-IPEC. It was intended to enhance the capacity of national institutions to eliminate the worst forms of child labor in Uzbekistan and to share information and experiences across the sub-region, including in Kazakhstan, the Kyrgyz Republic, and Tajikistan.<sup>3620</sup> The German Government has also provided funding to ILO-IPEC for a USD 1.56 million sub-regional project to combat the worst forms of child labor through education and youth employment in Uzbekistan, Kazakhstan, the Kyrgyz Republic, and Tajikistan.<sup>3621</sup> Uzbek juvenile delinquency officials

participated in ILO-IPEC trainings and disseminated information within their agencies.<sup>3622</sup>

In June 2007, an interim anti-trafficking plan was developed by the Government of Uzbekistan. The Government operates an inter-agency working group to combat trafficking in persons.<sup>3623</sup> Through U.S. Government programs and NGOs, both Uzbek consular officials abroad and domestic law enforcement officials have received training in dealing with trafficking victims.<sup>3624</sup> NGOs reported that law enforcement officials are more aware of trafficking issues and sensitive toward victims than in past years.<sup>3625</sup>

The Government has approved a program under which IOM meets returning trafficking victims at the airport and assists them with entry processing and formulating their preliminary statements for the Ministry of Internal Affairs. Policy, border patrol, and consular officials referred trafficking victims to IOM for assistance.<sup>3626</sup> Between 2003 and 2007, with the Government's support, the IOM repatriated 122 children who were trafficked for sexual exploitation and 16 children who were trafficked for labor exploitation.<sup>3627</sup> In 2007, the Government, in cooperation with UNICEF, began a program to research internal trafficking of children in Uzbekistan.<sup>3628</sup> It also supported a public awareness campaign and broadcast anti-trafficking messages on State-controlled television and radio. In addition to general anti-trafficking information, the campaign promoted the use of 10 anti-trafficking hotlines operated by NGOs.<sup>3629</sup> The Government placed awareness-raising posters on buses and in passport offices and consular sections.<sup>3630</sup>

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<sup>3590</sup> U.S. Embassy- Tashkent official, E-mail communication to USDOL official, July 24, 2008. See also U.S. Department of State, "Country Reports- 2007: Uzbekistan," Section 6d. See also Integrated Regional Information Networks, "Uzbekistan: Focus on Rural Schools", IRINnews.org., [online], August 10, 2004 [cited December 6, 2007]; available from [http://www.irinnews.org/report.asp?ReportID=42608&SelectRegion=Central\\_Asia&SelectCountry=UZBEKIS TAN](http://www.irinnews.org/report.asp?ReportID=42608&SelectRegion=Central_Asia&SelectCountry=UZBEKIS TAN).

<sup>3591</sup> U.S. Embassy- Tashkent, *reporting*, June 6, 2008. See also U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 6d. See also International Crisis

Group, *The Curse of Cotton: Central Asia's Destructive Monoculture*, February 28, 2005, 17-18; available from [http://www.icg.org/library/documents/asia/central\\_asia/093\\_curse\\_of\\_cotton\\_central\\_asia\\_destructive\\_mono\\_culture.pdf](http://www.icg.org/library/documents/asia/central_asia/093_curse_of_cotton_central_asia_destructive_mono_culture.pdf).

<sup>3592</sup> U.S. Department of State, "Country Reports- 2007: Uzbekistan," Section 6d. See also U.S. Embassy-Tashkent, *reporting, June 6, 2008*. See also International Crisis Group, *The Curse of Cotton: Central Asia's Destructive Monoculture*.

<sup>3593</sup> U.S. Embassy-Tashkent official, E-mail communication to USDOL official, July 24, 2008. See also U.S. Embassy-Tashkent, *reporting, June 6, 2008*. See also U.S. Department of State, "Country Reports- 2007: Uzbekistan," Section 6d.

<sup>3594</sup> U.S. Embassy-Astana, *reporting, December 3, 2007*.

<sup>3595</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Uzbekistan," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100623.htm>.

<sup>3596</sup> U.S. Embassy-Tashkent, *reporting, June 6, 2008*. See also U.S. Embassy-Tashkent official, E-mail communication to USDOL official, July 24, 2008. See also Cango.net, *The Situation with Child Labour is Unlikely to Change in the Foreseeable Future*.

<sup>3597</sup> Najibullah Farangis, *Central Asia: For Many Young Uzbeks and Tajiks, Working is a Way of Life*, [previously online] May 27, 2003 [cited June 15, 2005]; available from [hard copy on file]. See also Legal Aid Society, STATUS, Center for Social and Humanitarian Researches, Business Women Association (Kokand), Mekhri, Beguborlik, SABO, PIASC, KRIDI, Mekhr Tayanchi, UNESCO Youth Club, Kokand Children's Club, Shygiz Children's Club Kukus, Mothers and Daughters, Bolalar va Kattalar Children's Club, Save the Children (UK), and UNICEF, *Supplementary NGO Report on the Implementation of the Convention on the Rights of the Child in the Republic of Uzbekistan, 2001*, [accessed October 22, 2006], 33; available from <http://www.crin.org/docs/resources/treaties/crc.28/Uzbekistan.doc>.

<sup>3598</sup> Cango.net, *The Situation with Child Labour is Unlikely to Change in the Foreseeable Future*.

<sup>3599</sup> U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 6d.

<sup>3600</sup> U.S. Department of State, "Country Reports- 2007: Uzbekistan," sections 5, 6d. See also U.S. Embassy-Tashkent, *reporting, December 4, 2007*. See also U.S. Embassy-Tashkent, E-mail communication to USDOL

official, August 1, 2007.

<sup>3601</sup> U.S. Embassy-Tashkent, *reporting, December 4, 2007*.

<sup>3602</sup> U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 6d. See also U.S. Embassy-Tashkent, *reporting, December 4, 2007*.

<sup>3603</sup> U.S. Embassy-Tashkent, *reporting, December 4, 2007*. See also U.S. Embassy-Tashkent, E-mail communication to USDOL Official, August 1, 2007.

<sup>3604</sup> U.S. Embassy-Tashkent, *reporting, December 4, 2007*. See also U.S. Embassy-Tashkent, E-mail communication to USDOL Official, August 1, 2007.

<sup>3605</sup> U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 6d.

<sup>3606</sup> Government of Uzbekistan, *Constitution of the Republic of Uzbekistan*, (December 8, 1992), article 37; available from <http://www.umid.uz/Main/Uzbekistan/Constitution/constitution.html>.

<sup>3607</sup> Penal Code Clauses 121 and 127 as cited by Government of Uzbekistan, "Uzbekistan," in *Legislation of Interpol Member States on Sexual Offenses Against Children*, 2007; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaUzbekistan.asp>. See also U.S. Embassy-Tashkent, *reporting, December 4, 2007*.

<sup>3608</sup> U.S. Embassy-Tashkent, *reporting, December 4, 2007*. See also U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 5.

<sup>3609</sup> Coalition to Stop the Use of Child Soldiers, "Uzbekistan," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/>.

<sup>3610</sup> U.S. Embassy-Tashkent, *reporting, December 4, 2007*.

<sup>3611</sup> Ibid. See also U.S. Embassy-Tashkent, *reporting, August 26, 2005*. See also U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 6d.

<sup>3612</sup> U.S. Embassy-Tashkent, *reporting, December 4, 2007*.

<sup>3613</sup> Ibid.

<sup>3614</sup> U.S. Department of State, "Uzbekistan (Tier 2 Watch List)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/105389.htm>.

<sup>3615</sup> U.S. Department of State, "Uzbekistan (Tier 3)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

<sup>3616</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Uzbekistan."

<sup>3617</sup> U.S. Embassy-Tashkent official, E-mail communication to USDOL official, July 24, 2008. See also U.S. Embassy-Tashkent, E-mail communication to USDOL Official, August 1, 2007.

<sup>3618</sup> U.S. Embassy-Tashkent official, E-mail

communication to USDOL official, July 24, 2008. See also U.S. Embassy- Tashkent, *reporting, June 6, 2008.*

<sup>3619</sup> U.S. Embassy- Tashkent, *reporting, December 4, 2007.*

<sup>3620</sup> ILO-IPEC, *CAR Capacity Building Project: Regional Program on the Worst Forms of Child Labour*, Project Document, RER/04/P54/USA, Geneva, September 2004, vii.

<sup>3621</sup> ILO-IPEC, *Combating the Worst Forms of Child Labor in Central Asia through Education and Youth Employment (EYE): An Innovative Regional Program*, Project Document, Geneva, 2005, cover page, 42.

<sup>3622</sup> U.S. Embassy- Tashkent official, E-mail communication to USDOL official, July 24, 2008.

<sup>3623</sup> U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 5.

<sup>3624</sup> U.S. Embassy- Tashkent, *reporting, December 4, 2007.*

<sup>3625</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Uzbekistan."

<sup>3626</sup> U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 5.

<sup>3627</sup> U.S. Embassy- Tashkent, *reporting, December 4, 2007.*

<sup>3628</sup> Ibid. E-mail communication to USDOL official, August 1, .

<sup>3629</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Uzbekistan." See also U.S. Department of State, "Country Reports- 2007: Uzbekistan," section 5. See also U.S. Embassy- Tashkent, *reporting, December 20, 2006.*

<sup>3630</sup> U.S. Embassy- Tashkent, *reporting, December 4, 2007.*

## Vanuatu

### *Selected Statistics and Indicators on Child Labor*<sup>3631</sup>

Gross primary enrollment rate (%), 2004:	100
Net primary enrollment rate (%), 2004:	94

#### **Incidence and Nature of Child Labor**

No changes have been recorded since the last reporting period regarding the incidence and nature of child labor in Vanuatu.\*

#### **Child Labor Laws and Enforcement**

No changes have been recorded since the last reporting period regarding child labor laws and enforcement in Vanuatu.\*

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

Research has not identified any policies or programs by the Government of Vanuatu to address exploitive child labor.

\* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

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<sup>3631</sup> For statistical data not cited here, see the Data Sources and Definitions section.

