

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

The Government of Guinea is participating in an ILO-IPEC program funded by USDOL and the Cocoa Global Issues Group that seeks to withdraw children from hazardous work in the cocoa sector, provide income generation and economic alternatives, and promote education.¹⁹⁴⁴ In addition, the USAID-supported Sustainable Tree Crops Program is also working in Guinea to incorporate elements into its program to address child labor in the cocoa sector, and is coordinating with the USDOL-funded ILO-IPEC program.¹⁹⁴⁵

In 1997, the Government of Guinea held a workshop to raise awareness about child labor. With the help of the ILO and UNICEF, the government established a Child Labor Steering Committee chaired by the Ministry of Social Affairs and the Promotion of Women and Children (MSAPWC). Following the workshop, UNICEF financed an information consolidation project to collect all existing information on child labor, and produced a synthesis document detailing the existing information.¹⁹⁴⁶ Since the border conflicts in 2000, the steering committee's regular meetings have come to a halt, and the government's budget priorities have shifted more heavily toward national defense.¹⁹⁴⁷ With the exception of a few government-supported awareness raising programs, such as the MSAPWC children's rights campaign with UNICEF, most current child labor initiatives are implemented by NGOs independent of government support.¹⁹⁴⁸ The government admittedly lacks the capacity to take progressive steps to combat child labor,¹⁹⁴⁹ which led to the 2002 request by the Ministry of Social Affairs for technical assistance from ILO-IPEC to address the problem.¹⁹⁵⁰

In 1990, the Government of Guinea initiated the Education Sector Adjustment Program (PASE) to improve the quality of the education system.¹⁹⁵¹ The reform program is on-going, and the government is continuing to commit funds for teacher training, school construction, and the provision of books and materials.¹⁹⁵² In June 2002, the Government of Guinea became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.¹⁹⁵³ In 2001, the World Bank began implementing a USD 70 million loan program to assist the government's education reform efforts.¹⁹⁵⁴ USAID is assisting the Ministry of Education and promoting access to

¹⁹⁴⁴ ILO-IPEC, *West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labor (WACAP)*, project document, RAF/02/P5 0/USA, Geneva, September 26, 2002.

¹⁹⁴⁵ Ibid.

¹⁹⁴⁶ The synthesis document was published in 1998. See UNICEF officials, Ibrahime Yansane, and Silvia Pasti, interview with USDOL official, August 13, 2002. See also Aliou Barry, *Travail des Enfants en Guinée: Synthèse des données disponibles et constats de terrain*, STAT-VIEW Association, Conakry, January 1998.

¹⁹⁴⁷ UNICEF officials, Ibrahime Yansane, and Silvia Pasti, interview, August 13, 2002.

¹⁹⁴⁸ Ministry of Social Affairs and Promotion of Women and Children officials, Bafode Keita, and Camara Sarang Seck, interview with USDOL official, August 13, 2002. See also UNICEF officials, Ibrahime Yansane, and Silvia Pasti, interview, August 13, 2002. See also U.S. Embassy-Conakry, *unclassified telegram no. 2368*, 2001.

¹⁹⁴⁹ Ministry of Social Affairs and Promotion of Women and Children officials, Bafode Keita, and Camara Sarang Seck, interview, August 13, 2002. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Guinea*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18207.htm>.

¹⁹⁵⁰ Minister of Social Affairs and Promotion of Women and Children Mme. Bruce Mariama Aribot, letter to the Geneva Director of ILO-IPEC, 2002.

¹⁹⁵¹ UNESCO, *Education for All 2000 Assessment: Country Reports - Guinea*, prepared by Ministry of Pre-University Level Teaching and Civil Education, pursuant to UN General Assembly Resolution 52/84, 2000, [cited June 13, 2003]; available from <http://www2.unesco.org/wef/countryreports/guinea/contents.html#cont>.

¹⁹⁵² U.S. Embassy-Conakry, *unclassified telegram no. 2368*. See also Mohamed Fofana, interview with USDOL official, August 12, 2002.

