

Benin

<i>Selected Statistics and Indicators on Child Labor</i> ³¹⁹	
Population, children, 5-14 years, 2002-2003:	2,086,870
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 (%), 2006:	95.9
Net primary enrollment rate (%), 2006:	80.2
School attendance, children 5-14 years (%), 2003:	59.2
Survival rate to grade 5 (%), 2005:	71.5
ILO Convention 138:	6/11/2001
ILO Convention 182:	11/6/2001
CRC:	8/3/1990
CRCOPAC:	1/31/2005
CRCOPSC:	1/31/2005
Palermo:	8/30/2004
ILO-IPEC participating country:	Yes

*In practice, must pay for various school expenses

Incidence and Nature of Child Labor

In Benin, children work on family farms, in cotton fields and on rice plantations. Children work in animal husbandry (e.g., cattle, goats, and rabbits) and also hunt and fish.³²⁰ Children also work in transportation, small businesses, urban markets, and on construction sites.³²¹ Children also work in gold mines and in stone and granite quarries.³²²

Under the practice of *vidomegon*, children, primarily 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.³²³ While the arrangement is initially a voluntary one between the families, the child frequently is subject to poor conditions such as long work hours, insufficient food, and sexual exploitation. Some street children are also sexually exploited.³²⁴

The practice of sending boys to Koranic teachers to receive education, which may include a vocational or apprenticeship component, is a tradition in various countries, including Benin.³²⁵ While some boys receive lessons, many are forced to beg and surrender the money that they have earned or to work in agricultural fields. Also, some boys work as alms collectors, porters, and rickshaw operators in exchange for an education from Koranic teachers.³²⁶

Benin is a source, transit, and to a lesser extent, a destination country for trafficked children.³²⁷ The vast majority of trafficked Beninese children are trafficked internally; are trafficked from rural areas to urban cities (such as Cotonou, Parakou, and Porto-Novo); and are girls.³²⁸ Girls are trafficked for domestic labor (including under the practice of *vidomegon*) and sexual exploitation. Boys are trafficked for work in agriculture (e.g., harvesting cotton), construction, and as street vendors.³²⁹

The majority of Beninese children trafficked outside of the country are sent to Nigeria, followed by Côte d'Ivoire and Gabon.³³⁰ However, Beninese children are also trafficked to Ghana, Republic of Congo, Guinea-Bissau, and the Central African Republic for work in stone quarries, prostitution, and domestic labor; and to Togo and Côte d'Ivoire for work on plantations. Children are also trafficked from Niger, Togo, and Burkina Faso to Benin for domestic labor.³³¹

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.³³² Children are also prohibited from performing night work, defined as work between the hours of 9 p.m. and 5 a.m.³³³ 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.³³⁴ Employers are required to maintain a register including the birth date of all employees under 18 years, and a labor inspector can require that workers between the ages of 14 and 21 years 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, which increase for repeat violators.³³⁵

The law prohibits forced labor and stipulates a penalty of imprisonment for 2 months to 1 year and/or a fine.³³⁶ Beninese law expressly forbids the trafficking of children.³³⁷ 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.³³⁸ The punishment for moving or attempting to move a child within the country without proper authorization is 1 to 3 years imprisonment and fines. The punishment for moving a child out of Benin without proper authorization is 2 to 5 years of imprisonment and fines.³³⁹ 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; if the child is found dead before a verdict is reached; if force, fraud, or violence is used; or if 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.³⁴⁰ The minimum age for voluntary recruitment and conscription into the military is 18 years.³⁴¹

Benin 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.³⁴² As part of the regional Multilateral Cooperation Agreement to Combat Trafficking in Persons, the Government agreed to investigate and prosecute trafficking offenders; to rehabilitate and reintegrate trafficking victims; and to assist fellow signatory countries to implement these measures under the Agreement.³⁴³

The Ministry of Labor and Civil Service is responsible for implementation of the Labor Code and employs 126 labor inspectors.³⁴⁴ While the majority of child labor in Benin takes place in the informal sector, the labor inspectors only regulate the formal sector.³⁴⁵ In addition, according to USDOS, the Government of Benin did not effectively enforce the labor code due to a lack of labor inspectors.³⁴⁶ The Government's Brigade for the Protection of Minors is responsible for enforcement of child labor and child trafficking laws.³⁴⁷ During 2008, the Brigade prosecuted 58 people for child trafficking.³⁴⁸ According to USDOS, while the Brigade monitored travelers at some of the border crossings, the Government's enforcement of trafficking laws was still inhibited by corruption.³⁴⁹