# Venezuela

## *Selected Statistics and Indicators on Child Labor*<sup>3632</sup>

Working children, 5-14 years (%), 2005:	5.4
Working boys, 5-14 years (%), 2005:	7.1
Working girls, 5-14 years (%), 2005:	3.6
Working children by sector, 5-14 years (%), 2005:	
- Agriculture	28.3
- Manufacturing	8
- Services	61.1
- Other	2.6
Minimum age for work:	14
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	104
Net primary enrollment rate (%), 2006:	91
School attendance, children 5-14 years (%), 2005:	94.9
Survival rate to grade 5 (%), 2005:	92
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses	

### **Incidence and Nature of Child Labor**

In Venezuela, children work in agriculture, retail trade, hotels, restaurants, manufacturing, and community and social services. Boys are more often found working on farms, while girls work mostly in service industries.<sup>3633</sup> Children are subjected to forced labor in the informal sector.<sup>3634</sup> There are reports that Venezuela is a source, transit, and destination country for children and women trafficked for the purposes of sexual exploitation and forced labor; however, information specifically related to children is limited.<sup>3635</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum employment age at 14. However, adolescents ages 12 to 14 may be authorized to work in certain justified circumstances that do not compromise the health, education, or development of the child.<sup>3636</sup> Adolescents between 12 and 18 years can work up

to 30 hours per week, between 6 a.m. and 7 p.m.<sup>3637</sup> While the Protection Code for Children and Adolescents limits the working hours of minors to 6 per day, the Labor Code allows adolescents ages 12 to 16 to work 8 hours per day if the work is intermittent or requires only the minor's presence.<sup>3638</sup> Minors are prohibited from work that prejudices their moral or intellectual development, although minors may work in places where alcohol is sold, such as in hotels, restaurants, ships, planes, and similar establishments. They are prohibited from work in mines, smelting factories, and in places that may pose risks for their life, health, or development.<sup>3639</sup> Minors under age 16 are also prohibited from working in public shows without authorization.<sup>3640</sup>

The law establishes obligations for employers who hire minors, such as maintaining a child labor registry; registering the minor with the Protection Council and the social security system; providing working credentials, medical examinations and certificates; and protecting their basic labor rights. Employers must notify authorities if they hire a minor as a domestic worker.<sup>3641</sup> Minors may not be paid by piece or less than other workers for equal work. Labor Code provisions likewise apply to minors working under apprenticeships.<sup>3642</sup>

Employing or profiting from the employment of a minor in work for which they are physically unfit is punishable by 6 months to 2 years imprisonment.<sup>3643</sup> Fines are established for violations of the registration, medical, and social security system requirements, as well as for employers that impede child labor inspections.<sup>3644</sup> Fines are established for employing any minor from age 8 to 12, and employing or profiting from the employment of a child from 12 to 15 years of age who does not have authorization to work.<sup>3645</sup> Hiring a child under age 8 is punishable by 1 to 3 years in prison.<sup>3646</sup>

Forced child labor can be punishable by 1 to 3 years of incarceration, and prison terms for slavery and slave trafficking are of 6 to 12 years.<sup>3647</sup> Trafficking children internationally is punishable by 2 to 6 years in prison, and fines apply for transferring a child to a third party or transporting a child

without authorization.<sup>3648</sup> Child trafficking by members of organized groups is punishable by 10 to 18 years of incarceration.<sup>3649</sup> Persons who promote or assist human trafficking may be punished with prison sentences of 4 to 8 years; and 8 to 10 years if circumstances involve violence, intimidation, or deception.<sup>3650</sup> The sexual exploitation of children is prohibited and is punishable by 3 to 8 years of incarceration.<sup>3651</sup> Inducing, supporting, or facilitating the prostitution of a minor to another party may result in 3 to 18 months of incarceration. If the crime is done repeatedly, or for profit, it is punishable by 3 to 6 years of incarceration.<sup>3652</sup> The punishment for using minors to commit crimes is 1 to 4 years in prison.<sup>3653</sup>

The law prohibits child pornography and penalizes it through fines and prison sentences of between 3 months and 4 years.<sup>3654</sup> Producing or selling child pornography by organized criminal groups may result in prison terms of 16 to 20 years.<sup>3655</sup> Using any form of information technology to depict child pornography is punishable by 4 to 8 years of incarceration and fines, with penalties increased under certain circumstances.<sup>3656</sup> Punishments of 2 to 6 years of incarceration are established for the recruitment of minors into criminal organizations, with the prison sentence ranging from 4 to 8 years if the perpetrator is an authority figure.<sup>3657</sup> The minimum recruitment age for the Government Armed Forces is 18 years. Secondary students are required to complete 2 years of pre-military instruction.<sup>3658</sup>

USDOS reports that the Ministry of Labor and the National Institute for Minors enforced child labor laws effectively in the formal sector, but less effectively in the informal sector.<sup>3659</sup> The National Protection System for Children and Adolescents includes institutions such as State and local Councils on Children's and Adolescents' Rights that are responsible for monitoring children's rights, and Children's and Adolescents' Ombudsmen that are responsible for defending children's rights.<sup>3660</sup> USDOS also reports that while the Government of Venezuela has improved its efforts to capture individuals suspected of human trafficking, there were no prosecutions or convictions of traffickers in 2005, and anti-trafficking laws were usually not enforced.<sup>3661</sup>

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

The Government of Venezuela has developed and adopted a National Plan of Action against Sexual Abuse and Exploitation. The U.N. Committee on the Rights of the Child has expressed concern over the lack of information and data related to sexual exploitation and actions taken as part of this plan.<sup>3662</sup>

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<sup>3632</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Venezuela, *Ley Orgánica para la Protección del Niño y del Adolescente*, (October 2, 1998), article 53, 96; available from [http://www.analitica.com/bitblob/congreso\\_venezuela/lopna.asp](http://www.analitica.com/bitblob/congreso_venezuela/lopna.asp). See also UNESCO, *Education for All Global Monitoring Report: 2006*, Paris 2005, 86, 308; available from <http://unesdoc.unesco.org/images/0014/001416/141639e.pdf>.

<sup>3633</sup> F. Blanco and C.A. Valdivia, *Child Labour in Venezuela: Children's Vulnerability to Macroeconomic Shocks*, UCW, 2006, 11; available from <http://www.ucw-project.org/pdf/publications/CHILDLABOURINVENEZUELA.pdf>.

<sup>3634</sup> U.S. Department of State, "Venezuela," in *Country Report on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6c; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100657.htm>.

<sup>3635</sup> U.S. Department of State, "Venezuela (Tier 3)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>. See also U.S. Department of State, "Country Reports- 2007: Venezuela," section 5.

<sup>3636</sup> Government of Venezuela, *Ley Orgánica para la Protección del Niño y del Adolescente*, article 96.

<sup>3637</sup> Government of Venezuela, *Ley Orgánica del Trabajo*, 5.152, (June 19, 1997), articles 254 and 257; available from [http://www.analitica.com/bitblob/congreso\\_venezuela/ley\\_del\\_trabajo.asp#Vc1](http://www.analitica.com/bitblob/congreso_venezuela/ley_del_trabajo.asp#Vc1).

<sup>3638</sup> Government of Venezuela, *Ley Orgánica para la Protección del Niño y del Adolescente*, article 102. See also Government of Venezuela, *Ley Orgánica del Trabajo*, article 255.

<sup>3639</sup> Government of Venezuela, *Ley Orgánica del Trabajo*, articles 249-251.

<sup>3640</sup> Ibid.

<sup>3641</sup> Government of Venezuela, *Ley Orgánica para la*

*Protección del Niño y del Adolescente*, articles 96, 98, 99, 104, 105, 108, 110, and 111. See also Government of Venezuela, *Ley Orgánica del Trabajo*, 252, 262, 265.

<sup>3642</sup> Government of Venezuela, *Ley Orgánica del Trabajo*, articles 258, 259, 266.

<sup>3643</sup> Government of Venezuela, *Ley Orgánica para la Protección del Niño y del Adolescente*, article 255-257.

<sup>3644</sup> *Ibid.*, articles 240-243.

<sup>3645</sup> *Ibid.*, articles 238-239.

<sup>3646</sup> *Ibid.*, articles 33 and 258.

<sup>3647</sup> *Ibid.*, article 255. See also Government of Venezuela, *Código Penal*, 5.494, (October 20, 2000), article 174; available from <http://www.mintra.gov.ve/legal/codigos/penaldevenezuela.htm>.

<sup>3648</sup> Government of Venezuela, *Ley Orgánica para la Protección del Niño y del Adolescente*, articles 231, 232, 266 and 267.

<sup>3649</sup> Government of Venezuela, *Ley Contra la Delincuencia Organizada*, 38.281, (September 27, 2005), article 16; available from <http://www.asambleanacional.gov.ve/ns2/leyes.asp?id=298>.

<sup>3650</sup> Government of Venezuela, *Ley de Extranjería y Migración*, 37.944, (May 24, 2004), articles 56-58; available from <http://www.acnur.org/biblioteca/pdf/2867.pdf>.

<sup>3651</sup> Government of Venezuela, *Ley Orgánica para la Protección del Niño y del Adolescente*, articles 33 and 258.

<sup>3652</sup> *Ibid.*, article 264.

<sup>3653</sup> *Ibid.*, Article 264.

<sup>3654</sup> *Ibid.*, article 237.

<sup>3655</sup> Government of Venezuela, *Ley Contra la Delincuencia*

*Organizada*, article 14.

<sup>3656</sup> Government of Venezuela, *Ley sobre Delitos informáticos*, 37.313, (October 30, 2001), articles 24, 27, and 28; available from <http://www.abinia.org/ley-contra-delitos-informaticos.pdf>.

<sup>3657</sup> Government of Venezuela, *Ley Orgánica para la Protección del Niño y del Adolescente*, article 265.

<sup>3658</sup> Government of Venezuela, *Ley de Conscripción y Alistamiento Militar*, 2.306, (September 11, 1978), articles 3, 4, 70 and 71; available from [http://www.gobiernoenlinea.ve/legislacion-view/view/ver\\_legislacion.pag](http://www.gobiernoenlinea.ve/legislacion-view/view/ver_legislacion.pag).

<sup>3659</sup> U.S. Department of State, "Country Reports- 2007: Venezuela," section 6d.