¹⁹⁵³ World Bank, *World Bank Announces First Group Of Countries For 'Education For All' Fast Track*, press release, Washington, D.C., June 12, 2002; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20049839~menuPK:34463~pagePK:34370~piPK:34424,00.html>.

¹⁹⁵⁴ World Bank, *Education for All Projects*, [online] 2002 [cited June 13, 2003]; available from <http://www4.worldbank.org/sprojects/Project.asp?pid=P050046>.

quality basic education by focusing on teacher training, and community participation in education and girls' schooling.¹⁹⁵⁵ UNICEF is promoting youth participation in regional education conferences, as well as working to provide refugee children and other war-affected youth with access to education and supplies.¹⁹⁵⁶ In addition, WFP is providing food aid in rural areas in order to increase enrollment and attendance, particularly among girls.¹⁹⁵⁷

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 30.5 percent of children ages 10 to 14 years in Guinea were working.¹⁹⁵⁸ Children begin working beside their parents at a young age, often at 5 years in rural areas.¹⁹⁵⁹ The majority of working children are found in the domestic or informal sectors, carrying out activities such as subsistence farming, petty commerce, fishing, and small-scale mining.¹⁹⁶⁰ Children also work in gold and diamond mines, granite and sand quarries, and as apprentices to mechanics, electricians, and plumbers, among others professions.¹⁹⁶¹ Children are also found working on the streets selling cheap goods for traders, carrying baggage, or shining shoes.¹⁹⁶²

Children are reported to work in the commercial sex industry.¹⁹⁶³ While there have been scattered reports of trafficking in children, there is no available information on the extent of the problem. As in 2000, in 2001, UNICEF reported incidents of trafficking among refugee populations in four prefectures in Guinea's forest region.¹⁹⁶⁴ Furthermore, internal trafficking occurs from rural to urban areas.¹⁹⁶⁵ Children may also have worked as volunteer soldiers during border attacks in recent years, but the reports cannot be fully corroborated.¹⁹⁶⁶

¹⁹⁵⁵ USAID projects include an Interactive Radio Program that offers teacher training in rural areas; a Community Participation Program; and a Girls' Education Program effort to boost female enrollment rates. See USAID, *Education*, [cited June 18, 2003]; available from <http://www.usaid.gov/gn/education/background/index.htm>. See also Fofana, USAID interview, August 12, 2002.

¹⁹⁵⁶ UNICEF officials, Ibrahime Yansane, and Silvia Pasti, interview, August 13, 2002. This aid was provided to villages near the border with Liberia that experienced a high refugee influx, notably Lola, N'Zerekore, Dabola, and Yomou. See UNICEF, *Donor Update: Guinea, May 29, 2002*, [cited June 13, 2003]; available from <http://new.reliefweb.int/w/rwb.nsf/ByCountry/Guinea?OpenDocument&Start=1&Count=1000&ExpandView&StartKey=Guinea>.

¹⁹⁵⁷ U.S. Department of Agriculture, *Global Food For Education Pilot Program, Guinea: World Food Program, 2003* [cited June 18, 2003]; available from <http://www.fas.usda.gov/excredits/gfe/congress2003/counryrpts.htm>.

¹⁹⁵⁸ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. In 1997, the Ministry of Planning estimated that about 48 percent of children under the age of 15 were working. These children account for nearly 20 percent of the total working population and 26 percent of all agricultural workers. The Ministry of Planning estimates also suggested that child labor is much more prevalent in rural than urban areas. The Ministry estimated that in rural areas, approximately 66 percent of children between ages 7 and 14 and 91 percent between ages 15 and 19 were working. In urban areas, the numbers were approximately 19 percent and 50 percent, respectively. See U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Guinea*, Washington, D.C., March 4, 2002, Section 6d, [cited September 3, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8383.htm>.

¹⁹⁵⁹ UNICEF, *Situation Des Enfants et Des Femmes, Programme De Cooperation 2002-2006, Republique de Guinee*, Conakry, 2000, 35.

