

In 2018, Benin made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved a National Action Plan for the Elimination of the Worst Forms of Child Labor, and approved a new Penal Code that enhances protections to victims of trafficking and commercial sexual exploitation. During the year authorities provided temporary shelter and assistance to 1,214 child victims of trafficking and exploitation. However, children in Benin engage in the worst forms of child labor, including in the production of cotton and crushed granite. Children also perform dangerous tasks in domestic work and street vending. Children with disabilities have no access to the regular education system, leaving these children at risk of becoming victims of child labor and exploitation. In addition, limited resources for the adequate enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Benin engage in the worst forms of child labor, including in the production of cotton and crushed granite. Children also perform dangerous tasks in domestic work and street vending. (1-3) Table 1 provides key indicators on children's work and education in Benin. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	20.9 (680,004)
Attending School (%)	5 to 14	71.0
Combining Work and School (%)	7 to 14	16.3
Primary Completion Rate (%)		80.7

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (4)
Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2011–2012. (5)

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

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

Sector/Industry	Activity
Agriculture	Production of cotton† (3,6)
	Capturing,† cleaning, and descaling fish (7-9)
	Raising livestock† (9)
Industry	Collecting,† crushing,† washing,† and sieving stones† for gold mining† and gravel† and granite quarrying† (1,8,10)
	Construction, including brickmaking† (7,8,10)
Services	Domestic work† (1,2,10,11)
	Working as mechanics† and in the transportation industry† (8,10)
	Street vending† (8,10-14)
	Dressmaking† and carpentry† (9)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, vending, construction, handicraft activities, artisanal mining, fishing, granite quarrying, and agriculture, including in the production of cotton, each sometimes as a result of human trafficking (1,2,8,11)
	Forced begging (15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (8,12,16,17)

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

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

Benin

MODERATE ADVANCEMENT

Children are trafficked mostly within Benin but also to other countries, primarily Gabon, Nigeria, and the Republic of the Congo, for domestic work and commercial sexual exploitation, and to work in vending, farming, and stone quarrying. Children living in the northern regions of Benin are the most vulnerable to trafficking. (1,2,11,15,18-20) Traditionally, under a practice known locally as *vidomégon*, children, up to 95 percent of them girls, live with relatives or family friends to perform household services in exchange for educational opportunities; however, many children become victims of labor exploitation and sexual abuse. (1,2,11,15,18,21,22)

The Constitution guarantees free compulsory primary education; nevertheless, some parents are expected to pay school fees because many schools lack funds. (23,24) In addition, evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment and rape of students by teachers, prevent some children from remaining in school. (2,12,15,16,23,25) Children with disabilities have no access to the regular education system, and a lack of reliable transportation forces some children to walk long distances to school. (22,23,26) In rural areas, in particular, children are often unregistered due to a limited understanding of procedures for receiving a birth certificate and the associated costs. Unregistered children face denial of public services. (20,23,27)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Benin's legal framework to adequately protect children from the worst forms of child labor, including insufficient penalties.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 166 of the Labor Code; Article 210 of the Child Code (28,29)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Occupations List (30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations List (30)
Prohibition of Forced Labor	Yes		Articles 3 and 303 of the Labor Code; Article 4 of the Law Relating to the Transportation and Trafficking of Minors; Article 212 of the Child Code (28,29,31)
Prohibition of Child Trafficking	Yes		Articles 3 and 303 of the Labor Code; Articles 2–4, 6, 18, and 22 of the Law Relating to the Transportation and Trafficking of Minors; Articles 212 and 352–353 of the Child Code; Articles 499–501 and 504 of the Penal Code (28,29,31,32)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Law on the Prevention and Repression of Violence Against Women; Article 4 of the Law Relating to the Transportation and Trafficking of Minors; Articles 212 and 378 of the Child Code; Article 504 of the Penal Code (29,31-33)
Prohibition of Using Children in Illicit Activities	Yes		Article 212 of the Child Code; Article 4 of the Law Relating to the Transportation and Trafficking of Minors (29,31)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of Law 2005-43 (34)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 6 of Law 2005-43; Title II, Article 32 of the Constitution (24,34)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 2 and 4 of the Law Relating to the Transportation and Trafficking of Minors (31)
Compulsory Education Age	Yes	16	Article 24 of Act No 2003-17; Article 4 of the Law on the Prevention and Repression of Violence Against Women (33,35)
Free Public Education	Yes		Article 13 of the Constitution; Article 114 of the Child Code (24,29)