<sup>3660</sup> UN Committee on the Elimination of Racial Discrimination, *Eighteenth Periodic Reports of State Parties Due in 2004: Venezuela*, CERD/C/476/Add.4, June 14, 2004, para 139, 140, and 142; available from <http://www.unhchr.ch/tbs/doc.nsf/Documentsfrset?OpenFrameSet>. See also UN Convention on the Rights of the Child, *Consideration of Reports Submitted by State Parties Under Article 44 of the Convention: Concluding Observations: Venezuela (Bolivarian Republic of)*, CRC/C/VEN/CO/2, October 17, 2007, para 70-71; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G07/44/5/90/PDF/G0744590.pdf?OpenElement>.

<sup>3661</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Venezuela."

<sup>3662</sup> UN Convention on the Rights of the Child, *Concluding Observations, Convention on Rights of the Child*, para 74 and 75.

## Yemen

### **Incidence and Nature of Child Labor**

Children living in rural areas of Yemen are more likely to work than are children living in urban areas.<sup>3663</sup> A study by Understanding Children's Work, a research project of ILO-IPEC, UNICEF, and the World Bank, estimated that 87 percent of working children work in a family enterprise.<sup>3664</sup>

The majority of working children are found in agricultural sectors, including in the production of *qat* (a mild narcotic found in the region).<sup>3665</sup>

Children working in agriculture are confronted with hazardous conditions and activities, including the use of pesticides and heavy equipment, prolonged exposure to extreme temperatures, and

carrying heavy loads.<sup>3666</sup> Children also work under hazardous conditions as street vendors, beggars, and domestic servants, as well as in the fishing, construction, textile, and automobile repair sectors.<sup>3667</sup> Children employed in domestic service and restaurants are particularly vulnerable to sexual abuse and exploitation.<sup>3668</sup>

Children are trafficked internally for commercial sexual exploitation.<sup>3669</sup> Saudi Arabia is the primary destination for children trafficked out of the country, where children work as street beggars, domestics, unskilled laborers, or street vendors.<sup>3670</sup> Reports indicate that these children sell such items as flour and basic commodities, as well as *qat*,

which is an illegal substance in Saudi Arabia.<sup>3671</sup> The Child Labor Unit estimates that 10 children per week are trafficked into Saudi Arabia.<sup>3672</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3673</sup>	
Working children, 5-14 years (%), 1999:	11.1
Working boys, 5-14 years (%), 1999:	11.2
Working girls, 5-14 years (%), 1999:	11
Working children by sector, 5-14 years (%), 1999:	
- Agriculture	92
- Manufacturing	1
- Services	6.2
- Other	0.8
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	87
Net primary enrollment rate (%), 2004:	74
School attendance, children 6-14 years (%), 1999:	55.1
Survival rate to grade 5 (%), 2003:	73
ILO-IPEC participating country:	Yes

### **Child Labor Laws and Enforcement**

The minimum working age in Yemen is 15 years.<sup>3674</sup> Children between 13 and 15 years may perform light work that does not interrupt their attendance at school.<sup>3675</sup> The law prohibits the exploitation of children, as well as hazardous or socially damaging working conditions.<sup>3676</sup> The law limits the work hours of children ages 15 to 17 years to 6 hours per day between the hours of 7 a.m. to 7 p.m., with a break period of 1 hour after 4 consecutive hours worked.<sup>3677</sup> Additionally, employers must grant 24 hours compulsory paid rest and must also grant every working child ages 15 to 17 years annual leave, comparable to the terms due other workers for every 12-month period of labor.<sup>3678</sup> Penalties for non-compliance with child labor laws include fines and up to 3 months of imprisonment.<sup>3679</sup> Forced or compulsory labor is prohibited.<sup>3680</sup> Children under 18 years are prohibited from entering the Armed Forces.<sup>3681</sup> However, children are allowed to carry weapons<sup>3682</sup> and reportedly

participate in ongoing conflicts among tribal groups and in the defense of *qat* fields.<sup>3683</sup> The law prohibits the trafficking of children.<sup>3684</sup> The law also stipulates a prison sentence of 5 to 8 years for anyone who pushes or incites a child to engage in drug trafficking. The prison term may be doubled for repeat offenders.<sup>3685</sup> Yemen law also stipulates a maximum prison sentence of 10 years for those who force a child into prostitution, and a term of 10 to 15 years for those who buy or sell a child.<sup>3686</sup> Kidnapping is punishable by up to 7 years in prison; kidnapping cases involving sexual assault or murder are punishable by the death penalty.<sup>3687</sup> The Government reported 14 arrests for child trafficking in 2007.<sup>3688</sup>

The Child Labor Unit of the Ministry of Labor and Social Affairs is responsible for implementing and enforcing child labor laws, and has approximately 20 monitors throughout the country.<sup>3689</sup> According to USDOS, the Government's enforcement of these laws is limited due to a lack of resources, especially in rural and remote areas.<sup>3690</sup>

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

The Government of Yemen is implementing policies to curb child labor, as outlined in the National Strategy to Combat Child Labor.<sup>3691</sup> The 2007 National Policy and Program Framework will guide future Ministry of Social and Labor Affairs' efforts to combat child labor.<sup>3692</sup> The Ministry of Youth and Sports' National Strategy for Integrating Youth into Development includes strategic actions to combat child labor, such as advocating for the enforcement of laws and legislation that prohibit child labor, and working against any exploitation of young people.<sup>3693</sup> Child labor concerns are addressed in the Third Five-Year Plan for Socioeconomic Development (2006-2010), which includes a chapter on child and youth that addresses child labor.<sup>3694</sup> In 2007, the Ministry of Social and Labor Affairs was establishing a Website which will contain statistics, studies, and research on child labor.<sup>3695</sup>

The Government of Yemen is participating in a USDOL-funded USD 3 million regional project implemented by ILO-IPEC that aims to promote the collection and analysis of child labor information; strengthen enforcement and

monitoring mechanisms; build capacity; raise awareness of the negative consequences of child labor; and withdraw 4,700 and prevent 3,400 children from engaging in the worst forms of child labor.<sup>3696</sup> The Government is also participating in a USD 8.4 million sub-regional project, funded by USDOL and implemented by CHF International, to combat child labor through education in Lebanon and Yemen. The project aims to withdraw 4,505 children and prevent 4,195 children from entering exploitive labor.<sup>3697</sup>

In 2007, the Government established a technical committee to combat child trafficking.<sup>3698</sup> The Yemeni and Saudi Governments cooperated to prevent and address the cross-border trafficking of children through a bilateral governmental committee.<sup>3699</sup> With the support of UNICEF, the Government trained 80 female police officers on how to work with trafficked children.<sup>3700</sup> The Government is also conducting an information campaign to raise awareness among parents and community leaders about the dangers of child trafficking.<sup>3701</sup> The Government, in cooperation with UNICEF, operates two reception centers in the Haradh and Hodeida districts which receive, rehabilitate, and educate repatriated child trafficking victims. The centers received approximately 762 children in 2007.<sup>3702</sup> In 2008, the Government opened an additional reception center in Sana'a.<sup>3703</sup>

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*the Middle East and North Africa (ACCESS-MENA) Project Document*, Silver Spring, MD, January 2007, 5, 6.

<sup>3666</sup> ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, 2. See also UN Committee on the Rights of the Child, *Third Periodic Reports of State Parties: Yemen*, para 319.

<sup>3667</sup> ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, 2. See also U.S. Department of State, "Country Reports- 2007: Yemen," section 6d. See also ILO-IPEC, *Supporting the National Policy and Programme Framework for the Elimination of the Worst Forms of Child Labour in Lebanon and Yemen: Consolidating Action against the Worst Forms of Child Labour*, Project Document, RAB/04/P51/USA, Geneva, September 3, 2004, 32. See also CHF International, *Alternatives to Combat Child Labor through Education and Sustainable Services in the Middle East and North Africa (ACCESS-MENA)* 5, 6.

<sup>3668</sup> UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Yemen*, CRC/C/15/Add.267, September 21, 2005, para 65(b); available from [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/1296a4127ff7b38ac1257018002e6633?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/1296a4127ff7b38ac1257018002e6633?Opendocument). See also ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, 2.

<sup>3669</sup> U.S. Embassy- Sana'a, *reporting*, February 27, 2008, 1. See also U.S. Department of State, "Country Reports- 2007: Yemen," section 5.

<sup>3670</sup> U.S. Department of State, "Yemen (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>. See also U.S. Embassy- Sana'a, *reporting*, February 27, 2008, 1.

<sup>3671</sup> Joseph Risploli, *Feasibility Study on Recovery and Reintegration Schemes for Children Victims of Trafficking: Case Studies of Hajja, Hodeida, and Al Mahweet Governorates*, December 2006, 25; available from [http://www.iom.int/jahia/webdav/shared/shared/mainsite/projects/showcase\\_pdf/ye20061219\\_rep.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/projects/showcase_pdf/ye20061219_rep.pdf). See also U.S. Embassy- Sana'a, *reporting*, February 27, 2008, 1.

<sup>3672</sup> U.S. Department of State, "Country Reports- 2007: Yemen," section 5.

<sup>3673</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Yemen," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100610.htm>. See also U.S. Embassy- Sana'a, *reporting*, November 29, 2007, para 5.

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<sup>3663</sup> Republic of Yemen, *Poverty Reduction Strategy Paper: 2003-2005*, May 31, 2002, 11; available from <http://www.imf.org/external/np/prsp/2002/yem/01/053102.pdf>. See also U.S. Department of State, "Country Reports- 2007: Yemen," section 6d.

<sup>3664</sup> ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, Geneva, March 2003, 3; available from [http://www.ucw-project.org/resources/pdf/yemen/Report\\_Yemen\\_draft.pdf](http://www.ucw-project.org/resources/pdf/yemen/Report_Yemen_draft.pdf).

<sup>3665</sup> Republic of Yemen, *Poverty Reduction Strategy Paper*, 11. See also ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, 2. See also UN Committee on the Rights of the Child, *Third Periodic Reports of State Parties due in 2003: Yemen*, CRC/C/129/Add.2, December 3, 2004, para 319; available from [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/55f20ff8a72f20c0c1256f8800329002?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/55f20ff8a72f20c0c1256f8800329002?Opendocument). See also CHF International, *Alternatives to Combat Child Labor through Education and Sustainable Services in*

<sup>3674</sup> ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, 31. See also UN Committee on the Rights of the Child, *Third Periodic Reports of State Parties: Yemen*, para 312, 313.