¹⁹⁶⁰ U.S. Embassy- Conakry, *unclassified telegram no. 1857*, 1998. See also UNICEF, *Situation Des Enfants et Des Femmes*, 83-84.

¹⁹⁶¹ UNICEF, *Situation Des Enfants et Des Femmes*, 84.

¹⁹⁶² U.S. Embassy- Conakry, *unclassified telegram no. 2368*. See also UN Committee on the Rights of the Child, *Initial Reports Awaited from States Parties for 1992*, CRC/C/3/Add.48, prepared by Government of Guinea, pursuant to Article 44 of the Convention on the Rights of the Child, November 20, 1996, para. 116-17.

¹⁹⁶³ U.S. Department of State, *Country Reports- 2002: Guinea*, Section 6f. See also UNICEF, *Situation Des Enfants et Des Femmes*, 84-85.

¹⁹⁶⁴ U.S. Department of State, *Country Reports- 2002: Guinea*, Section 6f. See also UNICEF, *Situation Des Enfants et Des Femmes*, 85. In July 2001, Guinean officials released 33 young Nigerian girls destined for Europe to the Nigerian Embassy.

¹⁹⁶⁵ U.S. Embassy- Conakry, *unclassified telegram no. 2368*.

¹⁹⁶⁶ The volunteers were self-organized groups formed by villagers to combat border insurgencies. Although the groups were not officially part of the Guinean military, the army provided guns. Multiple sources stated that children were most likely involved. See UNICEF officials, Ibrahime Yansane, and Silvia Pasti, interview, August 13, 2002. See also Guinean Human Rights Organization, interview with USDOL official, August 12, 2002. See also U.S. Embassy- Conakry, *unclassified telegram no. 2704*, 2001.

Public education is free¹⁹⁶⁷ and compulsory for 6 years, between the ages of 7 and 13 years.¹⁹⁶⁸ In 2001, the gross primary enrollment rate was 61.4 percent, and in 2000 the net primary enrollment rate was 47.0 percent.¹⁹⁶⁹ Enrollment remains substantially lower among girls than boys. In 2001, the gross primary enrollment rate was 49.2 percent for girls, compared to 74.3 percent for boys.¹⁹⁷⁰ In 1999, the gross primary school attendance rate was 61.0 percent and the net primary attendance rate was 40.0 percent.¹⁹⁷¹ Children, particularly girls, may not attend school or may choose to dropout in order to assist their parents with domestic work or agriculture.¹⁹⁷² In general, enrollment rates are substantially lower in rural areas.¹⁹⁷³ Government resources for education are limited, there are not enough school facilities to adequately serve the population of school-age children, and the availability of school supplies and equipment is poor.¹⁹⁷⁴

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 16 years, although children under the age of 16 can work with official consent.¹⁹⁷⁵ Based on the Labor Code, apprentices may begin to work at 14 years of age. Workers under the age of 18 are not permitted to work at night or work more than 10 consecutive hours.¹⁹⁷⁶ The Labor Code also prohibits forced or bonded labor and hazardous work by children under 18 years.¹⁹⁷⁷ Guinea's Penal Code prohibits trafficking of persons, the exploitation of vulnerable persons for unpaid or underpaid labor,¹⁹⁷⁸ and procurement or solicitation for the purposes of prostitution.¹⁹⁷⁹ The official age for voluntary recruitment or conscription into the armed forces is 18 years,¹⁹⁸⁰ and the regulation is reported to be strictly enforced within the government army.¹⁹⁸¹

¹⁹⁶⁷ Republic of Guinea, *Rapport relatif au principe de l'abolition effective du travail des enfants*, Conakry, September 4-8, 2000.

¹⁹⁶⁸ UNESCO, *National Education Systems - Guinea*, [cited June 13, 2003]; available from http://www.uis.unesco.org/statsen/statistics/yearbook/tables/Table3_1.html.

¹⁹⁶⁹ World Bank, *World Development Indicators 2003*.

¹⁹⁷⁰ Ibid.