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

In November 2008, the Joint Benin and Nigeria Committee to Combat Child Trafficking developed a 2009 to 2010 Joint Action Plan to combat the Trafficking of children from Zakpota, Benin to Abeokuta, Nigeria, for labor in stone quarries.³⁵⁰ The Government of Benin developed a 2008 to 2012 National Plan to Combat Child Trafficking and Labor, with support from the ILO.³⁵¹ The National Child Protection and Monitoring Working Group was tasked with following up on and monitoring the implementation of the Plan.³⁵² With support from UNICEF and other donors, the Government continued to create and support the functioning of local committees to combat child trafficking.³⁵³

During the reporting period, the Brigade for the Protection of Minors increased its efforts to combat child trafficking by rescuing 222 trafficking victims.³⁵⁴ The Government of Benin also continued to collaborate with NGOs to provide child trafficking victims with basic services, such as food, shelter, medical care, and education services.³⁵⁵ The Government of Benin continued to work with NGOs and journalists to raise awareness on child labor and trafficking through the media and workshops.³⁵⁶ The Government also continued programs to sensitize teachers, local committees, law enforcement agents, and other people on child trafficking, with support from USAID and UNICEF.³⁵⁷

The Government of Benin participates in a 4-year technical assistance project with the EU Cooperation and Technical Assistance Bureau (BCAT).³⁵⁸ In 2008, the Government, with support from BCAT created a website for the National Child Protection and Monitoring Working Group. The aim of the website is to provide important information on child protection.³⁵⁹

The Government participates in a 1-year regional project funded by Denmark at USD 2.64 million and implemented by ILO-IPEC. The project focuses on implementation of policy level agreements.³⁶⁰ The Government also participates in a 3-year regional project funded by France at USD 4.83 million and implemented by ILO-IPEC. The project aims to combat the worst forms of child labor in Francophone Africa.³⁶¹ The Government participated in a 5-year regional project funded by Denmark at USD 6.19 million and implemented by ILO-IPEC. The project aimed to combat child trafficking for labor exploitation and ended in April 2008.³⁶² The Government of Benin is participating in a 4-year USDOL-funded USD 1.6 million ILO-IPEC project to conduct data collection on child labor.³⁶³

³¹⁹ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, 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/49604/65115/F98BEN01.htm>. For age to which

education is compulsory, see ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Benin (ratification: 2001)*, [previously online] 2004 [cited January 22, 2009], article 2 para 3; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN> [hard copy on file]. For free public education, see Government of Benin, *Constitution de la République du Bénin*, (December 11, 1990), articles 12 and 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- 2008*, Washington, DC, 2009, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>.

³²⁰ U.S. Department of State, "Country Reports- 2008: Benin," section 6d. See also Environmental Justice Foundation, *The Children Behind Our Cotton*, London, 2007, 11; available from <http://www.ejfoundation.org/page481.html>. See also U.S. Embassy- Cotonou, *reporting*, May 29, 2008, para 4-5.

³²¹ U.S. Department of State, "Country Reports- 2008: Benin," section 6d.

³²² 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]. See also U.S. Embassy- Cotonou, *reporting*, May 29, 2008, para 1-3. See also U.S. Embassy- Cotonou, *reporting*, July 29, 2008, para 1.

³²³ U.S. Department of State, "Country Reports- 2008: Benin," sections 5, 6d.

³²⁴ *Ibid.*

³²⁵ 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, 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> [hard copy on file].

³²⁶ 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 690, 693, 697-698. See also IOM, *Traditional Practices Being Abused to Exploit Children in West Africa*, Warns IOM, [online] 2006 [cited January 29, 2009]; available from

<http://www.iom.int/jahia/Jahia/newsArticleAF/cache/offonce?entryId=12007>.

³²⁷ U.S. Embassy- Cotonou, *reporting*, February 10, 2009, para 7b.