<sup>3675</sup> Ministry of Social Affairs and Labor, *Ministerial Decree No. 56 for 2004*, (December 28, 2004), article 6. See also US Embassy Sanaa official, E-mail communication USDOL official, December 12, 2007.

<sup>3676</sup> Ministry of Social Affairs and Labor, *Ministerial Decree No. 56*, article 8, 21-23.

<sup>3677</sup> *Ibid.*, article 12.

<sup>3678</sup> *Ibid.*, article 13.

<sup>3679</sup> ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, 31.

<sup>3680</sup> U.S. Department of State, "Country Reports- 2007: Yemen," section 6c.

<sup>3681</sup> ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, 2. See also Coalition to Stop the Use of Child Soldiers, "Yemen," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=956](http://www.child-soldiers.org/document_get.php?id=956).

<sup>3682</sup> UN Committee on the Rights of the Child, *Consideration of Reports of State Parties (Continued): Third Periodic Report of Yemen*, CRC/C/SR.1049, June 1, 2005, para 41; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/43ba7a8950f906ecc125708400311306?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/43ba7a8950f906ecc125708400311306?Opendocument).

<sup>3683</sup> Coalition to Stop the Use of Child Soldiers, "Global Report- 2004: Yemen." See also ILO, UNICEF, and World Bank, *Understanding Children's Work in Yemen*, 2.

<sup>3684</sup> Ministry of Social Affairs and Labor, *Ministerial Decree No. 56*, articles 26-28.

<sup>3685</sup> *Ibid.*, article 27.

<sup>3686</sup> *Ibid.*, articles 27-28.

<sup>3687</sup> U.S. Embassy- Sana'a, *reporting*, March 15, 2005, 4a.

<sup>3688</sup> U.S. Embassy- Sana'a, *reporting*, February 27, 2008, 4.

<sup>3689</sup> U.S. Embassy- Sana'a, *reporting*, November 29, 2007, para 3. See also U.S. Department of State, "Country Reports- 2007: Yemen," section 6d.

<sup>3690</sup> U.S. Department of State, "Country Reports- 2007:

Yemen," section 6d. See also U.S. Embassy- Sana'a, *reporting*, August 23, 2004.

<sup>3691</sup> UN Committee on the Rights of the Child, *Third Periodic Reports of State Parties: Yemen*, para 8.

<sup>3692</sup> ILO- IPEC, *Supporting the National Policy and Programme Framework for the Elimination of the Worst Forms of Child Labour in Lebanon and Yemen*, Technical Progress Report, RAB/04/P51/USA, March 2008, 8, 9.

<sup>3693</sup> Ministry of Youth and Sport Republic of Yemen, *The National Strategy for Integrating Youth Into Development, Second Edition*, 2002, 20.

<sup>3694</sup> ILO-IPEC, *Supporting the National Policy and Programme Framework for the Elimination of the Worst Forms of Child Labour in Lebanon and Yemen*, Technical Progress Report, RAB/04/P51/USA, September 2006, 3, 4. See also U.S. Embassy- Sana'a, *reporting*, November 29, 2007, 6.

<sup>3695</sup> ILO-IPEC, *Supporting the National Policy and Programme Framework for the Elimination of the Worst Forms of Child Labour in Lebanon and Yemen*, Technical Progress Report, RAB/04/P51/USA, September 2007, 10.

<sup>3696</sup> U.S. Department of Labor, *Supporting the National Policy and Program Framework for the Elimination of the Worst Forms of Child Labour in Lebanon and Yemen: Consolidating Action Against the WFCL*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007.

<sup>3697</sup> U.S. Department of Labor, *Alternatives to Combat Child Labor through Education and Sustainable Services in the Middle East and North Africa (ACCESS-MENA)* ILAB Technical Cooperation Project Summary, Washington, DC, 2007.

<sup>3698</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Yemen."

<sup>3699</sup> *Ibid.*

<sup>3700</sup> U.S. Embassy- Sana'a, *reporting*, February 27, 2008, 4.

<sup>3701</sup> U.S. Department of State, "Country Reports- 2007: Yemen," section 6d. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Yemen."

<sup>3702</sup> U.S. Embassy- Sana'a, *reporting*, February 27, 2008, 5.

<sup>3703</sup> *Ibid.*

# Zambia

## *Selected Statistics and Indicators on Child Labor<sup>3704</sup>*

Working children, 5-14 years (%), 2005:	33.4
Working boys, 5-14 years (%), 2005:	34.4
Working girls, 5-14 years (%), 2005:	32.4
Working children by sector, 5-14 years (%), 2005:	
- Agriculture	95.5
- Manufacturing	0.5
- Services	3.9
- Other	0
Minimum age for work:	15
Compulsory education age:	Not compulsory
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	115
Net primary enrollment rate (%), 2005:	92
School attendance, children 5-14 years (%), 2005:	63.8
Survival rate to grade 5 (%), 2001:	94
ILO-IPEC participating country:	Associated
* Must pay for miscellaneous school expenses.	

### **Incidence and Nature of Child Labor**

Children in Zambia work in agriculture, domestic service, street vending, transportation, and fishing.<sup>3705</sup> Children also work in manufacturing, carpentry, and food production.<sup>3706</sup> Boys work in brick-laying while girls work in knitting and tailoring. Within the service industry children work in restaurants, bars, and as barbers and hairdressers.<sup>3707</sup> Children also work in hazardous industries, including quarrying, mining, and construction.<sup>3708</sup>

It is estimated that there are approximately 20,000 to 30,000 street children throughout the country, some of who are involved in begging and prostitution. Commercial sexual exploitation of children is widespread in Zambia.<sup>3709</sup> Zambian children are reportedly trafficked to Malawi, and some of them possibly continue to Europe, for

commercial sexual exploitation, agricultural labor, fishing, and domestic servitude.<sup>3710</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 15 years.<sup>3711</sup> However, children between 13 and 15 years are permitted to perform light work under certain conditions.<sup>3712</sup> The law defines a child as a person less than 15 years; a “young person” is defined as a person between 15 and 18 years.<sup>3713</sup>

The law prohibits the worst forms of child labor, including child prostitution, slavery in all of its forms, military conscription, and work harmful to the safety, health, or morals of children and young people.<sup>3714</sup> A person violating these laws is subject to a fine and imprisonment for up to 3 years.<sup>3715</sup> The law prohibits children who are “under the apparent age of 18” from being recruited into the military without the consent of a parent, guardian, or local District Secretary.<sup>3716</sup> The UN Committee on the Rights of the Child has voiced concern that the law is stated in terms of “apparent age,” which could indirectly contribute to exploitive child labor in the form of underage recruitment.<sup>3717</sup> Zambian law prohibits forced labor and trafficking of children.<sup>3718</sup> The law prescribes a penalty of 20 years to life in prison for trafficking but does not provide a definition of trafficking.<sup>3719</sup> In addition, the law makes it a felony for any person to sexually harass a child in the workplace or in a learning institution, with a minimum sentence of 3 years in prison for violators.<sup>3720</sup>

The Ministry of Labor and Social Security (MLSS) is responsible for enforcing labor laws, and has established a Child Labor Unit.<sup>3721</sup> The MLSS conducts inspections of workplaces and investigates child labor complaints through its labor inspectors located in 22 field offices throughout the country.<sup>3722</sup> In 2007, the Government increased the number of labor inspectors by 34 percent, totaling 67. The law gives labor inspectors the authority to enter households and farms in order to investigate potential child labor violations. The law also allows the MLSS to bring child labor charges, which can result in a fine

or imprisonment.<sup>3723</sup> However, USDOS reports that resources are still insufficient, which hinders the Government's enforcement capacity.<sup>3724</sup> In January 2007, the High Court found a man guilty of trafficking for attempting to sell his son; this conviction was the first under Zambia's trafficking law since being enacted in 2005.<sup>3725</sup>

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

The Government continues its efforts to eliminate and monitor exploitive child labor through the National Development Plan.<sup>3726</sup> The Government of Zambia has also developed a strategy to counter child trafficking through awareness raising, legal reform, and research.<sup>3727</sup>

Zambian Government operates two camps for withdrawn and rehabilitated street children, and removed approximately 200 children from the streets as of the end of 2006, the latest date such information is available.<sup>3728</sup> The Government is also implementing a program that provides education and skills training for children who have been removed from the streets, including prostitutes and older youth, and works with NGOs to provide similar services.<sup>3729</sup> The Government continues to work with NGOs to relocate children, predominantly urban orphans, and place them in appropriate educational or vocational training settings.<sup>3730</sup>

In 2007, the Government continued to provide awareness and training activities for officials tasked with enforcing child labor laws. Additionally, the Government, with help from the ILO, established seven District Child Labor Committees to conduct child labor awareness-raising activities and begin community mobilization.<sup>3731</sup> The Government of Zambia continues to implement its universal primary education program, which specifically targets working children, with the support of USAID, the World Bank, and other donors.<sup>3732</sup>

Between 2005 and 2007, the Zambian Government collaborated with Jesus Cares Ministries on the second phase of a USD 825,000 USDOL-funded Child Labor Education Initiative project.<sup>3733</sup> The project succeeded in withdrawing and preventing a total of 3,518 children from engaging in exploitive

work through the provision of educational services.<sup>3734</sup>

In 2006, USDOL awarded USD 3.92 million to ILO-IPEC to assist the Government with preparing a national Timebound Program against the worst forms of child labor. The 3-year project aims to withdraw 3,000 and prevent 7,000 children from exploitive work through the provision of education and training services.<sup>3735</sup> The Government is collaborating with the project to conduct a rapid assessment on child labor in small scale mining.<sup>3736</sup>

The Government is participating in a USDOL funded, ILO-IPEC USD 3 million program to combat and prevent child labor caused or related to the HIV/AIDS epidemic in Uganda and Zambia. This 3.5-year project finalized an HIV/AIDS and child labor rapid assessment survey in 2007 and developed a training module on HIV/AIDS and child labor for use throughout Africa.<sup>3737</sup> The project aims to withdraw 1,600 and prevented 2,000 children through community-based social protection schemes.<sup>3738</sup>

ILO-IPEC is also working with several African governments, including Zambia, on a USD 1.15 million, Canadian-funded project to enhance skill training to combat the worst forms of child labor in the urban informal sector as well as a European Economic Community funded, USD 257,069 study to determine the scale and nature of child trafficking in the country.<sup>3739</sup>

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<sup>3704</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Zambia, *Constitution of Zambia*, article 24; available from <http://unpan1.un.org/intradoc/groups/public/documents/cafrad/unpan004847.pdf>. See also U.S. Department of State, "Zambia," in *Country Reports on Human Rights Practices- 2007* Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100511.htm>.