¹⁹⁷¹ Ministry of Pre-University Level Teaching and Civil Education, *Schooling in Guinea, Findings from the GDHS-2 1999*, Conakry, Guinea, January 17, 2001, 17; available from www.dec.org/pdf_docs/PNACK873.pdf.

¹⁹⁷² U.S. Department of Agriculture, *Guinea: World Food Program*. See also UNICEF, *Situation Des Enfants et Des Femmes*, 70.

¹⁹⁷³ According to USAID, sample enrollment rates in two rural areas were 16 percent and 27 percent, as opposed to 84 percent in Conakry. See USAID, *USAID Education*. See also Fofana, USAID interview, August 12, 2002.

¹⁹⁷⁴ UNICEF, *Situation Des Enfants et Des Femmes*, 68. According to Teacher's Union representatives, it is common for classes to run as large as 100 students, with only one teacher. See Guinean Teacher's Union (SLECG/FSPE), interview with USDOL official, August 12, 2002.

¹⁹⁷⁵ *Code du Travail de la Republique de Guinée, 1988*, Article 5.

¹⁹⁷⁶ The penalty for an infraction of the law is a fine of 30,000 to 600,000 GFN (USD 16 to 310). See Ibid., Articles 31, 145, 48, and 67. For currency conversion see FX Converter, [online] [cited June 18, 2003]; available from <http://www.carosta.de/frames/convert.htm>.

¹⁹⁷⁷ Section 187 of the Labor Code prohibits hazardous work, defined as any work likely to endanger the health, safety, or morals of children. The Ministry of Labor determines the exact jobs that are considered hazardous. See *Code du Travail, 1988*, Articles 2, 186 and 87, 205.

¹⁹⁷⁸ U.S. Embassy- Conakry, *unclassified telegram no. 2368*.

¹⁹⁷⁹ The fine for violations of the procurement or solicitation law ranges from 100,000 to 1,000,000 GFN (USD 52 to 515) and imprisonment for 2 to 5 years when the crime involves a minor under 18 years. See Government of the Republic of Guinea, *Penal Code*, as cited in The Protection Project Legal Library, [database online], Article 289, as cited in Protection Project [cited August 25, 2003]; available from <http://www.protectionproject.org>. For currency conversion see FX Converter, at <http://www.carosta.de/frames/convert.htm>.

¹⁹⁸⁰ U.S. Embassy- Conakry, *unclassified telegram no. 2704*. See also Coalition to Stop the Use of Child Soldiers, "Guinea," in *Global Report 2001*, 2001, Articles 288 and 89, [cited June 13, 2003]; available from http://www.child-soldiers.org/report2001/global_report_contents.html.

¹⁹⁸¹ U.S. Embassy-Conakry, *unclassified telegram no. 1239*, August 2003.

The government has acknowledged that the implementation and enforcement of labor legislation remains weak.¹⁹⁸² The Labor Inspectorate within the Ministry of Labor has one inspector and several assistants in each prefecture to enforce relevant legislation.¹⁹⁸³ Under the Labor Code, punishment for infractions of child labor laws range from a fine of up to 800,000 GNF (USD 414) to imprisonment for no more than two months.¹⁹⁸⁴ The penalty for trafficking is 5 to 10 years of imprisonment.¹⁹⁸⁵

The Government of Guinea ratified ILO Convention 138 and ILO Convention 182 on June 6, 2003.¹⁹⁸⁶

¹⁹⁸² UN Committee on the Rights of the Child, *Initial Reports of States Parties: Guinea*, para. 119.

¹⁹⁸³ Bengaly Camara, interview with USDOL official, August 12, 2002.

¹⁹⁸⁴ *Code du Travail, 1988*, Article 205. For currency conversion see FX Converter, at <http://www.carosta.de/frames/convert.htm>.

¹⁹⁸⁵ U.S. Embassy- Conakry, *unclassified telegram no. 2368*.

¹⁹⁸⁶ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 3 2003]; available from http://www.ilo.org/ilolex/cgi-lex/ratifce.pl?Guinea_.