On June 5, 2018, the National Assembly approved the Penal Code, and on December 28, the Constitutional Court declared the new Penal Code consistent with the Constitution. The new Penal Code enhances criminal provisions for trafficking offenses, offenses related to the commercial sexual exploitation of children, and some abuses related to the practice of *vidomégon*. (8,11,32) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (36) Currently, Article 22 of the Law Relating to the Transportation and Trafficking of Minors prescribes insufficient penalties, especially in comparison to punishments for other serious crimes, such as rape. (19,31)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Civil Service (MOLCS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Civil Service (MOLCS)	Enforces child labor laws and investigates labor code infractions, including those related to child labor. (12,16,37) Provides support to victims of child labor and human trafficking. (2,16,38)
Ministry of Social Affairs and Microfinance	Offers social assistance and social support services to vulnerable populations. Through its Office of Family, Childhood, and Adolescence, provides assistance to trafficking victims by means of 85 Social Promotion Centers across the country. (9,11) Through the Family and Child Monitoring Office, maintains a database on child trafficking. During the reporting period, trained 456 child protection officials, including police officers, labor inspectors, and social workers on children's rights and capacity building to improve social services to vulnerable children. (11)
Ministry of the Interior	Enforces criminal laws related to the protection of minors, including the worst forms of child labor, through the Central Office for the Protection of Minors (OCPM) under the Criminal Police Department. (2,8,16,19) Through OCPM, maintains a child trafficking database to track and process child trafficking cases. (11) The government allocated approximately \$94,545 for OCPM activities in 2018. (8) Through its Brigade des Moeurs (vice squad), addresses human trafficking for sexual exploitation. (21)

In 2018, the Central Office for the Protection of Minors (OCPM) established child protection services in the cities of Tindji, Parakou, Segbana, Karimama, and Malanville. (8) Services provided include investigation, initial legal and psychological assistance, and referral to appropriate social services providers. (39)

Benin

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Benin took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOLCS that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$42,881 (20)	\$236,363 (39)
Number of Labor Inspectors	35 (20)	35 (8)
Inspectorate Authorized to Assess Penalties	Yes (20)	Yes (8)
Initial Training for New Labor Inspectors	No (20)	Yes (39)
Training on New Laws Related to Child Labor	N/A (20)	Yes (8)
Refresher Courses Provided	No (20)	Yes (39)
Number of Labor Inspections Conducted	30 (20)	141 (8)
Number Conducted at Worksite	Unknown (20)	Unknown (8)
Number of Child Labor Violations Found	812 (20)	565 (40)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (20)	2 (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (20)	2 (8)
Routine Inspections Conducted	Yes (20)	Yes (8)
Routine Inspections Targeted	Yes (20)	Yes (8)
Unannounced Inspections Permitted	Yes (20)	Yes (8)
Unannounced Inspections Conducted	Unknown (20)	Unknown (8)
Complaint Mechanism Exists	Yes (20)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (20)	Yes (8)

In 2018, the General Directorate of Labor trained 40 labor inspectors, police officers, and social workers on topics related to child labor, including the interpretation and application of relevant laws. (8,39) During the year, labor inspections were conducted in centers at which apprentices learn assorted trades in the cities of Bohicon, Lokossa, Abomey, Azovè, Parakou, and Porto-Novo. Inspectors observed violations that included a failure to adhere to minimum age requirements, lack of apprenticeship contracts, and poor hygiene and safety conditions. (11) During the year, government authorities imposed penalties for two child labor violations in Cotonou and in Porto-Novo. In Cotonou, two perpetrators paid a fine of \$524 for labor exploitation of a mason apprentice, and in Porto-Novo, a vendor in an open market received a 5-year suspended prison sentence and a fine of \$175 for economically exploiting a child. (8,39) The number of labor inspectors is likely insufficient for the size of Benin's workforce, which includes more than 3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Benin would employ about 92 inspectors. (41,42) Despite the significant increase in budget in 2018, the labor inspectorate stated that it lacks material and financial resources to adequately conduct inspections. (2,12)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Benin took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (20)	Unknown (39)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (8)
Refresher Courses Provided	Yes (20)	No (8)
Number of Investigations	30 (43)	188 (11)
Number of Violations Found	Unknown (20)	Unknown (8)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Criminal Law Enforcement	2017	2018
Number of Prosecutions Initiated	Unknown (20)	44 (40)
Number of Convictions	6 (43)	11 (44)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (8)