<sup>3705</sup> U.S. Department of State, "Country Reports- 2007: Zambia," section 6d. See also ILO-IPEC, *Support to the Development and Implementation of Timebound Measures Against the WFCL in Zambia*, project document, ZAM/06/P50/USA, Geneva, September 14, 2006, 9.

<sup>3706</sup> ILO-IPEC, *Educational perspectives related to the impact of the HIV/AIDS pandemic on child labour in Zambia* (Paper 08) ILO-IPEC, Geneva, September 2005, 7; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=2080>.

<sup>3707</sup> Ibid.

<sup>3708</sup> ILO-IPEC, *Support to Time Bound Measures in Zambia*, 9. See also U.S. Department of State, "Country Reports-2007: Zambia," section 6d. See also ILO-IPEC and Republic of Zambia Central Statistics Office, *Zambia 1999 Child Labor Survey: Country Report*, ILO-IPEC, Lusaka, 2001, Tables 4.7 and 4.15. See also U.S. Embassy-Lusaka, *reporting*, August 19, 2003.

<sup>3709</sup> U.S. Department of State, "Country Reports- 2007: Zambia," section 5. See also Integrated Regional Information Networks, "Zambia: Street Kids Open Their Minds to Govt Plan", IRINnews.org, [online], March 27, 2006; available from <http://www.irinnews.org/Report.aspx?ReportId=58564>.

<sup>3710</sup> U.S. Department of State, "Zambia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807>. See also U.S. Embassy - Lusaka, *reporting*, February 29, 2008, para 3b.

<sup>3711</sup> Government of Zambia, *Constitution of Zambia, 1991*, article 24.

<sup>3712</sup> Government of Zambia, *Employment of Young Persons and Children Act (Amendment), 2004*, para 5a(2).

<sup>3713</sup> Ibid., paras 3a, 3e. See also Government of Zambia, *Employment of Young Persons and Children Act (Chapter 274 of the Laws of Zambia)*, part I, para 2; available from <http://annualreview.law.harvard.edu/population/countries/zambia/THE%20EMPLOYMENT%20OF%20YOUNG%20PERSONS%20AND%20CHILDREN%20ACT.htm>.

<sup>3714</sup> Government of Zambia, *Employment of Young Persons and Children Act*, article 17a. See also Government of Zambia, *Employment of Young Persons and Children Act (Amendment)*, para 3b.

<sup>3715</sup> Government of Zambia, *Employment of Young Persons and Children Act (Amendment)*, para 5a(4).

<sup>3716</sup> Coalition to Stop the Use of Child Soldiers, "Zambia," in *Child Soldiers Global Report 2004*, London, 2004; available from <http://www.child-soldiers.org/regions/country?id=238>.

<sup>3717</sup> UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Zambia*, CRC/C/15/Add.206, July 2, 2003, 14; available from <http://tb.ohchr.org/default.aspx?country=zm>. See also Coalition to Stop the Use of Child Soldiers, "Child Soldiers Report 2004: Zambia."

<sup>3718</sup> Government of Zambia, *Constitution of Zambia, 1991*, articles 14, 24.

<sup>3719</sup> U.S. Department of State, "Country Reports- 2007: Zambia," section 5.

<sup>3720</sup> U.S. Embassy- Lusaka, *reporting*, December 7, 2007.

<sup>3721</sup> Ibid. See also U.S. Embassy- Lusaka, *reporting*, August 19, 2003.

<sup>3722</sup> U.S. Embassy- Lusaka, *reporting*, December 7, 2007. See also U.S. Embassy- Lusaka, *reporting*, August 19, 2003.

<sup>3723</sup> U.S. Department of State, "Country Reports- 2007: Zambia," section 6d. See also U.S. Embassy- Lusaka, *reporting*, December 7, 2007.

<sup>3724</sup> U.S. Department of State, "Country Reports- 2007: Zambia," section 6d.

<sup>3725</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Zambia."

<sup>3726</sup> Government of Zambia, *Fifth National Development Plan*, Lusaka, December 2006, 212, 228, 229-232; available from <http://www.imf.org/external/pubs/ft/scr/2007/cr07276.pdf>.

<sup>3727</sup> U.S. Embassy - Lusaka, *reporting*, February 29, 2008, paras 3e, 4a-c, 5i, 6b.

<sup>3728</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Zambia." See also U.S. Embassy- Lusaka, *reporting*, December 7, 2007. See also Jesus Cares Ministries, *Combating Child Labour Through Education*, technical progress report, Jesus Cares Ministries, Lusaka, March 30, 2006.

<sup>3729</sup> U.S. Department of State, "Trafficking in Persons Report- 2007: Zambia." See also Integrated Regional Information Networks, "Zambia: Street Kids".

<sup>3730</sup> U.S. Department of State, "Country Reports- 2007: Zambia," section 6d.

<sup>3731</sup> Ibid.

<sup>3732</sup> USAID, "Zambia: Education", [usaaid.gov](http://www.usaid.gov/zm/education/ed.htm), [online], 2006; available from <http://www.usaid.gov/zm/education/ed.htm>. See also World Bank, *The World Bank in Zambia; Country Brief 2005-2006*, Washington D.C., 2006; available from [http://siteresources.worldbank.org/INTZAMBIA/Resources/Zambia\\_2005\\_7.pdf](http://siteresources.worldbank.org/INTZAMBIA/Resources/Zambia_2005_7.pdf). See also U.S. Embassy- Lusaka, E-mail communication to USDOL official, October 29, 2003.

<sup>3733</sup> USDOL, *Cooperative Agreement: Combating Exploitive Child Labor through Education in Zambia*, Washington D.C., September 29, 2005.

<sup>3734</sup> JCM official, E-mail communication to USDOL official, November 8, 2007.

<sup>3735</sup> ILO-IPEC, *Support to Time Bound Measures in Zambia*, 5, 46.

<sup>3736</sup> ILO-IPEC, *Support to the Development and Implementation of Timebound Measures Against the WFCL in Zambia*, technical progress report, ZAM/06/P50/USA, Geneva, September 2007, 4.

<sup>3737</sup> ILO-IPEC, *Combating and Preventing HIV/AIDS-induced Child Labour in Sub-Saharan Africa: Pilot Action in Uganda and Zambia*, technical progress report, RAF/04/P57/USA, Geneva, September 2007, 9. See also ILO- IPEC, *Combating and Preventing HIV/AIDS-induced Child Labour in Sub-Saharan Africa: Pilot Action in Uganda and Zambia*, project revision form, RAF/04/P57/USA, Geneva, October 2007, 2.

<sup>3738</sup> ILO-IPEC, *Combating and Preventing HIV/AIDS-induced Child Labour in Sub-Saharan Africa: Pilot Action in Uganda and Zambia*, project document, RAF/04/P57/USA, Geneva, July 2004, i, 14. See also ILO-IPEC, *Combat HIV/AIDS-technical progress report, September 2007*, 9.

<sup>3739</sup> ILO- IPEC official, E-mail communication to USDOL official, December 12, 2007.

## Zimbabwe

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3740</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	Not Compulsory
Free public education:	No
Gross primary enrollment rate (%), 2003:	96
Net primary enrollment rate (%), 2003:	82
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2002:	70
ILO-IPEC participating country:	Associated

### Incidence and Nature of Child Labor

During the reporting period, Zimbabwe continued to suffer from an economic crisis – with high inflation and unemployment rates and severe shortages of food and other basic necessities. The

crisis appears to have affected the rate of children’s work. Since 2000, approximately 25 percent of Zimbabweans have migrated to other countries as a result of the deteriorating economic and social conditions, including some children.<sup>3741</sup> The number of children working in the informal sector continues to increase as more children struggle to fill the income gap left by relatives who are unemployed, ill, or deceased.<sup>3742</sup>

In Zimbabwe, most working children are engaged in agriculture, hunting, and fishing.<sup>3743</sup> Children work in agriculture on tea and sugar estates, as well as in domestic service; the restaurant and hotel industries; mining, including illegal gold mining; quarrying; manufacturing; construction; and other types of work, such as street vending and guarding cars.<sup>3744</sup> Children orphaned by AIDS often performed domestic work for their extended relatives without pay, and children who engaged in domestic work for third-party households were sometimes not paid by their employers.<sup>3745</sup>

Girls are increasingly being exploited in prostitution, including in rural Matabeleland South Province. Girls as young as 13 years are resorting to prostitution due to poverty, high food prices, increasing rates of inflation in the country, and to pay for school fees. The number of girls on the streets in urban areas is growing as a result of poverty and HIV/AIDS.<sup>3746</sup> The belief that sex with virgins can cure sexually transmitted infections contributes to the sexual exploitation of children and the spread of disease.<sup>3747</sup> Some reports indicate

that Zimbabwean girls are being sexually exploited in exchange for passage across the border to South Africa.<sup>3748</sup>

Children are known to cross the border into Mozambique in search of work. Zimbabwean children engage in market vending, selling firewood, and harvesting crops in Mozambique.<sup>3749</sup> Children are also known to migrate to South Africa—in some cases migrating alone at very young ages—where they engage in street vending and other forms of work, like washing cars and unloading goods. One study indicated that Zimbabwean children migrate alone due to the combined effects of poverty, the HIV/AIDS epidemic, and lack of educational opportunities in the country.<sup>3750</sup>

