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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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<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.

<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,