In 2018, six individuals were convicted and punished for involvement in child trafficking for labor exploitation. Three of the individuals were sentenced to 3 to 60 months in prison, and the other three individuals received 2 to 18-month suspended sentences. (11,40) In 2018, UNICEF assisted the OCPM in keeping a registry of every child that entered a government-built shelter used as a temporary transit facility for child victims of human trafficking. (8) The OCPM, under the Ministry of the Interior, works together with Social Promotion Centers under the MOLCS to provide social services to child victims and ensure criminal investigation of the cases. (45) However, the OCPM remained understaffed, underfunded, and without sufficient office supplies, transportation, and fuel to adequately enforce laws and provide victims with immediate assistance. (2,11) Police lacked the transportation resources to investigate human trafficking cases and the tools with which to maintain database records. Court officials continued to express their difficulties with maintaining database records on human trafficking, and reported a lack of personnel and infrastructure to efficiently prosecute cases. (11,18,46)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of clarity regarding institutional mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Executive Committee to Combat Child Labor	Provides policy guidance; approves programs; and coordinates, monitors, and evaluates efforts to combat child labor in Benin. (2) Led by MOLCS, and comprising delegates from multiple ministries, UNICEF, ILO, trade unions, and NGOs. (16,47) In November 2018, held a 2-day session attended by 30 officials representing the government, NGOs, trade unions, and employers' associations to discuss activities undertaken since the previous meeting, and the implementation of the National Action Plan. (8,39)
National Commission on Children's Rights	Coordinates and promotes efforts on children's rights at the national level. Chaired by the Ministry of Justice, with the participation of delegates from multiple ministries and representatives of civil society groups, who are appointed by the Minister of Justice. (2) Research was unable to determine whether the National Commission on Children's Rights was active during the reporting period.
National Monitoring and Coordination Working Group for Child Protection (CNSCPE)	Coordinates government efforts to address child protection through five technical committees: trafficking and exploitation, juvenile justice, violence against children, orphans and vulnerable children, and early childhood. Led by the Ministry of Social Affairs and Microfinance, and represents 40 members from government ministries, NGOs, donor agencies, and international and bilateral technical partners. (8) CNSCPE did not meet in 2018. (8,39)
Inter-Ministerial Task Force to Combat Trafficking in Persons	Coordinates government efforts to address trafficking in persons through five committees: prosecution, prevention and protection, statistics, intellectual, and policy. Led by the Ministry of Planning and Development and includes the membership of key ministries and NGOs. (9,20,46) The task force met regularly in 2018 to discuss trafficking in persons issues. (8,11) During the reporting period, the government finalized a National Policy to Fight Trafficking in Persons with an accompanying action plan, which are expected to be implemented in 2019. (44,48)

In November 2018, a delegation comprising representatives from the Ministry of Social Affairs, the OCPM, the Ministry of Foreign Affairs, the Ministry of Justice, and UNICEF traveled to Libreville to sign a cooperative agreement with Gabon to fight child trafficking. In addition, during the reporting period, the government, with the assistance of the National Institute of Statistics and Economic Analysis and UNICEF, undertook efforts to consolidate the Ministry of Social Affairs' database on the social and justice sectors. (8,39) The mandates of the National Executive Committee to Combat Child Labor and the National Commission on Children's Rights overlap and are a source of confusion. (2) In addition, although there is an information management system at the national level, data are rarely analyzed or used to affect implementation on the ground. (49)

MODERATE ADVANCEMENT

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including incorporating child labor elimination and prevention strategies into the Education Sector Plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Elimination of the Worst Forms of Child Labor (2019–2023)†	Approved in May 2018, aims to reduce the worst forms of child labor in Benin by 70 percent by the end of 2023. Targets six focus areas: strengthening the legislative and institutional framework related to child labor; information, awareness, and social mobilization; education and training; victim monitoring; protection and referral; inspection and repression; and institutional mechanisms and monitoring and evaluation of the plan. (8)
Action Plan to Eradicate Child Exploitation in Markets	Aims to eliminate the worst forms of child labor in the major markets of Benin, including Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzèkè in Parakou. Strengthens child labor laws, raises awareness of child labor in markets, and creates social programs for children rescued from labor exploitation in the targeted markets. (20,50,51) In 2018, the government continued open market inspections, and showed a documentary on child economic exploitation at the markets of Cotonou, Porto-Novo, Parakou, Lokossa, Abomey, and Bohicon. (8)
National Policy for Child Protection (2014–2025)	Aims to improve child protection in Benin. Includes components to improve school feeding programs and combat the worst forms of child labor, with a focus on child trafficking. (12,51,52) Although the policy paper was disseminated at the end of 2018, research was unable to determine whether the policy had received formal approval or whether activities were undertaken to implement the policy during the reporting period. (20,48)
Bilateral Commitments to Combat Cross-Border Trafficking†	Bilateral cooperative agreements with the Republic of the Congo, Nigeria, and Gabon to coordinate investigation, extradition, and prosecution of child traffickers between the respective countries. In October 2018, the government, with the assistance of a local NGO, supported a workshop in the Republic of the Congo to assess cooperation efforts since the signing of their bilateral agreement. (11) During the reporting period, the government repatriated 99 Beninese child trafficking victims from Gabon, Nigeria, and Niger, and provided the social services needed for social reintegration. (11) In November 2018, the government signed a bilateral cooperative agreement with the Government of Gabon to combat child trafficking. (11,53) In addition, during the reporting period, the government, in cooperation with IOM, facilitated the repatriation and reintegration of six boys trafficked from Niger and nine girls trafficked from Gabon. Each boy received a stipend to assist in learning a trade and developing income-earning activities. (11)
Education Sector Plan (2018–2030)†	Aims to improve access to education, including targeted interventions for orphaned children and children outside of the formal school system. Approved in June 2018. (6,54)
UN Development Assistance Framework (2014–2018)	Outlines the collective actions and strategies of the UN system for achieving national development goals, including specific activities to address child labor by increasing access to social protection services. (55) Research was unable to determine whether activities were undertaken to implement UNDAF during the reporting period.
Standard Operating Procedures for the Protection of Abused Children†	Seeks to improve the quality of services provided by OCPM, harmonize police activities, and create synergy between the police and other actors involved in child protection. Approved in February 2018. (8)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (25)