Within Zimbabwe, children are trafficked from rural areas to farms and urban areas for agricultural work, domestic service, and commercial sexual exploitation. A limited number of South African girls are trafficked into the country for forced labor in domestic service.<sup>3751</sup> There are reports that children left in Zimbabwe by emigrating parents have been exploited by traffickers offering to transport the children to their parents' countries of resettlement.<sup>3752</sup>

The Government continues to run National Youth Service training camps, and reports from youth who deserted the camps indicate that they were subjected to military training, as well as racist and partisan political indoctrination. Additionally, graduates of the program were used to commit acts of political violence on behalf of the Government.<sup>3753</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment in Zimbabwe is 15 years.<sup>3754</sup> Children between 13 and 15 years may be employed if they are apprentices or if their work is an integral part of a vocational training program. At 15 years, children may engage in light work beyond training programs, and young persons under 18 years are prohibited from performing work that might jeopardize their health, safety, or morals.<sup>3755</sup> The law also prohibits the involvement of children under 18 years in hazardous labor, defined as any work likely to interfere with their education; expose them to hazardous substances; involve underground mining; expose them to electronically-powered hand tools, cutting, or

grinding blades; subject them to extreme conditions; or occur during a night shift.<sup>3756</sup> Child labor offenses are punishable by a fine, imprisonment of 2 years, or both.<sup>3757</sup>

The law prohibits compulsory or forced labor, but provides exceptions in cases where such labor is required from a member of a disciplined force, the National Youth Service, or parents. The law provides penalties of 2 years of imprisonment, a fine, or both, for forced labor violations.<sup>3758</sup> While no law specifically prohibits trafficking in persons, the law prohibits the transportation of individuals across the border for sexual purposes and procuring individuals for prostitution either inside Zimbabwe or internationally. The law provides penalties of a fine and up to 2 years of imprisonment for those convicted of procuring individuals for prostitution, and it provides for a penalty of up to 10 years of imprisonment in cases involving the procurement of children under 16 years.<sup>3759</sup> The minimum age for both military conscription and for voluntary recruitment into the Armed Forces is 18 years. The minimum age for joining the National Youth Service training is 16 years.<sup>3760</sup>

According to USDOS, the ability of the Ministry of Labor's Department of Social Welfare to conduct inspections or enforce child labor laws was hindered by a lack of resources.<sup>3761</sup>

According to USDOS, while anti-trafficking efforts of Zimbabwe's law enforcement have increased significantly, the level of resources dedicated to investigating and prosecuting trafficking cases is not sufficient.<sup>3762</sup> At the Interpol National Central Bureau office, the Zimbabwe Republic Police (ZRP) set up an anti-trafficking desk to investigate cases of international trafficking involving movement across borders. The ZRP has investigated two new cases of trafficking in 2007, including one involving children trafficked to Mozambique for forced, unpaid labor in a flea market.<sup>3763</sup>

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

The Government of Zimbabwe incorporated children's issues into its UN Development Assistance Framework (ZUNDAF) 2007-2011. ZUNDAF specifically includes the number of

districts holding monthly meetings to discuss child labor issues as an indicator for measuring improved capacity of the education system to retain students at all levels.<sup>3764</sup>

In October 2007, the Ministry of Public Service, Labor, and Social Welfare signed a Memorandum of Understanding with the ILO, UNICEF, IOM, and UNESCO for a program of collaboration to eliminate the worst forms of child labor in the country. During the first phase of the program, the ILO is working with the Government to define the worst forms of labor in Zimbabwe and conduct a national survey on the extent of child labor. An action plan based on the results of the national survey will be developed in the second phase.<sup>3765</sup>

The Government also worked closely with the IOM to combat trafficking. In collaboration with Save the Children-Norway, the Government provided assistance to children at an IOM Child Care Center in Beitbridge along the South African border. This center assisted over 2,400 unaccompanied children between 2006 and 2007.<sup>3766</sup> The Government also supported the IOM with land to build a second reception center in Plumtree to assist Zimbabweans deported from Botswana, including child trafficking victims. The Zimbabwean Government likewise worked with the IOM to provide training to police in Chimanimani, a source area for trafficking to South Africa and Mozambique,<sup>3767</sup> and both also collaborate on conducting research into the trafficking of children from and within Zimbabwe.<sup>3768</sup> The Government has also conducted media campaigns to raise awareness of trafficking issues, and representatives from several government agencies participated in anti-trafficking training held by the IOM in 2007.<sup>3769</sup>

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<sup>3740</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Zimbabwe," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007>.

<sup>3741</sup> International Monetary Fund, *IMF Executive Board Considers Zimbabwe's Arrears to the Fund*, Press Release, Washington, DC, February 23, 2007; available from

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<http://www.imf.org/external/country/ZWE/index.htm>. See also Integrated Regional Information Networks, "Zimbabwe: Child Migrants Seek a Better Life in South Africa", IRINnews.org, [online], September 3, 2007 [cited December 8, 2007]; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=74083>.

<sup>3742</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 6d.

<sup>3743</sup> Zimbabwe Central Statistics Office, *Child Labour Report, 2004*, Harare, March 2006, 38 and 44.

<sup>3744</sup> Ibid, U.S. Department of State, "Country Reports- 2007: Zimbabwe."

<sup>3745</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 6d.

<sup>3746</sup> Ibid. See also Integrated Regional Information Networks, "Zimbabwe: Sex Work Thrives as Girls Struggle to Survive", IRINnews.org, [online], April 18, 2007 [cited December 8, 2007]; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=71678>. See also ECPAT International CSEC Database, *Zimbabwe*, accessed December 11, 2007; available from <http://www.ecpat.net>.

<sup>3747</sup> Integrated Regional Information Networks, "Zimbabwe: Child Abused Every Hour, New Data Reveals", IRINnews.org, [previously online], November 20, 2006; available from <http://www.irinnews.org/print.asp?ReportID=56443> [hard copy on file]. See also UNICEF, "UNICEF "Shocked and Outraged" at Latest Case of Child Rape in Zimbabwe", UNICEF.org, [previously online], August 1, 2006; available from [http://www.unicef.org/infobycountry/media\\_35154.html?q=printme](http://www.unicef.org/infobycountry/media_35154.html?q=printme) [hard copy on file].

<sup>3748</sup> U.S. Embassy- Harare, *reporting, March 7, 2007*, Overview para B. See also Integrated Regional Information Networks, "Child Migrants".

<sup>3749</sup> Save the Children UK, *Visitors from Zimbabwe: A Preliminary Study Outlining the Risks and Vulnerabilities Facing Zimbabwean Children who have Crossed Illegally into Mozambique*, May 24, 2006, 6; available from <http://www.reliefweb.int/library/documents/2006/sc-zim-24may.pdf>

<sup>3750</sup> Save the Children UK, *Children Crossing Borders: Report on Unaccompanied Minors who have Travelled to South Africa*, July 2007, 5-6; available from [http://www.savethechildren.org/uk/en/54\\_3163.htm](http://www.savethechildren.org/uk/en/54_3163.htm). See also Integrated Regional Information Networks, "Child Migrants".

<sup>3751</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 5.

<sup>3752</sup> Integrated Regional Information Networks, "Zimbabwe: Children Left at Home Pay the Price of Migration", IRINnews.org, [online], June 11, 2007 [cited

December 8, 2007]; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=72669>.

<sup>3753</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 5. See also Integrated Regional Information Networks, "Zimbabwe: 'Green Bombers' Deserting Poor Conditions in Camps", IRINnews.org, [previously online], January 24, 2004; available from <http://www.irinnews.org/print.asp?ReportID=39106> [hard copy on file].

<sup>3754</sup> ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Zimbabwe (ratification: 2000)*, [previously online], Geneva, 2003; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/> [hard copy on file]. See also U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 6d.

<sup>3755</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 6d.

<sup>3756</sup> ILO NATLEX National Labor Law Database, *Children's Protection and Adoption Amendment Act, 2001 (No. 23)*, accessed December 11, 2007; available from [http://www.ilo.org/dyn/natlex/natlex\\_browse.home](http://www.ilo.org/dyn/natlex/natlex_browse.home).

<sup>3757</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 6d.

<sup>3758</sup> Government of Zimbabwe, *Constitution of Zimbabwe*, chapter 3, article 14; available from [http://www.nca.org.zw/Downloads/zim\\_constitution.pdf](http://www.nca.org.zw/Downloads/zim_constitution.pdf). See also U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 6c.

<sup>3759</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 5.

<sup>3760</sup> Coalition to Stop the Use of Child Soldiers, "Zimbabwe," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/library/global-reports?root\\_id=159&](http://www.child-soldiers.org/library/global-reports?root_id=159&)

category\_id=165.

<sup>3761</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 6d.

<sup>3762</sup> U.S. Department of State, "Zimbabwe (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 5.

<sup>3763</sup> U.S. Embassy-Harare, *reporting, December 5, 2007*, para B.

<sup>3764</sup> Government of Zimbabwe and UNDP, *Zimbabwe United Nations Development Assistance Framework (ZUNDAF) 2007-2011*, Harare, 2006, 61; available from [http://www.undg.org/archive\\_docs/1507-Zimbabwe\\_UNDAF\\_2007-2011\\_-\\_ZUNDAF\\_2007-2011.pdf](http://www.undg.org/archive_docs/1507-Zimbabwe_UNDAF_2007-2011_-_ZUNDAF_2007-2011.pdf).

<sup>3765</sup> U.S. Embassy-Harare, *reporting, December 5, 2007*, para A. See also the Herald (Harare), "Govt Committed to Ending Child Labour", allAfrica.com, [online], October 2, 2007 [cited October 8, 2007]; available from <http://allafrica.com/stories/printable/200710020256.html>

<sup>3766</sup> Integrated Regional Information Networks, "Child Migrants". See also U.S. Embassy-Harare, *reporting, December 5, 2007*, para E. See also U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 5.

<sup>3767</sup> U.S. Embassy-Harare, *reporting, December 5, 2007*, para B.

<sup>3768</sup> IOM, "Activities: Zimbabwe", [online], [cited December 11, 2007]; available from <http://www.iom.int/jahia/Jahia/pid/351>.

<sup>3769</sup> U.S. Department of State, "Country Reports- 2007: Zimbabwe," section 5.