³²⁸ *Ibid.*, para 7b, 7d. See also Ministry of Family and Children and UNICEF, *Etude Nationale sur la Traite des Enfants: Rapport d'analyse*, November 2007, 21.

³²⁹ U.S. Department of State, "Benin (Tier 2)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008>. 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.

See also U.S. Embassy- Cotonou, *reporting*, January 13, 2009, para 17. See also U.S. Department of State, "Country Reports- 2008: Benin," sections 5. See also U.S. Embassy- Cotonou, *reporting*, February 10, 2009, para 7b.

³³⁰ U.S. Embassy- Cotonou, *reporting*, February 10, 2009, para 7b. See also ILO-IPEC, *La Traite des Enfants*, 32.

³³¹ U.S. Department of State, "Country Reports- 2008: Benin," section 5, *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.

³³² Government of Benin, *Code du Travail*, articles 66, 166. See also ILO Committee of Experts, *Direct Request: Benin, Convention 138*, article 2, paras 1, 4 and article 7, paras 1, 4.

³³³ Government of Benin, *Code du Travail*, articles 153, 154.

³³⁴ Inter-Ministerial Order No. 132 of 2000 as noted in ILO Committee of Experts, *Direct Request: Benin, Convention 138*, article 3, para 2.

³³⁵ Government of Benin, *Code du Travail*, articles 167, 169, 301.

³³⁶ *Ibid.*, articles 3, 303.

³³⁷ 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>.

³³⁸ *Ibid.*, articles 3-4.

³³⁹ *Ibid.*, articles 17, 18.

³⁴⁰ *Ibid.*, articles 16, 21-24.

³⁴¹ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.childsoldiersglobalreport.org/>

³⁴² Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006.

³⁴³ ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-13; available from http://www.ceeac-eccas.org/img/pdf/Multilateral_Agreement_Trafficking-1184251953.doc.

³⁴⁴ U.S. Department of State, "Country Reports- 2008: Benin," section 6d. See also U.S. Embassy- Cotonou, *reporting*, January 13, 2009, para 8.

³⁴⁵ U.S. Embassy- Cotonou, *reporting*, January 13, 2009, para 8. See also U.S. Department of State, "Country Reports- 2008: Benin," section 6d.

³⁴⁶ U.S. Department of State, "Country Reports- 2008: Benin," section 6d.

³⁴⁷ *Ibid.*, section 5. See also U.S. Embassy- Cotonou, *reporting*, January 13, 2009, para 7, 8.

³⁴⁸ U.S. Department of State, "Country Reports- 2008: Benin," section 5.

³⁴⁹ U.S. Embassy- Cotonou, *reporting*, September 9, 2008, para IV. A. See also U.S. Embassy- Cotonou, *reporting*, February 10, 2009, para 11b.

³⁵⁰ U.S. Embassy- Cotonou, *reporting*, February 10, 2009, para 9g. See also U.S. Embassy- Cotonou official, E-mail communication to USDOL official, April 3, 2009.

³⁵¹ U.S. Embassy- Cotonou, *reporting*, February 10, 2009, para 11d.

³⁵² National Child Protection and Monitoring Working Group, *Cellule Nationale de Suivi et de Coordination pour la Protection de l'Enfant*, [online] 2009 [cited March 27, 2009]; available from <http://www.cnspe.net/spip.php?rubrique=1>.

³⁵³ U.S. Department of State, "Country Reports- 2008: Benin," section 5.

³⁵⁴ *Ibid.*

³⁵⁵ *Ibid.* See also U.S. Department of State, "Trafficking in Persons Report- 2008: Benin."

³⁵⁶ U.S. Department of State, "Country Reports- 2008: Benin," section 5, 6d. See also U.S. Embassy- Cotonou, *reporting*, January 13, 2009, para 10.

³⁵⁷ U.S. Embassy- Cotonou, *reporting*, February 10, 2009, para 11a.

³⁵⁸ *Ibid.*, para 10l.

³⁵⁹ *Ibid.*, para 8d.

³⁶⁰ ILO-IPEC Geneva official, E-mail communication to USDOL official, April 16, 2009.

³⁶¹ *Ibid.*

³⁶² *Ibid.*

³⁶³ ILO-IPEC official, E-mail communication to USDOL official, March 31, 2009.