In February 2018, the government released new Standard Operating Procedures for the Protection of Abused Children that aim to improve coordination efforts between the OCPM and social services providers. In May, the government approved a new National Action Plan for the Elimination of the Worst Forms of Child Labor that addresses the deficiencies of the old national plan. (8)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Government-Funded Shelters†	Social Promotion Centers (CPSs) provide food, shelter, education, and vocational training to vulnerable children, including victims of labor exploitation, in 85 centers. During the reporting period, CPSs conducted 225 anti-trafficking education campaigns. (11) OCPM also operates an interim care facility for human trafficking survivors before their placement in a long-term shelter. (9,16,20,38,47) In 2018, OCPM provided temporary shelter and assistance to 1,214 child victims of trafficking and exploitation. (11)
Government-Funded Re-Training Centers†	MOLCS, with the assistance of UNICEF, maintains a vocational school program to train survivors of child trafficking in a trade. (47,49) Research was unable to determine whether activities were undertaken to implement the vocational school program during the reporting period.
Benin Global Partnership for Education Program (2014–2018)	Approximately \$42.3 million World Bank-funded project to provide equity in access to basic education in impoverished districts. (9,57) The project concluded in April 2018. (58)
Integrated National School Feeding Program (2017–2021)*†	\$87 million Government of Benin-funded program that is managed by the World Food Program and aims to reach 3,000 schools in Benin. (59) In his end-of-the-year speech, President Patrice Talon stated that, in 2018, the program benefited 537,400 girls and helped reduce the overall number of school dropouts. (8)
McGovern-Dole International Food for Education and Child Nutrition Program (2018–2022)*	\$19 million U.S. Department of Agriculture-funded project implemented by Catholic Relief Services in the Alibori and Borgou regions. Aims to improve literacy and attendance of school-aged children, improve the health and dietary practices of students, and increase government capacity and ownership of school meal programs. (60) The project is implemented in 146 schools, and will reach an estimated 50,965 school-aged children. (60)

*Program was launched during the reporting period.

† Program is funded by the Government of Benin.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (12,38,61,62)

In July 2018, the National Assembly passed a law to allow, by way of derogation, the issuance of birth certificates to citizens, including children, who do not have one. In November, the government and UNICEF launched an SMS-based platform—“Rapid Pro”—which allows parents to declare births via a text message and mitigates challenges related to the issuance of birth certificates. (8) Although the Government of Benin has implemented programs to protect children from human trafficking and participated in programs focused on child labor in quarrying and mining, research was unable to determine whether the government has conducted programs to assist children engaged in other worst forms of child labor, including in domestic work, commercial sexual exploitation, or agriculture. (12)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Benin (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the compulsory education age to be consistent with the minimum age for employment.	2018
Enforcement	Provide consistent training for criminal law enforcement officials, including refresher courses on child labor.	2013 – 2018
	Increase resources to enforce laws against child labor; provide immediate victim assistance, and increase the number of labor inspectors to meet the ILO’s technical advice.	2009 – 2018
	Publish data on whether unannounced inspections are conducted and the number of inspections conducted at worksites, and violations and convictions related to the worst forms of child labor.	2009 – 2018
Coordination	Take measures to coordinate efforts between the National Executive Committee to Combat Child Labor and the National Commission on Children’s Rights, ensuring that the committees meet and coordinate mandates.	2013 – 2018
	Analyze the data received from national information management systems and disseminate the results nationwide.	2013 – 2018

MODERATE ADVANCEMENT

Table I I. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government Policies	Ensure that existing policies addressing child labor are implemented as intended.	2018
	Ensure that child labor elimination and prevention strategies are integrated into the Education Sector Plan.	2010 – 2018
Social Programs	Increase access to education by eliminating school-related fees, ensuring that children with disabilities have access to regular schools, ensuring the safety of children in schools, providing reliable transportation, and increasing birth registration rates.	2010 – 2018
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018
	Institute programs to address the worst forms of child labor, including in domestic work, commercial sexual exploitation, and agriculture, and monitor and report annually on the progress of these programs.	2010 – 2018

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