## Territories and Non-Independent Countries

There is limited information on the extent and nature of child labor in non-independent countries and territories eligible for GSP, AGOA, and CBTPA benefits. These countries and territories generally are not eligible to become members of the ILO, so ILO Conventions 138 and 182 do not apply to any of them.<sup>3770</sup> Territories are subject to the laws of the sovereign country.

Because of extremely limited information, a determination was made that USDOL would publish full reports on 18 of the 19 territories

covered in this report once every 5 years. For this reason, this report includes shortened profiles for these territories, containing only new information published during the reporting period. For extended profiles on these territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*.<sup>3771</sup> The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

### **Anguilla (Territory of the United Kingdom)**

During the reporting period, new statistics on education in Anguilla became available. UNESCO reports that in 2005, the gross primary enrollment rate was 91 percent and the net primary enrollment rate was 89 percent. UNESCO reports in 2004 indicate that the survival rate to grade 5 was 97 percent.<sup>3772</sup>

### **British Virgin Islands (Territory of the United Kingdom)**

During the reporting period, new statistics on education in the British Virgin Islands became available. UNESCO reports that in 2005, the gross primary enrollment rate was 111 percent,<sup>3773</sup> and the net primary enrollment rate was 95 percent.<sup>3774</sup>

### **Christmas Island (Territory of Australia)**

There are no changes to report for Christmas Island.

### **Cocos (Keeling) Islands (Territories of Australia)**

There are no changes to report for Cocos (Keeling) Islands.

### **Cook Islands (Self-Governing State in Free Association with New Zealand)**

There are no changes to report for the Cook Islands.

### **Falkland Islands (Territory of the United Kingdom)**

There are no changes to report for the Falkland Islands.

### **Gibraltar (Territory of the United Kingdom)**

There are no changes to report for Gibraltar.

### **Montserrat (Territory of the United Kingdom)**

During the reporting period, new statistics on education in Montserrat became available. In 2005, the gross primary enrollment rate was 116 percent.<sup>3775</sup>

### **Niue (Self-Governing State in Free Association with New Zealand)**

During the reporting period, new statistics on education in Montserrat became available. In 2005, the gross primary enrollment rate was 86 percent.<sup>3776</sup>

### **Norfolk Island (Jointly-Governed Territory of Australia)**

There are no changes to report for Norfolk Island.

### **Pitcairn Islands (Territory of the United Kingdom)**

There are no changes to report for Pitcairn Islands.

### **Saint Helena (Territory of the United Kingdom)**

There are no changes to report for Saint Helena.

### **Tokelau (Self-Administering Territory of New Zealand)**

During the reporting period, new statistics on education in Tokelau became available. In 2004, the gross primary enrollment rate was 93 percent.<sup>3777</sup>

### **Turks and Caicos Islands (Territory of the United Kingdom)**

During the reporting period, new statistics on education in the Turks and Caicos Islands became available. In 2005, the gross primary enrollment rate was 90 percent,<sup>3778</sup> and the net primary enrollment rate was 78 percent. UNESCO reports in 2002 indicate that the survival rate to grade 5 was 46 percent.<sup>3779</sup>

### **West Bank and Gaza Strip (Occupied Territories Subject to the Jurisdiction of the Palestinian Authority)**

#### *Incidence and Nature of Child Labor*

Many children in the West Bank and Gaza Strip work on family farms, in family shops, as street vendors, or in small manufacturing enterprises.<sup>3780</sup> There have been reports of Palestinian terrorist groups using minors to assist in attacks, smuggle weapons, and act as human shields. Palestinian

children working in Israeli settlements face problems concerning security, exploitation, and harassment.<sup>3781</sup>

### *Child Labor Laws and Enforcement*

The minimum age for work in the West Bank and Gaza Strip is 15 according to the Palestinian Authority (PA) Labor Law. There are restrictions on the employment of children between the ages of 15 and 18.<sup>3782</sup> The restrictions include prohibitions against night work, work under conditions of hard labor, or jobs that require them to travel outside their domicile. Children between the age of 15 and 18 must be cleared by a medical exam before beginning work, and are to receive a check up every 6 months thereafter.<sup>3783</sup> Exceptions are made for those children between the ages of 15 and 18 who work for their direct relatives and under their supervision. However, according to USDOS the enforcement of such laws has been uneven, given the increased levels of Palestinian unemployment and lack of PA resources.<sup>3784</sup>

<i>Selected Statistics and Indicators on Child Labor</i> <sup>3785</sup>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated

The law prohibits the exploitation of children, and states that children shall not be allowed to perform

work that might damage their safety, health, or education. The law states that the PA will strive to provide work to anyone who is capable of performing it, and that work is a right, duty, and honor.<sup>3786</sup> Labor Ministry officials have said that this law prohibits forced and compulsory labor. There is no law specifically prohibiting trafficking in persons.<sup>3787</sup> Prostitution is illegal. The law also requires investigations into allegations of recruiting and exploiting children in armed operations, and those responsible for such activities are to be tried in a court of law.<sup>3788</sup> The Ministry of Labor has seven child labor inspectors. According to a Labor Ministry official an additional 20 labor inspectors are needed to ensure the enforcement of child labor laws. Since 2003, the PA has convicted 10 people in child labor cases, resulting in prison sentences for two individuals.<sup>3789</sup>

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

Research has not identified any policies or programs by the PA to address exploitive child labor.

### **Western Sahara**

There are no changes to report for Western Sahara.

### **Other Territories and Non-Independent Countries**

Information on the incidence and nature of child labor, child labor laws and legislation, and government policies and programs to eliminate the worst forms of child labor is unavailable for the following territories and non-independent countries: British Indian Ocean Territory (territory of the United Kingdom), Heard Island and MacDonald Islands (territory of Australia), and Wallis and Futuna (territory of France).

<sup>3770</sup> ILO Official, E-mail communication to USDOL official, January 31, 2002. See ILO, *Constitution*; available from <http://www.ilo.org/public/english/about/iloconst.htm>.

<sup>3771</sup> U.S. Department of Labor, "Territories and Non-Independent Countries," in *2005 Findings on the Worst Forms of Child Labor*, Washington DC, 2006.

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<sup>3772</sup> U.S. Embassy- London, reporting, November 29, 2007.

<sup>3773</sup> UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed January 7, 2008; available from <http://stats.uis.unesco.org>.

<sup>3774</sup> UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed January 7, 2008; available from <http://stats.uis.unesco.org/>.

<sup>3775</sup> UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*.

<sup>3776</sup> Ibid.

<sup>3777</sup> Ibid.

<sup>3778</sup> Ibid.

<sup>3779</sup> UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*.

<sup>3780</sup> U.S Embassy- Jerusalem, reporting, December 7, 2007. See also US Department of State, "Israel and the Occupied Territories," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100597.htm>.

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<sup>3781</sup> US Department of State, "Country Reports-2007: Israel and the Occupied Territories," section 6d.

<sup>3782</sup> U.S Embassy- Jerusalem, reporting, December 7, 2007.

<sup>3783</sup> Ibid.

<sup>3784</sup> Ibid.

<sup>3785</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S Embassy- Jerusalem, reporting, December 7, 2007. See also UNESCO International Bureau of Education, *Palestinian Authority Early Childhood Care and Education (ECCE) Programmes*, Geneva, 2006; available from <http://unesdoc.unesco.org/images/0014/001472/147223e.pdf>.

<sup>3786</sup> Ibid.

<sup>3787</sup> Ibid.

<sup>3788</sup> Ibid.

<sup>3789</sup> Ibid.



## Appendix: Ratifications of International Instruments by Country

	C. 138	C. 182	CRC	CRCOPAC	CRCPSC	Palermo
Afghanistan	No	No	3/28/1994	9/24/2003*	9/19/2002*	No
Albania	2/16/1998	8/2/2001	2/27/1992	No	2/5/2008*	8/21/2002
Algeria	4/30/1984	2/9/2001	4/16/1993	No	No	3/9/2004
Angola	6/13/2001	6/13/2001	12/5/1990	10/11/2007*	No	No
Argentina	11/11/1996	2/5/2001	12/4/1990	9/10/2002	9/25/2003	11/19/2002
Armenia	1/27/2006	1/2/2006	2/27/1992*	9/30/2005	6/30/2005	7/1/2003
Bahrain	No	3/23/2001	2/13/1993*	9/21/2004	9/21/2004	6/7/2004
Bangladesh	No	3/12/2001	9/2/1990	9/6/2000	9/6/2000	No
Barbados	1/4/2000	10/23/2000	10/9/1990	No	No	No
Belize	3/6/2000	3/6/2000	5/2/1990	12/1/2003	12/1/2003	9/26/2003*
Benin	6/11/2001	11/6/2001	8/3/1990	1/31/2005	1/31/2005	8/30/2004
Bhutan	No	No	8/1/1990	No	No	No
Bolivia	6/11/1997	6/6/2003	6/26/1990	12/22/2004*	6/3/2003	5/18/2006
Bosnia and Herzegovina	6/2/1993	10/5/2001	9/1/1993**	10/10/2003	9/4/2002	4/24/2002
Botswana	6/5/1997	1/3/2000	3/4/1995*	10/4/2004	9/24/2003*	8/29/2002
Brazil	6/28/2001	2/2/2000	9/24/1990	1/27/2004	1/27/2004	1/29/2004
Burkina Faso	2/11/1999	7/25/2001	8/31/1990	7/6/2007	3/31/2006	5/15/2002
Burundi	7/19/2000	6/11/2002	10/19/1990	No	11/6/2007	No
Cambodia	8/23/1999	3/14/2006	10/15/1992	7/16/2004	5/30/2002	7/2/2007
Cameroon	8/13/2001	6/5/2002	1/11/1993	No	No	2/6/2006
Cape Verde	No	10/23/2001	6/4/1992*	5/10/2002*	5/10/2002*	7/15/2004
Central African Republic	6/28/2000	6/28/2000	4/23/1992	No	No	10/6/2006*
Chad	3/21/2005	11/6/2000	10/2/1990	8/28/2002	8/28/2002	No
Chile	2/1/1999	7/17/2000	8/13/1990	7/31/2003	2/6/2003	11/29/2004
Colombia	2/2/2001	1/28/2005	2/28/1991	5/25/2005	11/11/2003	8/4/2004
Comoros	3/17/2004	3/17/2004	6/22/1993	No	2/23/2007*	No
Congo, Democratic Republic of the	6/20/2001	6/20/2001	9/27/1990	11/11/2001	11/11/2001	10/28/2005
Congo, Republic of the	11/26/1999	8/23/2002	10/14/1993	No	No	No
Costa Rica	6/11/1976	9/10/2001	8/21/1990	1/24/2003	5/9/2002	9/9/2003
Côte d'Ivoire	2/7/2003	2/7/2003	2/4/1991	No	No	No
Croatia	10/8/1991	7/17/2001	10/12/1992**	11/1/2002	5/13/2002	1/24/2003
Djibouti	6/14/2005	2/28/2005	12/6/1990	No	No	4/20/2005
Dominican Republic	6/15/1999	11/15/2000	6/11/1991	No	12/6/2006*	No
East Timor	No	No	No	8/2/2004**	4/16/2003**	No
Ecuador	9/19/2000	9/19/2000	3/23/1990	6/7/2004	1/30/2004	9/17/2002
Egypt	6/9/1999	5/6/2002	7/6/1990	2/6/2007*	7/12/2002*	5/5/2004
El Salvador	1/23/1996	10/12/2000	7/10/1990	4/18/2002	5/17/2004	3/18/2004
Equatorial Guinea	6/12/1985	8/13/2001	6/15/1992*	No	2/7/2003*	12/14/2003
Eritrea	2/22/2000	No	8/3/1994	2/16/2005	2/16/2005	No
Ethiopia	5/27/1999	9/2/2003	5/14/1991*	No	No	No

	<b>C. 138</b>	<b>C. 182</b>	<b>CRC</b>	<b>CRCOPAC</b>	<b>CRCPSC</b>	<b>Palermo</b>
Fiji	1/3/2003	4/17/2002	8/13/1993	No	9/16/2005	No
Gabon	No	3/28/2001	2/9/1994	No	10/1/2007	No
The Gambia	9/4/2000	7/3/2001	8/8/1990	No	No	5/5/2003
Georgia	9/23/1996	7/24/2002	6/2/1994*	No	6/28/2005*	9/5/2006
Ghana	No	6/13/2000	2/5/1990	No	No	No
Guatemala	4/27/1990	10/11/2001	6/6/1990	5/9/2002	5/9/2002	4/1/2004
Guinea	6/6/2003	6/6/2003	7/13/1990*	No	No	11/9/2004*
Guinea-Bissau	No	No	8/20/1990	No	No	9/10/2007
Guyana	4/15/1998	1/15/2001	2/13/1991	No	No	9/14/2004
Haiti	No	7/19/2007	6/8/1995	No	No	No
Honduras	6/9/1980	10/25/2001	9/9/1990	9/14/2002	6/8/2002	No
India	No	No	12/11/1992*	11/30/2005	8/16/2005	No
Indonesia	6/7/1999	3/28/2000	10/5/1990	No	No	No
Iraq	2/13/1985	7/9/2001	6/15/1999*	No	No	No
Jamaica	10/13/2003	10/13/2003	5/14/1991	6/9/2002	No	9/29/2003
Jordan	3/23/1998	4/20/2000	6/23/1991	5/23/2007	12/4/2006	No
Kazakhstan	5/18/2001	2/26/2003	8/12/1994	4/10/2003	8/24/2001	No
Kenya	4/9/1979	5/7/2001	7/30/1990	1/28/2002	No	1/5/2005*
The Kyrgyz Republic	3/31/1992	5/10/2004	10/8/1994*	8/13/2003*	3/12/2003*	10/2/2003
Lebanon	6/10/2003	9/11/2001	5/14/1991	No	11/8/2004	10/5/2005
Lesotho	6/14/2001	6/14/2001	3/10/1992	9/24/2003	9/24/2003	9/24/2003
Liberia	No	6/2/2003	6/4/1993	No	No	9/22/2004*
Macedonia	11/17/1991	5/30/2002	2/23/2000	No	No	No
Madagascar	5/31/2000	10/4/2001	3/19/1991	9/22/2004	9/22/2004	9/15/2005
Malawi	11/19/1999	11/19/1999	1/2/1991	No	No	3/17/2005
Mali	3/11/2002	7/14/2000	9/20/1990	5/16/2002	5/16/2002	4/12/2002
Mauritania	12/3/2001	12/3/2001	5/16/1991	No	4/23/2007*	7/22/2005*
Mauritius	7/30/1990	6/8/2000	7/26/1990*	No	No	9/24/2003*
Moldova	9/21/1999	6/14/2002	1/26/1993*	4/7/2004	4/12/2007	9/16/2005
Mongolia	12/16/2002	2/26/2001	7/5/1990	10/6/2004	6/27/2003	No
The Republic of Montenegro	6/3/2007	6/3/2007	10/23/2006**	5/2/2007**	10/23/2006**	10/23/2006**
Morocco	1/6/2000	1/26/2001	6/21/1993	5/22/2002	10/2/2001	No
Mozambique	6/16/2003	6/16/2003	4/26/1994	10/19/2004	3/6/2003	9/20/2006
Namibia	11/15/2000	11/15/2000	9/30/1990	4/16/2002	4/16/2002	8/16/2002
Nepal	5/30/1997	1/3/2002	9/14/1990	1/3/2007	1/20/2006	No
Nicaragua	11/2/1981	11/6/2000	10/9/1990	3/17/2005*	12/2/2004*	10/12/2004*
Niger	12/4/1978	10/23/2000	9/30/1990	No	10/26/2004	9/30/2004
Nigeria	10/2/2002	10/2/2002	4/19/1991	No	No	6/28/2001
Oman	7/21/2005	6/11/2001	1/8/1997*	9/17/2004*	9/17/2004*	5/13/2005*
Pakistan	7/26/2006	10/11/2001	11/12/1990	No	No	No
Panama	10/31/2000	10/31/2000	1/11/1991	8/8/2001	2/9/2001	8/18/2004
Papua New Guinea	6/2/2000	6/2/2000	3/2/1993	No	No	No
Paraguay	3/3/2004	3/7/2001	10/25/1990	9/27/2002	8/18/2003	9/22/2004
Peru	11/13/2002	1/10/2002	10/4/1990	5/8/2002	5/8/2002	1/23/2002
Philippines	6/4/1998	11/28/2000	8/21/1990	8/26/2003	5/28/2002	5/28/2002
Russia	5/3/1979	3/25/2003	8/16/1990	No	No	5/26/2004
Rwanda	4/15/1981	5/23/2000	1/24/1991	4/23/2002*	3/14/2002*	9/26/2003
Samoa	No	No	11/29/1994	No	No	No

	<b>C. 138</b>	<b>C. 182</b>	<b>CRC</b>	<b>CRCOPAC</b>	<b>CRCPSC</b>	<b>Palermo</b>
São Tomé and Príncipe	5/4/2005	5/4/2005	5/14/1991*	No	No	8/23/2006*
Senegal	12/15/1999	6/1/2000	7/31/1990	3/3/2004	11/5/2003	10/27/2003
The Republic of Serbia	11/24/2000	7/10/2003	No**	1/31/2003	10/10/2002	9/6/2001
Sierra Leone	No	No	6/18/1990	5/15/2002	9/17/2001	No
Solomon Islands	No	No	4/10/1995	No	No	No
Somalia	No	No	No	No	No	No
South Africa	3/30/2000	6/7/2000	6/16/1995	No	6/30/2003*	2/20/2004
Sri Lanka	2/11/2000	3/1/2001	7/12/1991	9/8/2000	9/22/2006	No
Suriname	No	4/12/2006	3/1/1993	No	No	5/25/2007
Swaziland	10/23/2002	10/23/2002	9/7/1995	No	No	No
Tanzania	12/16/1998	9/12/2001	6/10/1991	11/11/2004	4/24/2003	5/24/2006
Thailand	5/11/2004	2/16/2001	3/27/1992*	2/27/2006*	1/11/2006*	No
Togo	3/16/1984	9/19/2000	8/1/1990	11/28/2005	7/2/2004	No
Tonga	No	No	11/6/1995*	No	No	No
Trinidad and Tobago	9/3/2004	4/23/2003	12/5/1991	No	No	11/6/2007
Tunisia	10/19/1995	2/28/2000	2/29/1992	1/2/2003	9/13/2002	7/14/2003
Turkey	10/30/1998	8/2/2001	4/4/1995	5/4/2004	8/19/2002	3/25/2003
Uganda	3/25/2003	6/21/2001	3/17/1990	5/6/2002*	11/30/2001*	No
Ukraine	5/3/1979	12/14/2000	8/28/1991	7/11/2000	7/3/2003	3/21/2004
Uruguay	6/2/1977	8/3/2001	12/20/1990	9/3/2003	7/3/2003	3/4/2005
Uzbekistan	No	No	6/29/1994*	No	No	No
Venezuela	7/15/1987	10/26/2005	10/13/1990	10/23/2003	6/8/2002	5/13/2002
Yemen	6/15/2000	6/15/2000	5/1/1991	3/2/2007	12/15/2004	No
Zambia	2/9/1976	12/10/2001	12/6/1991	No	No	4/24/2005
Zimbabwe	6/6/2000	12/11/2000	9/11/1990	No	No	No

\* Accession

\*\* Succession

**C. 138** ILO Convention 138: Minimum Age for Admission to Employment

**C. 182** ILO Convention 182: Worst Forms of Child Labor

Ratification information for ILO conventions was taken from the ILO's *ILOLEX Database on International Labour Standards*, available at <http://www.ilo.org/ilolex/>.

**CRC** UN Convention on the Rights of the Child

**CRCOPAC** Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

**CRCPSC** Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography

Ratification information for the UN CRC and the two optional protocols is available at the website of the Office of the United Nations High Commissioner for Human Rights, at <http://www2.ohchr.org/english/bodies/ratification/11.htm>.

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

Ratification information for the Palermo protocol is available at the website of the United Nations Office on Drugs and Crime at <http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-traffickingprotocol.html>.



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